

**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
JULY 1, 2013
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 <http://onelakewood.com/> after noon on the Friday before a Council meeting.

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 --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.

The Clerk at the beginning of the meeting will present the AGENDA ITEMS sign-in sheet to the President of Council. Speakers will address Council after being called by the Chair.

PUBLIC COMMENT PROTOCOL -- A citizen must write his or her name, address and topic on the designated sign-in sheet in order to be recognized. 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 the Council Meeting on miscellaneous issues or issues other than agenda items. The forum is not designed to be a question and answer session.

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

Reading and disposal of the Minutes of the Regular Meeting of Council held June 17, 2013

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

****OLD BUSINESS****

1. Ad-Hoc Committee on Board & Commission; Mr. Powers; Chair (Pg.5)
2. **ORDINANCE NO. 64-13** – AN ORDINANCE repealing Section 135.12, SAVE Rewards Program, Section 137.16, Emergency Medical Services Commission, Chapter 141, Boxing and wrestling Commission, Section 149.20, Incentive Awards, Chapter 151, Sundry claims, chapter 158, Child Care Services Advisory Board, and Chapter 159, Lakewood Youth Commission, and amending Section 109.01, Open Meetings, and Section 127.02, Settlement Authorization, of the Lakewood Codified Ordinances, to eliminate instances of outmoded or unused committees, commissions or boards from the Code. (PLEASE SUBSTITUTE PLACED ON 1ST READING & REFERRED TO THE AD HOC COMMITTEE ON BOARDS AND COMMISSIONS 11/19/12, 2nd READING 12/3/12, (Pg. 7)
3. **ORDINANCE NO. 19-13** – AN ORDINANCE amending Section 146.04, Advisory, of the Codified Ordinances of the City of Lakewood to further clarify the role and duties of the Lakewood Animal Safety and Welfare Advisory Board. (Pg.16)
4. **ORDINANCE NO. 20-13** – AN ORDINANCE amending Section 142.05, Advisory, and Section 142.09, Public Records; Reporting Duties, of the Codified Ordinances of the City of Lakewood to further clarify the role and duties of the Community Relations Advisory Commission. (Pg.18)
5. **ORDINANCE NO. 21-13** – AN ORDINANCE amending Section 145.02, Duties of the Codified Ordinances of the City of Lakewood to clarify the reporting duties of the Keep Lakewood Beautiful Board. (Pg. 20)
6. **ORDINANCE NO. 22 -13** – an ordinance AMENDING Section 113.04, Fair Employment Wage Board, of the Codified Ordinances of the City of Lakewood to disband the Board and assign the duties of the Board to the Civil Service Commission. (Pg.22)
7. Finance Committee Report regarding Ordinances Nos. 14 & 15-13, & Communication from Mayor Summers regarding Parking Rates. – Ms. Madigan; Chair. (Pg.25)
8. **ORDINANCE NO. 14-13** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the Tax Budget of the City of Lakewood, Ohio for the year 2014, and authorizing the filing of same with the Cuyahoga County Fiscal Officer. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 5/20/13, 2nd READING 6/3/13) (Pg. 27).
9. Public Works Committee Report regarding Automated Recycling Collection. Mr. Juris; Chair (To Be Provided)

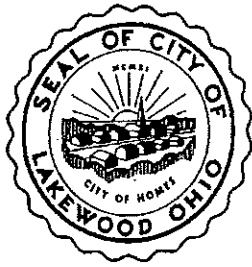
10. Public Safety Committee Report regarding Public Safety Review of Fire Department.
(To Be Provided)
11. **ORDINANCE NO. 18-13** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Director of Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property located at 1337 Hall Avenue for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 6/3/13, REPORTED OUT ON, PLACED ON 2ND READING & RECOMMENDED FOR ADOPTION 6/17/13) (Pg. 28)
12. Communication from Planning & Development Director Siley regarding Rezoning Request Clifton Point Phase II, Board and Commission Report to Council. (Pg.30)
13. **ORDINANCE NO. 8-13** - AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as 18828 Sloane Avenue (PP#'s 311-14-018, 311-14-019 and 311-14-102) also known as the Clifton Pointe Phase 2. (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 3/18/13, 2ND READING 4/1/13, REPORTED OUT ON FROM PLANNING COMMISSION, REFERRED TO THE COMMITTEE OF THE WHOLE 4/15/13, deferred 5/6/13) (Pg. 31)
14. Liquor Permit Application for a D5 transfer to Brutella; 11729 Detroit Road from Moon Pie same address. (DEFERRED 6/3/13, 6/17/13) (Pg. 32)

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

15. Communication from Council President Powers regarding Proposed Resolution Regarding "Lakewood Reads". (Pg.33)
16. **RESOLUTION NO. 8664-13** – A RESOLUTION to recognize "Lakewood Readers" as a City-wide event and to encourage participation by all Lakewood residents this summer. (Pg. 35)
17. Communication from Finance Director Pae regarding 2014 Tax Advance Resolution, 2014 Tax Rate Resolution. (Pg.36)
18. **RESOLUTION 8665-13** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council or otherwise, to take effect and be in force after the earliest period allowed by law requesting the Cuyahoga County Fiscal Officers to draw and the Cuyahoga County Treasurer to pay to the City of Lakewood Director of Finance an advance of all real; personal property; estate taxes and

special assessments collected in the year 2014 in such amounts as may be requested and available. (Pg.37)

19. **RESOLUTION NO. 8666-13** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council or otherwise, to take effect and be in force after the earliest period allowed by law accepting the amount and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officers. (Pg. 39)
20. Communication from Finance Director Pae regarding Local Government Innovation Fund Grant Award Notification. (Pg.41)
21. **RESOLUTION NO. 8667-13** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance, on behalf of the City, to enter into an Agreement with the Ohio Development Services Agency – Local Government Innovation Council to accept funds for Yellow-Belt training and Lean project support in the amount of \$41,725. The \$9,250 expended by the City in 2012 for Yellow-Belt training and Lean project support was considered as the project match. (Pg.42)
22. Communication FROM Mayor Summers regarding Re-Appointment to Citizens Advisory Committee. (Pg. 44)



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Lakewood City Council

BRIAN POWERS, PRESIDENT

MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
RYAN P. NOWLIN
BRIAN E. POWERS
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Ward Council
DAVID W. ANDERSON, WARD 1
THOMAS R. BULLOCK III, WARD 2
SHAWN P. JURIS, WARD 3
MARY LOUISE MADIGAN, WARD 4

July 1, 2013

Lakewood City Council
12650 Detroit Road
Lakewood, OH 44107

Re: Ad-Hoc Committee on Boards & Commissions

Dear Members of Council:

After numerous meetings in 2012 and follow-up research earlier this year, the Ad-Hoc Committee held six meeting in April and May to evaluate and recommend improvements regarding the City's volunteer Boards and Commissions. One such meeting was primarily organizational in nature and one was held to discuss legislation eliminating boards and commissions that were clearly obsolete and not required by Charter. Each of the four additional meetings was exclusively dedicated to the discussion of one board or commission previously identified by the Committee as neither required by Charter nor clearly obsolete. Representatives from these boards and commissions were present at the meetings to provide input to the Committee.

The Committee's deliberations resulted in five pieces of legislation before you tonight for your consideration. They are as follows:

Ordinance 64-12 - To Repeal Outmoded Boards & Commissions

Ordinance 64-12 proposes to eliminate seven boards and commissions that have ceased meeting and that have remained unstaffed for several years. The Committee determined that the purposes of these boards and commissions are no longer relevant to the City. The boards and commissions to be eliminated are the SAVE Rewards Program, the Emergency Medical Services Commission, the Boxing and Wrestling Commission, Incentive Awards, Sundry Claims, Child Care Services Advisory Board, and the Lakewood Youth Commission. The ordinance also eliminates irrelevant references to boards and commissions that were never officially enacted.

Ordinance 19-13 – Role and Duties of the Lakewood Animal Safety & Welfare Board (LASWAB)

Ordinance 19-13 clarifies the process by which issues are referred to LASWAB. In an effort to ensure greater cooperation between LASWAB and Council, the ordinance authorizes LASWAB to pursue tasks that are officially referred to it by Council. The ordinance also adds an annual reporting requirement.

Ordinance 20-13– Role and Duties of the Lakewood Community Relations Advisory Commission (LCRAC)

Ordinance 20-13 clarifies the process by which issues are referred to LCRAC. In an effort to ensure greater cooperation between LCRAC and Council, the ordinance authorizes LCRAC to pursue tasks that are officially referred to it by Council. The ordinance changes LCRAC's semi-annual reporting requirement to an annual reporting requirement.

Ordinance 21-13 – Reporting Duty of the Keep Lakewood Beautiful Board (KLB)

Ordinance 21-12 proposes that KLB submit an annual report to Council, which it is not currently required to do.

Ordinance 22-13 – To Assign Duties of the Fair Employment Wage Board (FEWB) to the Civil Service Commission

Ordinance 22-12 proposes to assign the duties of the FEWB related to the enforcement of the Fair Wage Ordinance to the three-member Civil Service Commission.

Please refer these ordinances to the Ad-Hoc Committee on Boards and Commissions for further action.

Sincerely,



Brian E. Powers
President, Lakewood City Council

Placed on first reading and referred to the ad hoc Committee on Boards and Commissions November 19, 2012, second reading December 3, 2012. Please substitute for the original.

ORDINANCE NO. 64-12

BY:

AN ORDINANCE repealing Section 135.12, SAVE Rewards Program, Section 137.16, Emergency Medical Services Commission, Chapter 141, Boxing and Wrestling Commission, Section 149.20, Incentive Awards, Chapter 151, Sundry Claims, Chapter 158, Child Care Services Advisory Board, and Chapter 159, Lakewood Youth Commission, and amending Section 109.01, Open Meetings, and Section 127.02, Settlement Authorization, of the Lakewood Codified Ordinances, to eliminate instances of outmoded or unused committees, commissions or boards from the Code.

WHEREAS, the Code currently contains several provisions establishing unused or outmoded boards, committees and commissions, such that the Code should be revised to repeal the same; 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 135.12, SAVE Rewards Program, of the Lakewood Codified Ordinances, currently reading as follows:

135.12 SAVE REWARDS PROGRAM.

(a) The Chief of Police is hereby authorized and directed to establish a rewards program within the City to be known as SAVE (Stop A Vandal Easily).

(b) The program shall be administered and conducted in the manner and form as shall be set forth and described in the rules and regulations of such program as shall be established by the Division of Police.

(c) The Mayor, the Chief and the Chairman of the Traffic and Safety Committee of Council shall constitute a Rewards Committee and shall be solely responsible for determining when a reward is appropriate and determining the amount of such reward.

(d) There is hereby established a special account in the Trust and Agency Fund to be identified as the SAVE Account, and such Account shall be used solely for the purpose of receiving and dispersing funds

related to the program. The sum of five hundred dollars (\$500.00) is hereby appropriated and transferred from the unappropriated balance of the General Fund to the Account in the Trust and Agency Fund.

shall be and hereby is repealed.

Section 2. Section 137.16, Emergency Medical Services Commission, of the Lakewood Codified Ordinances, currently reading as follows:

137.16 EMERGENCY MEDICAL SERVICES COMMISSION.

(a) Establishment and Membership. There is hereby established in and for the City of Lakewood an Emergency Medical System Commission, to consist of the Mayor, the Chair of the Public Safety Committee of City Council, the Health Commissioner, the EMS Medical Director, the Lakewood Hospital Clinical Nurse Manager of the Emergency Room, the Chief of Fire, the Chief of Police, a Citizen appointed by the Mayor who shall serve a term of two years from the date of appointment, and a representative appointed by City Council who will serve a term of two years from the date of appointment.

(b) Duties. The duties of the Lakewood Emergency Medical System Commission shall be:

- (1) To develop medical and public safety benchmarks;
- (2) To monitor performances of the EMS Fire Based system;
- (3) To identify training needs of EMS professionals;
- (4) To assure ongoing communication and collaboration among health care and public safety professionals charged with providing quality pre-hospital emergency medical care to the citizens of Lakewood; and
- (5) To report annually to the Mayor.

(c) Authority of Commission. The Lakewood Emergency Medical System Commission shall have the authority to review the provisions of the Fire based EMS services within the City and make recommendations to the Mayor and City Council.

(d) Procedure. The Lakewood Emergency Medical Services Commission shall make and promulgate rules as necessary and proper to carry out the duties of the Commission. The Commission shall keep a record of its proceedings which shall be open to public inspection.

(e) Chairman; Secretary. The Mayor, shall serve as Chair of the Commission. The Commission may appoint a secretary.

shall be and hereby is repealed.

Section 3. Chapter 141, Boxing and Wrestling Commission, of the Lakewood Codified Ordinances, currently reading as follows:

141.01 ESTABLISHMENT AND MEMBERSHIP.

There is hereby established a Boxing and Wrestling Commission, to consist of three residents of the City to be appointed by the Mayor and to serve at his pleasure without compensation. Persons employed by the City, or by the Board of Education of the City, may be appointed members of the Boxing and Wrestling Commission.

141.02 POWERS AND DUTIES; OFFICERS.

It shall be the duty of the Boxing and Wrestling Commission to investigate all applications for permits referred to it by the Mayor, and to report the results of such investigations to the Mayor; to regulate and control the conditions and conduct of places operated for the training of boxers or wrestlers or where boxing or wrestling exhibitions are held and, for such purposes, to adopt such rules as it may deem necessary in the public interest; to provide for its own organization and meetings, including the election of its chairman. The Director of Finance or a deputy assigned by him shall act as secretary thereof without compensation.

141.03 PERMIT FOR TRAINING OR HOLDING EXHIBITION.

Any person desiring to operate a place for the training of boxers or wrestlers, or to hold boxing and wrestling exhibitions, shall file an application for a permit for each such purpose with the Mayor, who shall refer each such application to the Boxing and Wrestling Commission for investigation and report.

Upon such reference, it shall be the duty of the Commission to make, or cause to be made, a thorough investigation to determine the financial responsibility and general character of the applicant, the fitness of the participants in any boxing or wrestling exhibition if then known, and such other matters as may be pertinent to the granting of the application, and to report the results of the investigation to the Mayor with its recommendations as to the granting or rejection of the application for permit. After receipt of such report, the Mayor may grant or reject the application and, if granted, the Mayor may thereafter revoke any such permit.

141.04 PERMIT FEES.

Prior to the issuance of a permit for the operation of a place for the training of boxers or wrestlers, the applicant shall pay a fee of five dollars (\$5.00) and, thereafter, as long as any such permit shall continue in effect, the applicant shall pay an annual fee of five dollars (\$5.00) during January of each year to the Director of Finance.

The grantee of a permit for the holding of boxing and wrestling exhibitions shall pay the Director of Finance the sum of fifty dollars (\$50.00) for and prior to the holding of each boxing or wrestling exhibition. This fee shall not be required for such exhibitions given in a theater as a regular part of any theater program, or any boxing or wrestling exhibition by a Lakewood organization, the proceeds of which are to be used for charitable purposes, which purposes shall be subject to the approval

of the Boxing and Wrestling Commission. All money received for such permits shall be placed in the General Fund.

shall be and hereby is repealed.

Section 4. Section 149.20, Incentive Awards, currently reading as follows:

149.20 INCENTIVE AWARDS.

The Mayor is hereby authorized and directed to establish an Incentive Awards Program for all employees of the City, including first line supervisors such as foremen in the Department of Public Works, sergeants in the Division of Police and captains in the Division of Fire of the Department of Public Safety, but excluding all other managerial personnel and elected officials, such Program to be established within the following guidelines:

- (a) Suggestions to be of two types, those which have a definite monetary value and those where value cannot be stated in monetary terms although some intangible value to the City results;
- (b) For those suggestions adopted which result in monetary savings to the City an award of up to ten percent (10%) of such savings but not to exceed two thousand dollars (\$2,000) may be made to the employee;
- (c) For those suggestions adopted which do not result in monetary savings, but do have some intangible value to the City, an award of fifteen dollars (\$15.00) to one hundred dollars (\$100.00) may be made to the employee;
- (d) There shall be established specific time limits for acknowledgment of receipt of suggestions and investigation by the department concerned;
- (e) Anonymity and confidentiality of every employee submitting a suggestion shall be maintained during the investigative stage by the department involved;
- (f) There shall be established a final review committee consisting of the Director of Public Works of the City, the City Engineer, a member of Council as designated by Council and the department head of the department involved; and
- (g) Any monetary award recommended by the review committee shall be approved by the Mayor and authorized by resolution of Council.

shall be and hereby is repealed.

Section 5. Chapter 151, Sundry Claims, currently reading as follows:

151.01 SETTLEMENT OF CLAIMS OF \$500.00 OR LESS.

All small, unliquidated claims, actions, causes of action and demands in favor of or against the City shall be referred to the Mayor, the Chair-

man of the Finance Committee of Council and the Director of Law. They are hereby authorized to consider such claims and to settle, adjust and compromise all lawful actions, causes of action, claims and demands in favor of or against the City, providing such settlement, adjustment and compromise may be effected for five hundred dollars (\$500.00) or less.

151.02 PAYMENT AND ACCEPTANCE OF CLAIMS OF \$500.00 OR LESS.

The Director of Finance, upon approval of the compromise and settlement of any such action, cause of action, claim or demand against the City for five hundred dollars (\$500.00) or less by the Mayor, the Chairman of the Finance Committee of Council and the Director of Law is hereby authorized and directed to pay the amount so approved, upon obtaining satisfactory release, and charge the amount to the proper fund. The Director of Finance is hereby authorized and directed to accept payment of any such claim in favor of the City amounting to five hundred dollars (\$500.00) or less upon the approval of such settlement, adjustment and compromise thereof by the Mayor, the Chairman of the Finance Committee of Council and the Director of Law, to execute the proper receipt or release and to credit any such amount to the proper fund.

shall be and hereby is repealed.

Section 6. Chapter 158, Child Care Services Advisory Board, currently reading as follows:

158.01 ESTABLISHMENT.

The Lakewood Child Care Services Advisory Board is hereby established in and for the City.

158.02 COMPOSITION.

(a) The Lakewood Child Care Services Advisory Board shall consist of not more than nine members who are interested in child care, as follows:

- (1) Three parent representatives originally appointed by a committee and thereafter by the Board;
- (2) One attorney originally appointed by the same committee and thereafter by the Board;
- (3) One designee appointed by Council;
- (4) One representative appointed by the Mayor;
- (5) One designee appointed by the Lakewood Board of Education;
- (6) One representative appointed by the Superintendent of the Lakewood City Schools; and

(7) One representative appointed by the Lakewood Hospital.

(b) The Director of the Board shall serve ex officio as a member of the Board. Four members of the community, representing home care, day care, preschool child care and school age child care providers shall serve ex officio as members of the Board. These members shall be originally appointed by the committee and thereafter by the Board.

shall be and hereby is repealed.

Section 7. Chapter 159, Lakewood Youth Commission, currently reading as follows:

159.01 ESTABLISHMENT; PURPOSE.

To bring the community of Lakewood together to effectively foster successful and well-adjusted youth that are responsible and contributing members of the community. The Lakewood Youth Commission will fulfill its mission by acting as an ongoing planning and advocacy body and act as a champion for youth and youth involvement in City and community planning processes. The Commission shall act as a liaison between youth serving organizations, local businesses, local government, schools and the community for the purpose of collaborative resolution of community needs and issues. The Commission shall establish progress indicators and devise an evaluation tool that will guide future actions and keep the community informed about the plan's progress, monitor short term and long term youth master plan implementation goals and revise the plan as needed. In addition, the Commission shall seek external funding sources.

159.02 MEMBERSHIP.

The Lakewood Youth Commission shall consist of a maximum of 19 members. For membership purposes, youth shall be defined as Lakewood residents between the ages of 11 and 21 years of age. Membership is as follows:

(a) Appointments. The following authorities will each have two appointments, one youth and one at-large; the Superintendent of Lakewood Schools; Lakewood City Council; the Mayor of Lakewood; and the Lakewood School Board.

(b) The City of Lakewood Department of Human Services and the Lakewood City Schools will each have one ex-officio member.

(c) The Youth Master Plan Executive Committee, existing at the time of passage of this chapter, shall select four youth and five adult at-large members through an application process approved by the existing Youth Master Plan Executive Committee within three months of the effective date of this section.

(d) Except as provided in subsections (a) and (b), the Lakewood Youth Commission shall select future at-large members through an application process approved by the existing Lakewood Youth Commission within one year of the effective date of this section.

159.03 TERMS.

Members shall be appointed for two-year renewable terms. Members may serve consecutive terms.

159.04 MISSION STATEMENT; BYLAWS AND GENERAL RULES OF OPERATION.

The Lakewood Youth Commission shall be authorized to adopt its own mission statement, bylaws and general rules of operation, which shall be consistent with this chapter, all other ordinances and the Amended Charter of the City and laws of the State. The mission statement of the Lakewood Youth Commission shall be consistent with Section 159.01.

159.05 ASSISTANCE FROM DEPARTMENT OF HUMAN SERVICES.

The Lakewood Youth Commission shall be authorized to call upon the Department of Human Services for assistance in carrying out the purposes set forth in this chapter.

159.06 PUBLIC RECORDS; REPORTING DUTIES.

The Lakewood Youth Commission shall keep records of its meetings and activities and make available those records and as required by law. Such records shall be maintained by the Department of Human Services.

shall be and hereby is repealed.

Section 8. Section 109.01, Open Meetings, currently reading as follows:

109.01 OPEN MEETINGS.

Unless otherwise provided in the Codified Ordinances, all meetings of Council, the Board of Building Standards and Building Appeals, the Board of Zoning Appeals, the Board of Control, Civil Service Commission, the Planning Commission, the Senior Citizens Advisory Committee, the Citizens Advisory Committee on CD Block Grants and other similar public bodies of the City or other citizens' committees as may be appointed from time to time, shall be open to the public, unless an executive session is expressly authorized under the applicable provisions of State law.

Nothing herein contained shall mandate that any public body permit public participation in such meetings unless specifically required by the provisions of the Second Amended Charter or the Codified Ordinances.

shall be and hereby is amended to read as follows:

109.01 OPEN MEETINGS.

Unless otherwise provided in the Codified Ordinances, all meetings of Council, the Board of Building Standards and Building Appeals, the Board of Zoning Appeals, the Board of Control, Civil Service Commission, the Planning Commission, ~~the Senior Citizens Advisory Committee~~, the Citizens Advisory Committee ~~on CD Block Grants~~ and other similar public bodies of the City or other citizens' committees as may be appointed from time to time, shall be open to the public, unless an executive session is expressly authorized under the applicable provisions of State law.

Nothing herein contained shall mandate that any public body permit public participation in such meetings unless specifically required by the provisions of the Second Amended Charter or the Codified Ordinances.

Section 9. Section 127.02, Settlement Authorization, currently reading as follows:

127.02 SETTLEMENT AUTHORIZATION.

(a) The Director of Law or any Assistant Director of Law designated by the Director may adjust, settle, compromise or submit to arbitration any action, cause of action, account, debt, claim, demand, dispute or other matter in favor of or against the City, or in which the City is concerned as debtor or creditor, now existing or which may hereafter arise. The power and authority provided for herein shall include, but is not limited to, the power and authority to settle claims for damages and loss in civil actions for injury, death or loss to persons or property allegedly caused by any act or omission, whether governmental or proprietary, of the City or by an official or employee of the City, provided the act or omission of the official or employee occurred or is alleged to have occurred while such official or employee was acting in good faith and not manifestly outside the scope of his employment or official responsibilities.

(b) Settlement of claims, other than moral claims referred to the Small Claims Commission pursuant to Chapter 151, and not exceeding seven thousand, five hundred dollars (\$7,500), shall be subject to the approval of the Mayor and the Law Director. Settlement of claims above seven thousand, five hundred dollars (\$7,500), and not exceeding twenty-five thousand dollars (\$25,000), shall be subject to the approval of either the Council Finance Committee or the Council Committee of the Whole by written report thereof, signed by a majority of the members of either of the respective Committees. Settlement of claims exceeding twenty-five thousand dollars (\$25,000) shall be subject to the approval of Council pursuant to ordinance or resolution.

(c) Nothing in this section shall be construed to constitute a waiver of any immunity or defense of the City or its employees, or as a modification of the terms of present or future insurance policies purchased by the City.

shall be and hereby is amended to read as follows:

127.02 SETTLEMENT AUTHORIZATION.

...

(b) Settlement of claims, ~~other than moral claims referred to the Small Claims Commission pursuant to Chapter 151,~~ and not exceeding seven thousand, five hundred dollars (\$7,500), shall be subject to the approval of the Mayor and the Law Director. Settlement of claims above seven thousand, five hundred dollars (\$7,500), and not exceeding twenty-five thousand dollars (\$25,000), shall be subject to the approval of either the Council Finance Committee or the Council Committee of the Whole by written report thereof, signed by a majority of the members of either of the respective Committees. Settlement of claims exceeding twenty-five thousand dollars (\$25,000) shall be subject to the approval of Council pursuant to ordinance or resolution.

...

Section 10. 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.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

ORDINANCE NO.

BY:

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

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

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

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

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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

146.04 ADVISORY

The Lakewood Animal Safety and Welfare Advisory Board shall be advisory and shall coordinate its activities with the Administration and Council and any other boards or agencies. The Lakewood Animal Safety and Welfare Advisory Board is authorized to undertake any task requested that is consistent with its purpose.

shall be and is hereby amended to read as follows:

146.04 ADVISORY; REPORTS

~~The Lakewood Animal Safety and Welfare Advisory Board shall be advisory and shall coordinate its activities with the Administration and Council and any other boards or agencies advise Council on issues formally referred to the Board by Council. The Board may also advise the Mayor or his or her administration on matters upon which the Mayor or his or her administration requests advice. The Lakewood Animal Safety and Welfare Advisory Board is authorized to undertake any task requested that is consistent with its purpose. The Board shall submit an annual report of its activities to Council within a manner to be decided upon by the Board.~~

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council,

and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

President

Clerk

Approved: _____

Mayor

20 .

ORDINANCE NO.

BY:

AN ORDINANCE amending Section 142.05, Advisory, and Section 142.09, Public Records; Reporting Duties, of the Codified Ordinances of the City of Lakewood to further clarify the role and duties of the Community Relations Advisory Commission.

WHEREAS, the Community Relations Advisory Commission was established for the purpose of advancing the values of diversity, equity, and bonds of mutuality among Lakewood residents; and

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

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

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 142.05, Advisory, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

142.05 ADVISORY.

The Lakewood Community Relations Advisory Commission is to be advisory to and shall coordinate its activities with the Mayor, Lakewood City Council, Planning Commission, and any other such boards, commissions, agencies, or departments of the City of Lakewood, Ohio. The Lakewood Community Relations Advisory Commission is also authorized to undertake community relations tasks as requested by the Mayor and City Council.

shall be and is hereby amended to read as follows:

142.05 ADVISORY.

The Lakewood Community Relations Advisory Commission is to be advisory to and shall ~~coordinate its activities with the Mayor, Lakewood City Council, Planning Commission, and any other such boards, commissions, agencies, or departments of the City of Lakewood, Ohio.~~ undertake community relations tasks that are officially referred to the Commission by Council. The Lakewood ~~Community Relations Advisory~~ Commission is also authorized to undertake

community relations tasks as requested by the Mayor or his or her
administration and City Council.

Section 2. Section 142.09, Public Records; Reporting Duties, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

142.09 PUBLIC RECORDS; REPORTING DUTIES.

The Lakewood Community Relations Advisory Commission shall keep records of its meetings and activities and shall submit a semi-annual report at a regularly scheduled meeting of Lakewood City Council. Minutes of each meeting shall also be forwarded to the Mayor and City Council.

shall be and is hereby amended to read as follows:

142.09 PUBLIC RECORDS; REPORTING DUTIES.

The Lakewood Community Relations Advisory Commission shall keep records of its meetings and activities and shall submit an semi-annual report to at a ~~regularly scheduled meeting of Lakewood City Council~~ within a manner to be decided upon by the Commission. Minutes of each meeting shall also be forwarded to the Mayor and City Council.

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 deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

President

Clerk

Approved: _____

Mayor

ORDINANCE NO.

BY:

AN ORDINANCE amending Section 145.02, Duties, of the Codified Ordinances of the City of Lakewood to clarify the reporting duties of the Keep Lakewood Beautiful Board.

WHEREAS, the Keep Lakewood Beautiful Board was established to foster stewardship of the environment; and

WHEREAS, since its establishment, the Board has been a visible presence, enhancing the City's natural landscape; and

WHEREAS, streamlining the Board's reporting duties will further enhance the Board's ability to make a positive impact on Lakewood; and

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 145.02, Duties, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

145.02 DUTIES.

The duties of the Keep Lakewood Beautiful Board shall be:

- (a) To promote public interest in the general improvement of the environment of the City;
- (b) To initiate, plan, direct and coordinate programs for litter control for the community on a sustainable basis;
- (c) To implement and maintain the Clean Community System;
- (d) To study, investigate and develop plans for improving the health, sanitation, safety and cleanliness of the City by beautifying public and private areas in the City;
- (e) To aid in the prevention of fires, diseases and other casualties by the removal and elimination of trash and other debris from public and private areas;
- (f) To encourage the placing, planting and/or preservation of trees, flowers, plants, shrubbery, and other objects of ornamentation in the City;

- (g) To protect wildlife;
- (h) To advise and recommend plans to other agencies of the City for the beautification of the City; and
- (i) Otherwise to promote public interest in the general improvement of the environment of the City.

Nothing contained herein, however, shall be construed to abridge or change the powers and duties of other commissions, departments, boards and like agencies of the City; and provided further that any project or undertaking begun by the Board shall be terminated at any time upon the decision of either the Mayor or Council that the continuance thereof is not in the public interest.

shall be and hereby is amended to read as follows:

145.02 DUTIES.

The duties of the Keep Lakewood Beautiful Board shall be:

...

- (j) To submit an annual report of activities to Council within a manner to be determined by the Board.

Nothing contained herein, however, shall be construed to abridge or change the powers and duties of other commissions, departments, boards and like agencies of the City; and provided further that any project or undertaking begun by the Board shall be terminated at any time upon the decision of either the Mayor or Council that the continuance thereof is not in the public interest.

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

Adopted: _____

President

Clerk

Approved: _____

Mayor

ORDINANCE NO.

BY:

AN ORDINANCE amending Section 113.04, Fair Employment Wage Board, of the Codified Ordinances of the City of Lakewood to disband the Board and assign the duties of the Board to the Civil Service Commission.

WHEREAS, employees of the City are currently ensuring compliance with the Fair Employment Wage Ordinance without assistance from the Fair Employment Wage Board (FEWB) which has remained unstaffed and inactive since 2009; and

WHEREAS, both the Civil Service Commission and the FEWB are assigned duties and have expertise in areas of fair wages; and

WHEREAS, it is in the interest of efficiency to eliminate the FEWB and assign its duties to the Civil Service Commission; and

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 113.04, Fair Employment Wage Board, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

113.04 FAIR EMPLOYMENT WAGE BOARD.

- (a) The Fair Employment Wage Board (FEWB) shall review the effectiveness of the living wage ordinance to ensure that the community is informed on whether those companies that are being awarded service contracts by the City are adhering to the ordinance. The FEWB shall make recommendations to the Administration and Lakewood City Council, when appropriate, regarding issues pertaining to the living wage policy.
- (b) The FEWB shall be composed of seven (7) members, six of whom shall be electors of the City, the seventh member shall be a representative of the Mayor's administration. Three members of the Board shall be appointees of the Mayor, and three members shall be appointees of Council. The Mayor and Council shall appoint one appointee from the business community, a labor organization, and a community group. The appointing authority of a Board member may remove that member for cause. No person shall be appointed to the FEWB who has any interest in a contract with the City of Lakewood.
- (c) The Mayor shall initially appoint three (3) members of the FEWB for one-year terms, two (2) members for two (2) year terms, and two (2) members for a three (3) year term. Thereafter, all members shall serve three-year terms,

including the representative from City Council. Appointees named after June 1, 2005, shall be appointed alternately by the Mayor and Council as existing Board member's terms expire, with Council having the first appointment. Members may serve more than one term.

(d) At the beginning of each year the FEWB members shall elect a chairperson and vice-chairperson by majority vote. The FEWB shall hold semi-annual meetings and in special sessions as called by the chairperson or by a majority of the members. All meetings of the FEWB shall be open to the public and minutes shall be taken. An employee of the City of Lakewood shall be assigned to serve as secretary to the FEWB.

(e) The FEWB shall be provided with and shall review:

- (1) All reports on compliance filed by the Applicable Department as provided by this Chapter;
- (2) The results of any investigations of Covered Employers as provided by this Chapter;
- (3) All applications for exemptions from coverage filed by Service Contractors as provided by this Chapter.

The FEWB shall provide recommendations regarding such matters to City Council.

shall be and is hereby amended to read as follows:

113.04 FAIR EMPLOYMENT WAGE BOARD.

(a) ...

(b) ~~The FEWB shall be composed of seven (7) members, six of whom shall be electors of the City, the seventh member shall be a representative of the Mayor's administration. Three members of the Board shall be appointees of the Mayor, and three members shall be appointees of Council. The Mayor and Council shall appoint one appointee from the business community, a labor organization, and a community group. The appointing authority of a Board member may remove that member for cause. No person shall be appointed to the FEWB who has any interest in a contract with the City of Lakewood, the three members of the Civil Service Commission.~~

~~(c) The Mayor shall initially appoint three (3) members of the FEWB for one-year terms, two (2) members for two (2) year terms, and two (2) members for a three (3) year term. Thereafter, all members shall serve three-year terms, including the representative from City Council. Appointees named after June 1, 2005, shall be appointed alternately by the Mayor and Council as existing Board member's terms expire, with Council having the first appointment. Members may serve more than one term.~~

~~(d) At the beginning of each year the FEWB members shall elect a chairperson and vice-chairperson by majority vote. The president of the Civil Service Commission shall serve as president of the FEWB. The FEWB shall hold semi-annual meetings and in special sessions as called by the chairperson president or by a majority of the members. All meetings of the FEWB shall~~

be open to the public and minutes shall be taken. An employee of the City of Lakewood shall be assigned to serve as ~~secretary to the FEWB~~; liaison to the FEWB on matters concerning the enforcement of the Fair Employment Wage Ordinance.

(ed) ...

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

Adopted: _____

President

Clerk

Approved: _____

Mayor



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650
www.onelakewood.com
Lakewood City Council
BRIAN POWERS, PRESIDENT
MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
RYAN P. NOWLIN
BRIAN E. POWERS
MONIQUE SMITH

Ward Council
DAVID W. ANDERSON, WARD 1
THOMAS R. BULLOCK III, WARD 2
SHAWN P. JURIS, WARD 3
MARY LOUISE MADIGAN, WARD 4

July 1, 2013

Lakewood City Council
Lakewood, OH 44107

**Re: Report; Proposed Ordinances 14-13, 15-13 & Communication from Mayor
Summers on Parking Rate Adjustments.**

The Finance Committee met June 24, 2013 to discuss the captioned items above. Finance Committee Members Juris, Nowlin and I were in attendance. The Committee was joined by Councilmember Anderson, Mayor Summers, Finance Director Pae, Law Director Butler, Public Works Director Beno and members of the public. The review and recommendations are as follows:

Proposed Ordinance 14-13 allows the City to submit the 2014 Tax Budget to the Cuyahoga County Fiscal Officer. This maintains the City's property tax rate of 17.4 mills. The Tax Budget is required to be submitted to the County on or before July 20, 2013 in accordance with Ohio revised Code. The Ordinance has had two readings and the Finance Committee unanimously recommended adoption.

Proposed Ordinance 15-13 – Authorizes the Mayor to enter into an amended and restated lease agreement with IceLand USA-Lakewood for Winterhurst; The Ordinance has had two readings. At the Committee meeting the Law Director Butler indicated negotiations were ongoing and more time was required. The Committee has not made a recommendation at this time.

Finally the Committee heard from Mayor Summers regarding parking rate adjustments for two city lots. Mayor Summers indicated the change would allow the first 30 minutes of parking free and one dollar per subsequent hour up to four hours. It was indicated that the current rate was set at 50 cents per hour with the first fifteen minutes free. Mayor Summers stated that he has talked with business members in that area and that most believe the change is reasonable

Lakewood City Council
July 1, 2013
FINANCE COMMITTEE REPORT
PAGE TWO

The Administration indicated that the timing of the change would coincide with the repaving of the lots. The Committee also heard that rates had not been raised since 1993.

Council has sixty days to object otherwise the change will go forward.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Madigan", written in a cursive style.

Mary Louise Madigan, Chair
Ryan Nowlin, Shawn Juris; Members
FINANCE COMMITTEE

PLACED ON 1ST READING & REFERRED TO THE
FINANCE COMMITTEE 5/20/13.

PLACED ON 2ND READING 6/3/13.

ORDINANCE NO. 14-13

BY:

AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the Tax Budget of the City of Lakewood, Ohio for the year 2014, and authorizing the filing of same with the Cuyahoga County Fiscal Officer.

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that the Tax Budget must be submitted to the County Auditor's Office on or before July 20, 2013; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The annual Tax Budget submitted by the Director of Finance of the City of Lakewood, showing the amount of money needed and the necessary expenditures in the various departments of the municipality for the year 2014, be and the same is hereby approved and the Clerk of Council is hereby ordered and directed to file the same with the Fiscal Officer of Cuyahoga County pursuant to the statutes of the State of Ohio.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such 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 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 five (5) of 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

PLACED ON 1ST READING & REFERRED TO THE
HOUSING COMMITTEE 6/3/13.

PLACED ON 2ND READING 6/17/13.

ORDINANCE NO. 18-13

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Director of Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property located at 1337 Hall Avenue for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances.

WHEREAS, the City is the owner of real property located at 1337 Hall Avenue; and

WHEREAS, this Council has determined it is in the best interest of the City to sell said real property and that such sale shall further the interest of the City and its residents; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal department in that these properties are currently vacant and immediate action is required; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Director of Planning and Development ("Director") is hereby authorized and directed, on behalf of the City, to solicit proposals from licensed real estate brokers and to enter into an agreement with the broker deemed most responsive determined by the Director, to market real property located at 1337 Hall Avenue for a period not to exceed 120 days, pursuant to Section 155.07 of the Codified Ordinances.

Section 2. The Director is hereby authorized and directed to enter into an agreement for the sale of said real property upon presentation of an acceptable offer as determined by the Director.

Section 3. The Director specifically is authorized to negotiate and or make counterproposals to any offer to purchase said real property, and shall, upon the close of the transaction, report to Council the details of the sale.

Section 4. The Director shall make no representations or warranties concerning the conditions of the property, including, but not limited to the property's environmental condition, mechanical systems, dry basements, foundations, structural integrity or compliance with code, zoning or building requirements.

Section 5. 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 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) 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.

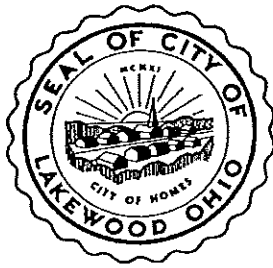
Adopted: _____

President

Clerk

Approved _____

Mayor



DEPARTMENT OF PLANNING & DEVELOPMENT
DRU SILEY, DIRECTOR

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5936
www.onelakewood.com/development

June 20th, 2013

Lakewood City Council
Lakewood, OH 44107

RE: Rezoning Request Clifton Pointe Phase II
Board and Commission report to Council

Dear Members of Council:

As you know, on March 18th an ordinance was introduced to Council requesting a rezoning of the parcels at 18828 Sloane Avenue (PPN#'s 311-14-017, 311-14-018) from R2 (Single and Two Family) to MH (Multiple-Family High Density). These parcels are commonly referred to as the Irish Cottage property. This request was referred to the Planning Commission for review and a recommendation.

At their April 4th regular meeting the Commission voted unanimously to recommend to Council approval of the rezoning with a condition on that approval. The Commission's recommended condition is that Council should not take action on the rezoning request unless the redevelopment plan for the site has been reviewed and approved by the Architectural Board of Review and the Board of Zoning appeals. I reported this recommendation to Council at the April 15th meeting via my letter dated April 10th.

Since that time, per Council's request the applicable review boards have evaluated the project under their specific authorities. The Architectural Board of Review considered the redevelopment proposal at their May 9th and June 13th meetings and granted unanimous approval at the June meeting. The Board of Zoning appeals also reviewed the project at their May 23rd meeting and granted unanimous approval of the requested setback variances.

Please refer the ordinance to the appropriate committee for a review and recommendation.

Sincerely,

Dru Siley
Director

PLACED ON 1ST READING & REFERRED TO THE
PLANNING COMMISSION 3/18/13.

2ND READING 4/1/13.

REFERRED TO THE COMMITTEE OF THE WHOLE
4/15/13. DEFERRED 5/6/13.

ORDINANCE NO. 8-13

BY:

AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as 18828 Sloane Avenue (PP#'s 311-14-018, 311-14-019 and 311-14-102) also known as the Clifton Pointe Phase 2.

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood be and the same is hereby amended by changing and revising the Zoning Map of the City from R2, Single and Two-Family to MH, Multiple-Family High Density, for the property at 18828 Sloane Avenue (PPN#'s 311-14-018, 311-14-019, and 311-14-102) also known as Clifton Pointe Phase 2 and described as follows:

(Insert legal description of all three parcels)

Section 2. The Director of Planning and Development is hereby authorized and directed to make the reclassification change on the zoning map of the City of Lakewood, Ohio, in order to reflect the amendment designated in Section 1 of this ordinance.

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.

Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR

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

1051307			TRFO	BRUTELLA INC 1ST FL & BSMT N/W 11729 DETROIT RD LAKEWOOD OHIO 44107
PERMIT NUMBER			TYPE	
10	01	2012		
ISSUE DATE				
05	10	2013		
FILING DATE				
D5				
PERMIT CLASSES				
18	286	C	F09799	
TAX DISTRICT		RECEIPT NO.		

FROM 05/14/2013

6119735				MOON PIE INC 1ST FL & BSMT N/W 11729 DETROIT RD LAKEWOOD OHIO 44107
PERMIT NUMBER			TYPE	
10	01	2012		
ISSUE DATE				
05	10	2013		
FILING DATE				
D5				
PERMIT CLASSES				
18	286			
TAX DISTRICT		RECEIPT NO.		



MAILED 05/14/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/14/2013

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 1051307

(TRANSACTION & NUMBER)

(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:



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650

www.oneLakewood.com

Lakewood City Council

BRIAN E. POWERS, PRESIDENT

MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
RYAN NOWLIN
BRIAN E. POWERS
MONIQUE SMITH

Ward Council
WARD I – DAVID ANDERSON
WARD II- THOMAS BULLOCK
WARD III –SHAWN JURIS
WARD IV – MARY LOUISE MADIGAN

July 1, 2013

Lakewood City Council
12650 Detroit Avenue
Lakewood, OH 44107

Re: Proposed Resolution Regarding “Lakewood Reads”

Dear Members of Council:

Attached is a Resolution officially recognizing “Lakewood Reads” as a community event and encouraging all Lakewood residents to participate this summer.

Lakewood High School and Lakewood Public Library have teamed up to create the “Lakewood Reads” program to engage our entire community in celebrating literacy by reading a book together. This is the third annual “Lakewood Reads” program, following two very successful prior years. This year, the Mathematics Department of Lakewood High School has selected *Outliers* by Malcolm Gladwell as the official “Lakewood Reads” community reading book.

An “outlier” is a statistical term to describe things or phenomena that lie far outside normal experience. Author Malcolm Gladwell takes a careful look at people who are tremendously successful in a variety of fields and then asks the question: why? He explores a variety of possible explanations, using numbers, statistics and logic to weave a fascinating and dramatic book.

The Lakewood Public Library has fifty copies of *Outliers* available. Students and other members of the community can also purchase a copy of the book in the LHS Bookroom for \$11. The Bookroom is open Monday through Friday from 8:00 to 11:30 a.m. and 12:30 to 2:00 p.m.

Please join me in passing this Resolution tonight and in communicating this information to the public.

Respectfully,

A handwritten signature in cursive script, appearing to read "Brian E. Powers".

Brian E. Powers
President

RESOLUTION NO.

BY:

A RESOLUTION to recognize "Lakewood Reads" as a City-wide event and to encourage participation by all Lakewood residents this summer.

WHEREAS, Lakewood High School and Lakewood Public Library have teamed up to create the "Lakewood Reads" program to engage our entire community in celebrating literacy by reading a book together; and

WHEREAS, after two very successful prior years, this is the third annual "Lakewood Reads" program; and

WHEREAS, the Mathematics Department of Lakewood High School has selected *Outliers* by Malcolm Gladwell as this year's official "Lakewood Reads" community reading book; and

WHEREAS, such dedication to establishing a successful community-wide program should be recognized in a proper and fitting manner; now, therefore,

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

Section 1. That Lakewood City Council officially recognizes "Lakewood Reads" as an important community program and further that this Council encourages all members of the Lakewood community to join in reading the book *Outliers* by Malcolm Gladwell in this summer of 2013.

Section 2. That the Clerk of Council be and she is hereby authorized and directed to forward a certified copy of this Resolution to Mr. Peter Petto of the Lakewood High School Mathematics Department.

Adopted: _____

President

Clerk

Approved: _____

Mayor



Jennifer R. Pae,
Director of Finance

12650 DETROIT AVENUE • 44107 • 216/529-6093 • FAX 216/529-6806

July 1, 2013

Lakewood City Council

Re: 2014 Tax Advance Resolution, 2014 Tax Rate Resolution

Dear Members of Council,

Attached is a resolution authorizing the Director of Finance to request from the Cuyahoga County Treasurer real and personal property tax, estate tax and special assessment advances when collected and available to the City in 2014. Participation in the tax advance program enhances the City's cash flow management and "funds invested" amount.

The County Fiscal Officer requires the City to file this resolution stating the City's intent to receive advances in 2014 prior to October 1, 2013.

Also attached is the tax rate resolution maintaining the City of Lakewood's property tax rate of 17.40 mills for the tax year 2014.

The Budget Commission requires that this resolution be adopted and returned by October 1, 2013.

Respectfully,

Jennifer R. Pae
Director of Finance

RESOLUTION NO.

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council or otherwise, to take effect and be in force after the earliest period allowed by law requesting the Cuyahoga County Fiscal Officer to draw and the Cuyahoga County Treasurer to pay to the City of Lakewood Director of Finance an advance of all real; personal property; estate taxes and special assessments collected in the year 2014 in such amounts as may be requested and available.

WHEREAS, Ohio Revised Code Section 321.34 (A)(1) provides that "[W]hen the local authorities by resolution so request, the county auditor shall pay township clerks, treasurers of municipal corporations, the treasurer of any board of education, and the treasurer of any other political subdivision or taxing district whose funds derived from taxes or other sources are payable by law to the county treasurer, any money that may be in the county treasury to the accounts of such local authorities, respectively, and lawfully applicable to the purpose of the current fiscal year in which such request is made. The auditor and county treasurer shall retain any amounts needed to make such payments of obligations of local political subdivisions or taxing districts as are required by law to be paid directly by the county authorities;" and

WHEREAS, Ohio Revised Code Section 321.341 provides that "... [A]t any time prior to a settlement under section 5731.46 of the Revised Code, the fiscal officer of a municipal corporation or a township may request the county auditor to make payment to such subdivision from the fund of an amount not to exceed seventy-five per cent of taxes paid into such fund and standing to the credit of the subdivision, including both taxes with respect to which a final determination has been made under section 5731.27 of the Revised Code and taxes subject to review and final determination under section 5731.26 of the Revised Code. Within five days of the receipt of such request the auditor shall draw a warrant in such amount upon such fund, payable to the subdivision;" and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary to provide for the usual daily operation of the City in that the Cuyahoga County Fiscal Officer requires the City to file this resolution stating the City's intent to receive advances in 2014 prior to December 1, 2013. Now therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That the Cuyahoga County Fiscal Officer be requested to draw and the Cuyahoga County Treasurer be requested to pay to the City of Lakewood Director of Finance an advance of all real, personal property, estate taxes and special assessments collected in the year 2014 in such amounts as may be requested and available.

Section 2. That the Director of Finance is hereby directed to forward a certified copy of this Resolution upon passage, to the Cuyahoga County Fiscal Officer.

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. That this Resolution is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this Resolution, and provided it receives the affirmative vote of at least five of its members Council, this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor 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

RESOLUTION NO.

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council or otherwise, to take effect and be in force after the earliest period allowed by law accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer.

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2014; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part is within the ten mill tax limitation; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this resolution is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary to provide for the usual daily operation of the City; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of said City, and rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Fiscal Officer's Estimate
of Tax Rate to be Levied

	<u>Inside</u> <u>10 Mill</u> <u>Limitation</u>	<u>Outside</u> <u>10 Mill</u> <u>Limitation</u>
General Fund	-0-	8.65
General Bond Retirement Fund	3.47	-0-
Police Pension Fund	-0-	1.60
Fireman Pension Fund	-0-	1.68
Sewage Disposal Fund	<u>-0-</u>	<u>2.00</u>
	3.47	13.93

Section 3. That this Resolution is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this Resolution, and provided it receives the affirmative vote of at least five of its members, this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor 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



12650 DETROIT AVENUE • 44107 • 216/529-6092 • FAX 216/529-6806

Jennifer R. Pae
Director of Finance

July 1, 2013

Re: Local Government Innovation Fund Grant Award Notification

Dear Members of Council:

On June 6, 2013 the City of Lakewood received notification from the Ohio Development Services Agency that it had been awarded a grant totaling \$41,725 from the Local Government Innovation Fund for the Lean Lakewood initiative.

The City of Lakewood began the path towards Lean integration into its operations in the summer of 2012 when it engaged the services of Improve Consulting and Training Group to provide Yellow-Belt training and project team support.

Since that time, approximately 10 percent of the City's workforce in all divisions and types of workers from uniformed police officers and firefighters/EMTs to directors to front line workers became Yellow-Belt certified. One of the most important principles of Lean methodology is to have all of levels of worker involvement collaborate in teams on the identification and elimination of the various forms of waste.

This grant will reimburse the City for training and project support expenditures to date in 2013, and will expand Yellow-Belt training to all City employees. The match for this grant was the \$9,250 the City spent on the first round of training and support that occurred in 2012.

Using Lean, the City has examined and improved the Division of Building and Housing code compliance process removing more than 30 steps resulting in saved staff time of nearly 8 hours a week, and the streamlining of the processes that allowed for better use of the Web Q&A system.

There are five current Lean project teams that meet weekly to improve processes such as the Division of Aging case management, nutrition and transportation services; Police Department shift scheduling and timekeeping; Division of Parks project management; Sewer Department data collection and reporting of dye-test results; and Police Department records clerks data entry and reporting.

The City of Lakewood is one of the first municipalities in Ohio to incorporate Lean methodologies for process improvement, and definitely one of the first governments in the nation with the goal to have all employees Yellow-Belt trained.

Respectfully,

Jennifer R. Pae
Director of Finance

RESOLUTION NO.

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance, on behalf of the City, to enter into an Agreement with the Ohio Development Services Agency – Local Government Innovation Council to accept funds for Yellow-Belt training and Lean project support in the amount of \$41,725. The \$9,250 expended by the City in 2012 for Yellow-Belt training and Lean project support was considered as the project match.

WHEREAS, the City of Lakewood is one of the first municipalities to incorporate Lean methodologies for process improvement in the State of Ohio, and one of the first governments in the nation with the goal to have all employees Yellow-Belt trained; and

WHEREAS, matching funds required by this grant were expended by the City for services rendered in 2012; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this resolution is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that this resolution is necessary to enter into the grant agreement in a timely manner. Now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Director of Finance, is hereby authorized, on behalf of the City, to enter into an Agreement with the Ohio Development Services Agency – Local Government Innovation Council to accept funds Yellow-Belt training and Lean project support in the amount of \$41,725, and the \$9,250 expended by the City in 2012 for Yellow-Belt training and Lean project support was considered as the project match.

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 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 (5) 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

Clerk

Approved: _____

Mayor



12650 DETROIT AVENUE • 44107 • 216/521-7580 • fax 216/529-5652
Website: www.onelakewood.com

MICHAEL SUMMERS
MAYOR

July 1, 2013

Lakewood City Council
Lakewood, Ohio 44107

Re: Re-Appointment to Citizens Advisory Committee

Dear Members of Council:

It is my pleasure to announce my re-appointment of Grant MacKay to the Citizens Advisory Committee. This Lakewood resident is committed to his community and local government which are evidenced by their pledge of time to this committee. This citizen brings a diverse range of expertise and experience. His term will begin 7/1/13 and expire 2/28/15.

Sincerely,

Michael P. Summers