

**VILLAGE OF LAKEWOOD  
MINUTES OF THE VILLAGE BOARD MEETING  
MAY 25, 2021**

The Village Board Meeting was called to order at 7:00 p.m. by President Stavropoulos. Present were Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Also present Village Manager Jean Heckman, Village Attorney Scott Puma, Village Clerk Jeanette LoBosco, Chief of Police Mike Roth, Director of Public Works Gary Zickuhr, and a few members of the public.

President Stavropoulos began the meeting with an explanation as to the absence of a Consent Agenda. Prior meeting minutes are still in the process of going through transcription. There were a few changes in staff causing a delay in the process of compiling a Bill List along with invoices still being received for services provided many months back. Financials are still being reviewed by the Treasurer.

President Stavropoulos also acknowledged that staff did receive the 3% salary increase approved by the prior administration. He clarified that the raise was applied to current employees and not to those recently hired.

President Stavropoulos also wanted to thank fellow Board Members along with Staff for their participation and effort that resulted in the tremendous event at RedTail for Grace Kinstler and American Idol. The Village, along with RedTail, nearly broke even as far as cost and loss of revenue.

Credit for the revamping of the Village website was given to Trustee Tricia Babischkin. It is still a work in progress, but much time and effort has been put in already. It is a service being received from GovOffice.com and the previously budgeted \$12,000 will not be needed to update the website.

*There was a slight interruption of WiFi causing a delay in the meeting to resolve technical issues for approximately 15 minutes.*

**PUBLIC COMMENTS:** None.

**CONSENT AGENDA:** No items were addressed.

**APPROVAL OF MINUTES:** None.

**APPROVAL OF BILL LISTS:** None.

**APPROVAL OF FINANCIAL STATEMENTS:** None.

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

Before moving onto agenda items, Trustee Berman expressed concern that there was not a Bill List to approve and that there may be some bills needing to be paid before the next meeting.

Village Manager Jean Heckman stated that if there are any they will be treated following the criteria used for Prepay Items.

**PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 2021-08 – AN ORDINANCE AMENDING CHAPTER 3, VILLAGE ADMINISTRATION, ADDING SECTION 3.18, CODE OF CONDUCT, TO THE LAKEWOOD MUNICIPAL CODE:** Trustee Augustine asked Attorney Puma for clarification on 3.18, Code Of Conduct, Section E, Violations.

Trustee Berman inquired as to any legal ramifications if a Board Member were to be removed from a meeting. He proposed that the Ordinance was subjective and suggested a review of a policy similar to that of the City of Belmont, provided by Trustee Barron.

Trustee Runge indicated that the word “harassment” is difficult to define and asked for different wording.

Trustee Babischkin, seconded by Trustee Runge, moved to approve the ordinance with the exception of striking 3.18, Code Of Conduct, Section D, Legal and Ethical Behavior #5 and #10. Voting Aye: Trustees Babischkin and Runge. Voting Nay: Augustine, Barron, Berman and Fischer. Motion failed.

Trustee Berman, seconded by Trustee Augustine, moved to amend 3.18, Code Of Conduct, Section D, Legal and Ethical Behavior #5 to read as follow: *Refrain from repeatedly contacting Village Board members, staff, members of committees and commissions, and residents by telephone, text message or email message in and unwanted or harassing manner, which may include substantially the same subject or subjects.* Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried.

Trustee Babischkin, seconded by Trustee Runge, moved to approve the Ordinance with the revision to Section D, Legal and Ethical Behavior #5 and striking 3.18, Code Of Conduct, Section D, Legal and Ethical Behavior #10. Voting Aye: Trustees Babischkin, Barron, Fischer, and Runge. Voting Nay: Trustees Augustine and Berman. Motion declared carried.

Trustee Runge proposed a verbal agreement among Board Members regarding 3.18, Code Of Conduct, Section C, Public Meetings and Decision Making, #2 in that staff should be allowed ample time to evaluate and respond to questions prior to the board meetings.

*Public Comment:* None.

**ACKNOWLEDGEMENT OF RESIGNATION OF TERRANCE FLANAGAN FROM PLANNING AND ZONING COMMITTEE. POSTING OF COMMISSIONER VACANCY:** President Stavropoulos accepted Commissioner Flanagan’s resignation. He thanked him for his service to the community and wished him well. President Stavropoulos stated that although the Village is still in the process of approving a revised ordinance regarding filling vacancies in the Village Board, Commissions, and Committees: he wanted to address the

community and request those who would like to participate in the Planning and Zoning Committee to submit their resumes.

*Public Comment:* None.

**PRESENTATION AND CONSIDERATION TO ADD A NINTH FULL-TIME OFFICER TO THE LAKEWOOD POLICE FORCE:** Chief Roth gave a presentation regarding the rationale for hiring a ninth full-time police officer and emphasized that the need relates to officer safety and having a second police officer on duty for the protection of the Village. Upon conclusion of Chief Roth's presentation, Trustees Babischkin and Berman voiced concern as to where in the budget monies can be pooled from to cover this expense. Trustee Fischer inquired as to the level of experience the proposed salary would attract. Village Manager Jean Heckman stated the next meeting, she together with Chief Roth, will present to the board a budget amendment to reflect where the monies will be taken from.

*Public Comment:* Liz Delzell, 9226 Bard Road, stated as a resident she is in full support of adding a ninth officer and would like to thank the Board for recognizing the importance of such.

Trustee Babischkin, seconded by Trustee Augustine, moved to authorize the addition of a ninth full-time police officer. Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried.

**PRESENTATION OF THE VILLAGE OF LAKEWOOD'S BUILDING CODE, IMPACT FEES, BUILDING PERMIT AND ARCHITECTURAL REVIEW.** President Stavropoulos asked the Board for their direction as he addressed the issues of Building Code, Impact Fees, Building Permit and Architectural Review. The Building Codes that are currently being used are from 2006, whereas there have been five revisions to date to update them. Some codes have not been applied uniformly and some are contradictory to each other. Prior Administration had waived Impact Fees and by doing so, some additional expense has been absorbed by the Village. Also addressed is to update a checklist for what is expected to be received when a building permit is submitted to help streamline the process of review and approval.

*Public Comment:* Sheldon Smith, 6720 Woodland Hills, would like to see clarification as to the cost of building permits, especially those for pools, decks and patios. His previous community had an in-house building department and permits did not appear to be as high as Lakewood's fee.

Liz Delzell, 9226 Bard Road, had permit issued in 2015 when there was an in-house department and expressed her frustration in obtain the permit and the fee associated.

George Carvelli, owner of Worthington Homes, gave a brief history and commitment he has with the village since 2006, building 21 homes to date. Mr. Carvelli addressed the Board regarding his concern and disadvantage he is up against regarding the waived impact fees given to two competitors. He asked the Board to work with him and possibly find a way in considering a waiver for him.

President Stavropoulos thanked everyone for their dialogue and stated these items and concerns will be analyzed.

**PRESENTATION REGARDING HOME STATE BANK**

- A. LOCK BOX**
- B. ACCOUNTS THAT HAVE BEEN CHARGED FEES**
- C. LISTING OF ACCOUNTS**
- D. ICS IMPLEMENTATION**
- E. POSITIVE PAY**
- F. E\*PAY OR HOME STATE BANK TO PROCESS PAYMENTS.**

President Stavropoulos discussed his findings after meeting with representatives from Home State. It was discovered that fees were being assessed on accounts and services, funds were not fully insured, and the benefits of using Positive Pay and Home State Bank for utility bill payment processing.

*Public Comment:* None.

**PRESENTATION AND CONSIDERATION FOR A FIVE YEAR LEASE AGREEMENT FOR A PITNEY BOWES POSTAGE MACHINE:**

*Public Comment:* None.

Trustee Augustine, seconded by Trustee Barron, moved to authorize a five year lease agreement for a Pitney Bowes postage machine. Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried.

**PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 2021-15 - AN ORDINANCE AMENDING CHAPTER 8, 2021 GOLF CLUB RATES, REDTAIL GOLF CLUB, OF THE LAKEWOOD MUNICIPAL CODE:** Village Manager Jean Heckman clarified for the Board that this is a cleanup of the Ordinance that was passed at the February 9<sup>th</sup> Meeting. Some line items were left off the original approved ordinance when finalizing the website.

*Public Comment:* None.

Trustee Babischkin, seconded by Trustee Barron, moved to authorize the amending of Chapter 8, 2021 Golf Club Rates, RedTail Golf Club, of the Village of Lakewood. Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried.

**REPORTS AND COMMENTS FROM DEPARTMENT HEADS:** Chief Roth thanked the Officers and Village Staff for the job they did during the special event last week; with special recognition to Officer Sean McGrath. Chief Roth received many compliments and comments from residents that the event was enjoyed by all.

Director of Public Works, Gary Zickuhr, confirmed that Ryco has begun work throughout the Village. Clarification was also given on the contract submitted by Ryco in that they will honor the quoted cost if renewed in October. He has put together an RFP to remove 28 dead trees within the Village and will forward the findings for board approval since he anticipates the cost to be above his approval authority. Six candidates have been interviewed for the opening in Public Works and an offer letter will be presented on Wednesday, May 26<sup>th</sup>. Also discussed were the status of well drilling and a delay in drilling due to an oversight of the cost not being addressed in the budget.

Village Manager, Jean Heckman, reiterated her thanks to the Board, Village employees, residents and entire community family in coming together for the American Idol event and Grace's Day. It was a fun event to pull off and was done by everyone coming together.

**EXECUTIVE SESSION:** A motion was made at 9:30 pm to convene in Executive Session to discuss probable or imminent litigation against the Village by Trustee Berman, Seconded by Trustee Augustine. Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried.

The At 10:02 pm the Village Board returned to the regular Village Board Meeting.

With nothing further to discuss, Trustee Berman, seconded by Trustee Runge, moved to adjourn the meeting. Voting Aye: Trustees Augustine, Babischkin, Barron, Berman, Fischer, and Runge. Voting Nay: None. Motion declared carried. The meeting adjourned at 10:03 pm

Jeanette LoBosco  
Village Clerk

Approved: \_\_\_\_\_ Dated: June 8, 2021