

# City of Strongsville

16099 Foltz Parkway  
Strongsville, Ohio 44149-5598  
Phone: 440-580-3110  
Council Office Fax: 440-572-1648  
www.strongsville.org

## City Council

February 11, 2016

Michael J. Daymut  
Ward 1

Matthew A. Schonhut  
Ward 2

James E. Carbone  
Ward 3

Gordon C. Short  
Ward 4

Joseph C. DeMio  
At-Large

Kenneth M. Dooner  
President Pro Tem  
At-Large

Duke Southworth  
President of Council  
At-Large

Aimee Pientka, CMC  
Clerk of Council  
aimee.pientka@strongsville.org

Tiffany Mekeel, CMC  
Assistant Clerk of Council  
tiffany.mekeel@strongsville.org

## MEETING NOTICE

City Council has scheduled the following meetings for **Tuesday, February 16, 2016**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road:***

**Caucus will begin at 7:30 p.m.** *All committees listed will meet immediately following the previous committee:*

**7:30 P.M.**

**Public Safety and Health Committee** will meet to discuss Ordinance Nos. 2016-022, 2016-023 and 2016-024.

**Planning, Zoning and Engineering Committee** will meet to discuss Ordinance Nos. 2016-025, 2016-026, and Resolution Nos. 2016-027 and 2016-028.

**Finance Committee** will meet to discuss Ordinance Nos. 2016-029, 2016-030 and Resolution No. 2016-031.

**Recreation and Community Services** will meet to discuss Ordinance No. 2016-032.

**Communications and Technology Committee** will meet to discuss Ordinance Nos. 2016-033, 2016-034 and 2016-035.

**Economic Development** will meet to discuss items pertinent to the committee.

**Committee of the Whole** will meet to discuss Ordinance Nos. 2016-036 and 2016-037. The Council will then consider a motion to adjourn in **Executive Session** to discuss legal issues concerning a liquor permit application.

**8:00 P.M.**

**Regular Council Meeting**

Any other matters that may properly come before this Council may also be discussed.

**BY ORDER OF THE COUNCIL:**

Aimee Pientka, CMC  
Clerk of Council

**STRONGSVILLE CITY COUNCIL REGULAR MEETING**  
**TUESDAY, FEBRUARY 16, 2016 AT 8:00 P.M.**  
Mike Kalinich Sr. City Council Chamber  
18688 Royalton Road, Strongsville, Ohio

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**AGENDA**

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
  - *Council Meeting – February 1, 2016*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
  - *Presentation by Strongsville City Schools Superintendent, Cameron M. Ryba, High School Principal, Mark E. Smithberger, and Director of Athletics/Activities, Andrew Jalwan to provide a community update pertaining to the “Excellence in Athletics” fundraising campaign.*
7. REPORTS OF COUNCIL COMMITTEE:
  - SCHOOL BOARD – Mr. Carbone:
  - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth:
  - BUILDING AND UTILITIES – Mr. Schonhut:
  - COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:
  - ECONOMIC DEVELOPMENT – Mr. Daymut:
  - FINANCE – Mr. Dooner:
  - PLANNING, ZONING AND ENGINEERING – Mr. Daymut:
  - PUBLIC SAFETY AND HEALTH – Mr. DeMio:
  - PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:
  - RECREATION AND COMMUNITY SERVICES – Mr. Short:
  - COMMITTEE-OF-THE-WHOLE – Mr. Southworth:

8. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:

- MAYOR PERCIAK:
- FINANCE DEPARTMENT:
- LAW DEPARTMENT:

9. AUDIENCE PARTICIPATION:

10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2016-022 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BEREA, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING MARCH 1, 2016, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-023 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF NORTH ROYALTON, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING MARCH 1, 2016, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-024 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY UNDER THE OHIO EMS GRANT PROGRAM FOR THE TRAINING OF PERSONNEL AND/OR THE PURCHASE OF EMERGENCY MEDICAL EQUIPMENT, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-025 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-026 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING THE MASTER SIGN PROGRAM FOR SOUTHPARK MALL, AND DECLARING AN EMERGENCY. [The Commons at SouthPark]
- Resolution No. 2016-027 by Mr. Daymut. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE REVISED FINAL SITE PLAN FOR A COVERED, ENCLOSED PATIO FOR THE RAIL RESTAURANT, LOCATED AT 17887 SOUTHPARK CENTER, IN THE CITY OF STRONGSVILLE; AND DECLARING AN EMERGENCY.

- Resolution No. 2016-028 by Mayor Perciak and Mr. Daymut. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2016 IN THE CITY OF STRONGSVILLE.
- Ordinance No. 2016-029 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING ORDINANCE NO. 2015-212, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR A COMPREHENSIVE HEALTH BENEFITS PLAN FOR CITY EMPLOYEES FOR THE YEAR 2016, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-030 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO FOR THE YEAR 2016 AND REPEALING ORDINANCE NO. 2016-013.
- Resolution No. 2016-031 by Mayor Perciak and Mr. Dooner. A RESOLUTION ESTIMATING THE AGGREGATE MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE AWARDED AND DESIGNATING DEPOSITORIES FOR ACTIVE AND INTERIM FUNDS OF THE CITY OF STRONGSVILLE FOR A FIVE-YEAR PERIOD COMMENCING MARCH 15, 2016 TO MARCH 14, 2021, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-032 by Mr. Short. AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2015-024 TO INCREASE THE APPROPRIATED CONTRACT AMOUNT AND AMEND THE CONTRACT WITH ADLER TEAM SPORTS FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-033 by Mr. Schonhut. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACTS FOR THE ROUTINE GENERAL RADIO AND TELECOMUNICATION NEEDS AND REQUIREMENTS OF THE CITY, INCLUDING THE REGIONAL DISPATCH CENTER, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-034 by Mr. Schonhut. AN ORDINANCE AUTHORIZING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF COMPUTER, PRINTER, SCANNER, NETWORKING HARDWARE, SOFTWARE AND SUPPLIES, IN SUPPORT OF THE CITY'S TECHNOLOGY NEEDS, BY THE DIRECTOR OF COMMUNICATION & TECHNOLOGY THROUGH CDW GOVERNMENT, LLC; AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-035 by Mr. Schonhut. AN ORDINANCE RATIFYING AND AUTHORIZING PARTICIPATION IN UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACTS FOR THE PURCHASE OF SERVICES AND SUPPORT FOR VIDEO PROCESSING AND SURVEILLANCE, FORENSIC AND FRAUD PREVENTION, DATA NETWORK ENGINEERING, AND COMPUTER HARDWARE AND SOFTWARE MAINTENANCE FOR USE BY VARIOUS DEPARTMENTS OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

- Ordinance No. 2016-036 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING NEW CHAPTER 882 OF TITLE FOUR OF PART EIGHT OF THE CITY'S CODIFIED ORDINANCES PROVIDING FOR IMPOSITION AND REGULATION OF AN ADMISSIONS TAX APPLICABLE TO CERTAIN LIMITED ENTERTAINMENT, AMUSEMENT AND RECREATIONAL BUSINESS USES WITHIN THE CITY, BUT SUBJECT TO CERTAIN EXEMPTIONS, FOR TAX YEARS COMMENCING JULY 1, 2016.
- Ordinance No. 2016-037 by All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE-YEAR AGREEMENT IN ORDER TO BI-ANNUALLY UPDATE, REVISE, INTEGRATE AND PUBLISH NEW AND/OR REPLACEMENT PAGES TO THE CODIFIED ORDINANCE BOOK OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

- Application for Permit: NEW-C1-C2: To: Forever Grateful LLC; DBA: Graeley and Company, 14397 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 3/7/2016).
- Application for Permit: NEW-D5: To: Architectural Justice Gallery & Café, LLC; 13593 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 3/7/2016).

12. MISCELLANEOUS BUSINESS:

- *Motion to appoint Councilman Michael J. Daymut as a Trustee of the Strongsville Community Improvement Corporation.*

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – \_\_\_\_\_ 022

By: Mayor Perciak and Mr. DeMio

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BEREA, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING MARCH 1, 2016, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2014-178 on October 20, 2014, the Strongsville City Council authorized an Agreement with the City of Berea for public safety services; and

WHEREAS, through adoption of Ordinance No. 2014-77 on October 20, 2014, the Berea City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on November 3, 2014, Strongsville and Berea entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Berea Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Berea Police Department and the Berea Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Berea agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, based upon the first year and a half of operations and in accordance with provisions of said Agreement, it is now necessary to amend and adjust the provision relating to payment for Dispatch Services; and

WHEREAS, Berea has agreed to such an amendment providing for a four percent (4%) increase in fees commencing March 1, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That the Mayor be and is hereby authorized and directed to enter into an Amendment to Agreement for Public Safety Dispatch Services between the City

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 22**  
**Page 2**

of Strongsville, Ohio and the City of Berea, Ohio, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2016, commencing March 1, 2016, at an adjusted rate of \$26,000.00 per month, with rates the same as current rates for January and February of 2016, for a total of \$310,000.00 for the year 2016, in accordance with the terms and conditions set forth in the proposed Amendment to Agreement attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

**Section 2.** That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2016 and shall be paid from the General Fund.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into the Amendment to Agreement to provide for proper and fair compensation to the City for dispatch services, to act in accordance with the terms and conditions of the Agreement, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_ Approved: \_\_\_\_\_  
 President of Council Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-022 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**AMENDMENT TO AGREEMENT  
FOR PUBLIC SAFETY DISPATCH SERVICES  
BETWEEN  
THE CITY OF STRONGSVILLE, OHIO AND  
THE CITY OF BEREA, OHIO**

**THIS AMENDMENT TO AGREEMENT** made at Strongsville, Ohio, this \_\_\_ day of \_\_\_\_\_, 2016, by and between the **CITY OF STRONGSVILLE**, Ohio, hereinafter designated as "Strongsville", and the **CITY OF BEREA**, Ohio, hereinafter designated as "Berea".

**WITNESSETH:**

WHEREAS, through adoption of Ordinance No. 2014-178 on October 20, 2014, the Strongsville City Council authorized an Agreement with the City of Berea for public safety services; and

WHEREAS, through adoption of Ordinance No. 2014-77 on October 20, 2014, the Berea City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on November 3, 2014, Strongsville and Berea entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Berea Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Berea Police Department and the Berea Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Berea agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, based upon the first year and a half of operations and in accordance with provisions of said Agreement, it is now necessary to amend the provision relating to payment for Dispatch Services;

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants set forth in the Agreement and herein, it is agreed as follows:

1. Article I(F) of the Agreement be and is hereby amended to read in part as follows:

\* \* \*

"F. Payment for Dispatch Services: Berea, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville the amount of Twenty-Five Thousand Dollars (\$25,000.00) per month by the first (1<sup>st</sup>) of each



month for Dispatch Services provided in that month, for a total annual fee of Three Hundred Thousand Dollars (\$300,000.00) through December 31, 2015. **For the period of operation from January 1, 2016 through February 29, 2016, Berea will pay Strongsville at the same rate of Twenty-Five Thousand Dollars (\$25,000.00) per month; and thereafter from March 1, 2016 through December 31, 2016, Berea will pay Strongsville at an increased rate of Twenty-Six Thousand Dollars (\$26,000.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total of Three Hundred Ten Thousand Dollars (\$310,000.00) for such second year of operation."**

\* \* \*

2. This Amendment to Agreement amends, modifies and supplements the Agreement retroactive to January 1, 2016 only as specifically set forth herein. All rights and obligations of Strongsville and Berea under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.


3. This Amendment to Agreement shall be binding upon Strongsville and Berea and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement the day and year first above written.

Signed in the presence of:

**CITY OF BEREA**  
("Berea")



By:   
Cyril M. Kleem, Mayor

**CITY OF STRONGSVILLE**  
("Strongsville")

\_\_\_\_\_

By: \_\_\_\_\_  
Thomas P. Perciak, Mayor

**CERTIFICATE OF FINANCE DIRECTOR**

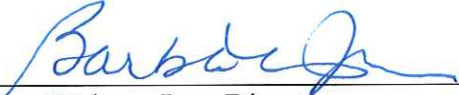
I hereby certify that the amount of money required to meet the expenditures called for by this Amendment to Agreement is in the treasury, to the credit of the fund for which it is to be drawn, or in the process of collection, and not appropriated for any other purpose.

2-1-16  
Date

  
Finance Director, City of Berea

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF BEREA**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 1 day of February, 2016.

  
\_\_\_\_\_  
James Walters, Law Director  
*Barbara L Jones, Law Director*

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF STRONGSVILLE**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Kenneth A. Kraus, Law Director

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2016 – 023**

**By: Mayor Perciak and Mr. DeMio**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF NORTH ROYALTON, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING MARCH 1, 2016, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2014-012 on February 3, 2014, the Strongsville City Council authorized an Agreement with North Royalton for public safety services; and

WHEREAS, through adoption of Ordinance No. 14-14 on February 4, 2014, the North Royalton City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on February 11, 2014, Strongsville and Royalton entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Royalton Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Royalton Police Department and the Royalton Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Royalton agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, thereafter on September 16, 2014, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2014-176; and

WHEREAS, based upon the second year of operations and in accordance with provisions of said Agreement, it is now necessary to further amend and adjust the provision relating to payment for Dispatch Services; and

WHEREAS, North Royalton has agreed to such an amendment providing for a four percent (4%) increase in fees commencing March 1, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 023

**Section 1.** That the Mayor be and is hereby authorized and directed to enter into a Second Amendment to Agreement for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of North Royalton, Ohio, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2016, commencing March 1, 2016, at an adjusted rate of \$39,520.00 per month, with rates the same as current rates for January and February of 2016, for a total of \$471,200.00 for the year 2016, in accordance with the terms and conditions set forth in the proposed Amendment to Agreement attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

**Section 2.** That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2016 and shall be paid from the General Fund.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into the Second Amendment to Agreement to provide for proper and fair compensation to the City for dispatch services, to act in accordance with the terms and conditions of the Agreement, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_

ORD. No. 2016-023 Clerk of Council Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**SECOND AMENDMENT TO AGREEMENT  
FOR PUBLIC SAFETY DISPATCH SERVICES  
BETWEEN  
THE CITY OF STRONGSVILLE, OHIO AND  
THE CITY OF NORTH ROYALTON, OHIO**

**THIS SECOND AMENDMENT TO AGREEMENT** made at Strongsville, Ohio, this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the **CITY OF STRONGSVILLE**, Ohio, hereinafter designated as "Strongsville", and the **CITY OF NORTH ROYALTON**, Ohio, hereinafter designated as "Royalton".

**WITNESSETH:**

WHEREAS, through adoption of Ordinance No. 2014-012 on February 3, 2014, the Strongsville City Council authorized an Agreement with North Royalton for public safety services; and

WHEREAS, through adoption of Ordinance No. 14-14 on February 4, 2014, the North Royalton City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on February 11, 2014, Strongsville and Royalton entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Royalton Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Royalton Police Department and the Royalton Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Royalton agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, thereafter on September 16, 2014, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2014-176; and

WHEREAS, based upon the second year of operations and in accordance with provisions of said Agreement, it is now necessary to further amend the provision relating to payment for Dispatch Services;

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants set forth in the Agreement and herein, it is agreed as follows:

1. Article I(E) of the Agreement be and is hereby amended to read in part as follows:

\* \* \*

Ex. A

“E. Payment for Dispatch Services: Royalton, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville the amount of Forty Thousand Dollars (\$40,000.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total annual fee of Four Hundred Eighty Thousand Dollars (\$480,000.00) for the first year of operation. For the second year of operation, namely January 1, 2015 through December 31, 2015, Royalton will pay Strongsville at a reduced rate of Thirty-eight Thousand Dollars (\$38,000.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total of Four Hundred Fifty-Six Thousand Dollars (\$456,000.00) for such second year of operation. **For the period of operation from January 1, 2016 through February 29, 2016, Royalton will pay Strongsville at the same rate of Thirty-Eight Thousand Dollars (\$38,000.00) per month; and thereafter from March 1, 2016 through December 31, 2016, Royalton will pay Strongsville at an increased rate of Thirty-Nine Thousand Five Hundred Twenty Dollars (\$39,520.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total of Four Hundred Seventy-One Thousand Two Hundred Dollars (\$471,200.00) for such third year of operation.”**

\* \* \*

2. This Second Amendment to Agreement amends, modifies and supplements the Agreement retroactive to January 1, 2016 only as specifically set forth herein. All rights and obligations of Strongsville and Royalton under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

3. This Second Amendment to Agreement shall be binding upon Strongsville and Royalton and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement the day and year first above written.

Signed in the presence of:

**CITY OF NORTH ROYALTON**  
**(“Royalton”)**

By: \_\_\_\_\_  
Robert A. Stefanik, Mayor

**CITY OF STRONGSVILLE**  
**(“Strongsville”)**

By: \_\_\_\_\_  
Thomas P. Perciak, Mayor

**CERTIFICATE OF FINANCE DIRECTOR**

I hereby certify that the amount of money required to meet the expenditures called for by this Amendment to Agreement is in the treasury, to the credit of the fund for which it is to be drawn, or in the process of collection, and not appropriated for any other purpose.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Director, City of North Royalton

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF NORTH ROYALTON**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Thomas A. Kelly, Law Director

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF STRONGSVILLE**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Kenneth A. Kraus, Law Director

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 024

By: Mayor Perciak and Mr. DeMio

**AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY UNDER THE OHIO EMS GRANT PROGRAM FOR THE TRAINING OF PERSONNEL AND/OR THE PURCHASE OF EMERGENCY MEDICAL EQUIPMENT, AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio EMS Grant Program was enacted to improve emergency medical services in Ohio by providing monetary resources to assist organizations in training, equipping, and improving availability, accessibility and quality of such services; and

WHEREAS, the Ohio EMS Grant Program provides for reimbursement of funds for the amount of the grant awarded for the cost of purchasing various emergency medical equipment and training activities by each local agency that receives and accepts a grant under the Program; and

WHEREAS, the deadline for submission of applications to receive funding under the Ohio EMS Grant Program for such equipment and training for the 2016-2017 grant cycle is April 1, 2016; and

WHEREAS, the City, through its Fire Department, is desirous of applying for any available funding for the training of personnel and/or the purchase of various emergency medical equipment.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

**Section 1.** That this Council hereby authorizes the Mayor to execute and file an application for financial assistance with the Ohio Department of Public Safety under the Ohio EMS Grant Program for the training of personnel and/or the purchase of emergency medical equipment for the Strongsville Fire Department, as more fully set forth in the application on file in the office of the Fire Chief; and further authorizes the Mayor, Director of Finance, Fire Chief, and/or their authorized representatives to provide, execute and deliver whatever certifications, assurances and such other information as may be required in connection therewith.



**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 024**  
**Page 2**

**Section 2.** That the City's portion of costs to meet its obligations, if any, under said grant shall be paid from the Emergency Vehicle Fund.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to timely file such application in order for the City to participate in such grant funding, to continue to provide for the highest quality emergency services and operations, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-024 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 025

By: Mayor Perciak and Mr. Daymut

**AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY.**

WHEREAS, it is the intent of this Council to establish appropriate zoning regulations for General Industrial (GI) and General Industrial-A (GI-A) Districts; and

WHEREAS, the elimination of self-storage or mini storage facilities from General Industrial Districts is consistent with the goals and objectives of the Strongsville 2015 Comprehensive Plan Update.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That existing Section 1240.08(c) of Chapter 1240, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended by adding Subsection (22) to read as follows:

**1240.08 DEFINITIONS.**

(a) Interpretation. Words in this Zoning Code are normally defined according to their ordinary English usage. Certain terms are, however, defined in this chapter and wherever used in this Zoning Code, they shall have the meanings set forth herein, unless the context clearly indicates a different meaning.

(b) General Terms.

(1) The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of such criteria or standards is desired and essential unless commensurate criteria or standards are achieved.

- (2) All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.
- (3) The phrase "used for" shall include "arranged for," "designed for," "intended for," "maintained for" and "occupied for."
- (4) "Regulation" means a rule, restriction or other mandatory provision in this Zoning Code intended to control, require or prohibit an act.
- (5) "Standard" means a test, measure, model or example of quantity, extent or quality.
- (6) "Criterion" means a principle by which the planning of a development area shall be guided.
- (7) "City" means the city of Strongsville.
- (8) "Commission" means the city Planning Commission.
- (9) "Council" means the legislative body of the city.
- (10) "Board" means the Board of Zoning Appeals.
- (11) "Commissioner" means the Building Commissioner of the city.
- (12) "County" means the County of Cuyahoga, Ohio.
- (13) "Clerk" means the Clerk of Council.
- (14) "Engineer" means the city Engineer.
- (15) "Person" means an individual, firm, association, corporation, trust or other legal entity, including his or its agents.
- (16) "Developer" means a person commencing proceedings under this Zoning Code to effect the development of land for himself or for another.
- (17) "Code" means the Zoning Code of the city.
- (18) "Review Board" means the Architectural Review Board of the city.

(c) Specific Terms.

\* \* \*

**(22) Self-Storage or Mini Storage Facility.**

**“Self-Storage or Mini Storage Facility” means any real property that is designed and used for the purpose of renting or leasing individual storage spaces in the facility, whether as rooms, lockers, containers, or other indoor and/or outdoor space, to individuals, businesses, or other entities for the purpose of storing possessions.**

\* \* \*

**Section 2.** That existing Section 1262.04(a)(1) of Chapter 1262, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

**1262.04 USE REGULATIONS; GENERAL INDUSTRIAL (GI) DISTRICT.**

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved and maintained, in whole or in part, in a General Industrial District, only for the uses set forth in the following schedules and regulations:

(a) Main Uses Permitted.

- (1) Office, laboratories, services, sales, storage and manufacturing uses permitted in Research-Development and Commercial Services Districts with the exception of veterinarians' offices, animal hospitals, **self-storage or mini storage facilities**, and kennels.  
(~~Ord. 2008-093. Passed 7-21-08.~~)

\* \* \*

**Section 3.** That existing Section 1262.05(a)(1) of Chapter 1262, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

**1262.05 USE REGULATIONS; GENERAL INDUSTRIAL-A (GI-A) DISTRICT.**

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved and maintained, in whole or in part, in a General Industrial-A District, only for the uses set forth in the following schedules and regulations:

(a) Main Uses Permitted.

- (1) Office, laboratories, services, sales, storage and manufacturing uses permitted in General Industrial, Research-Development and Commercial Services Districts with the exception of veterinarians' offices, animal hospitals, **self-storage or mini storage facilities**, and kennels.

\* \* \*

**Section 4.** That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 025**  
**Page 4**

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 an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to provide for the proper development of lots and lands within the City, and to enhance economic development. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: \_\_\_\_\_

Referred to Planning Commission

Second reading: \_\_\_\_\_

\_\_\_\_\_

Third reading: \_\_\_\_\_

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

Public Hearing: \_\_\_\_\_

\_\_\_\_\_  
 President of Council

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

Mayor

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_

Clerk of Council

ORD. No. 2016-025 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 026

By: Mayor Perciak and Mr. Daymut

**AN ORDINANCE AMENDING THE MASTER SIGN PROGRAM FOR SOUTHPARK MALL, AND DECLARING AN EMERGENCY. [The Commons at SouthPark]**

WHEREAS, Council, through Ordinance No. 1996-107, approved the Master Sign Program for SouthPark Center Shopping Center District and adopted the Master Sign Program Design Intent as the standards for signage therein; and

WHEREAS, an application has been submitted to the Planning Commission for approval of nine (9) wall signs being: two (2) for DSW; two (2) for Michael's; one (1) for Core; two (2) for The Rail restaurant; one (1) for The Vitamin Shoppe; and one (1) for a future tenant, on property located at 17887 SouthPark Center (PPN 396-20-005) known as The Commons at SouthPark for inclusion in the Master Sign Program for SouthPark Mall; and

WHEREAS, at its January 28, 2016 meeting, the Planning Commission approved the inclusion of the proposed signage.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

**Section 1.** That the Master Sign Program for SouthPark Mall be and is hereby amended to add nine (9) wall signs: two (2) for DSW; two (2) for Michael's; one (1) for Core; two (2) for The Rail restaurant; one (1) for The Vitamin Shoppe; and one (1) for a future tenant, on property known as The Commons at SouthPark located at 17887 SouthPark Center (PPN 396-20-005), as approved by the City Planning Commission, and the same be and is hereby made a part of the Master Sign Program for SouthPark Mall.

**Section 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the 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.** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to establish appropriate regulations for the signage of lands in the City to promote the

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 026**  
**Page 2**

effective control of traffic, the orderly function of public services, and the aesthetic quality and character of signage on the SouthPark Mall site. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-026 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Ken Kraus, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** January 29, 2016

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Please be advised that at its meeting of January 28, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

**SOUTHPARK MALL/ Steven Greenberger, Agent**

- a) Revision to the Master Sign Program to add eight (8) signs; two (2) for DSW, two (2) for Michael's, one (1) for Core, two (2) for The Rail, one (1) for The Vitamin Shoppe for property located at 17887 South Park Center, part of PPN 396-20-005 zoned Shopping Center. *\*ARB Favorable Recommendation of tenant signage 1-12-16.*
- b) Revised Site Plan approval of the 1,890 SF covered, enclosed patio for The Rail located at 17887 Southpark Center, PPN 396-20-005 zoned Shopping Center **subject to Engineering and Building.**

**JEA ALZHEIMER SPECIAL CARE CENTER/ Rachel Rudiger, Agent**

Site Plan approval of a 34,492 SF Alzheimer Special Care Center to be located at the SE intersection of Pearl and Drake Roads zoned Public Facility **subject to Engineering, Building, Fire and the Law Department.**



CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 –     027

By: Mr. Daymut

**A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE REVISED FINAL SITE PLAN FOR A COVERED, ENCLOSED PATIO FOR THE RAIL RESTAURANT, LOCATED AT 17887 SOUTHPARK CENTER, IN THE CITY OF STRONGSVILLE; AND DECLARING AN EMERGENCY.**

WHEREAS, The Commons at SouthPark/Starwood Retail Properties, LLC, through its agent, submitted a revised final site plan to the Planning Commission for approval of a 1,890 square foot covered, enclosed patio for The Rail restaurant, on PPN 396-20-005, located at 17887 Southpark Center, which property is zoned Shopping Center; and

WHEREAS, the Planning Commission approved said revised final site plan at its meeting of January 28, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO:

**Section 1.** That this Council does hereby confirm the approval of the City's Planning Commission of the revised final site plan submitted by The Commons at SouthPark/Starwood Retail Properties, LLC, for the construction of a 1,890 square foot covered, enclosed patio for The Rail restaurant, on PPN 396-20-005, located at 17887 Southpark Center, subject to any conditions established by the Planning Commission.

**Section 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all 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.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to promote development within the City, to preserve jobs, and serve the public. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO  
RESOLUTION NO. 2016 - 027  
Page 2

\_\_\_\_\_  
President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

*RES*  
ORD. No. 2016-027 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**PLANNING COMMISSION APPLICATION  
City of Strongsville**

ITEM NO. \_\_\_\_\_ Application Fees: CP \_\_\_\_\_  
Eng \_\_\_\_\_  
Lighting Plan Review \_\_\_\_\_  
Total Fee \_\_\_\_\_

Date of Application: 1.13.2016

Client or Subject Name: Commons at SouthPark / Starwood Retail Properties LLC

Client / Subject Property Location : 17887 Southpark Center

Representative's Company Name: The Commons at SouthPark, LLC

Rep. or Agent's Name: Steve A. Greenberger

Bus. Address of Rep: 1 E Wacker Dr., Suite 3700 City & Zip Chicago, IL 60601

Business Phone: (440) 536.0149 FAX ( ) \_\_\_\_\_ Res. ( ) \_\_\_\_\_

E-mail Address sagreenberger@gmail.com

Owner's Signature: \_\_\_\_\_

Permanent Parcel No. 396-20-005 Zoning Classification: SC Shopping Center

Description of Request: Revised Site Plan

**Building Area:**

Existing Sq.Ft.: First Floor 75,000 Others \_\_\_\_\_

Proposed Sq. Ft. 71,883 Total Building Area Sq. Ft. 71,883 including 66,140 SF of GLA

Existing Parking Spaces: 390 Proposed Parking Spaces: 388

**Site Area:** Total Sq. Ft. 438,324 Scale Used: 10.07 Acres

TOTAL NUMBER OF EMPLOYEES: Varies Number of Shifts: Varies

CITY OF STRONGSVILLE

## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Ken Kraus, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** January 29, 2016

---

Please be advised that at its meeting of January 28, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

**SOUTHPARK MALL/ Steven Greenberger, Agent**

- a) Revision to the Master Sign Program to add eight (8) signs; two (2) for DSW, two (2) for Michael's, one (1) for Core, two (2) for The Rail, one (1) for The Vitamin Shoppe for property located at 17887 South Park Center, part of PPN 396-20-005 zoned Shopping Center. *\*ARB Favorable Recommendation of tenant signage 1-12-16.*
- b) Revised Site Plan approval of the 1,890 SF covered, enclosed patio for The Rail located at 17887 Southpark Center, PPN 396-20-005 zoned Shopping Center **subject to Engineering and Building.**

**JEA ALZHEIMER SPECIAL CARE CENTER/ Rachel Rudiger, Agent**

Site Plan approval of a 34,492 SF Alzheimer Special Care Center to be located at the SE intersection of Pearl and Drake Roads zoned Public Facility **subject to Engineering, Building, Fire and the Law Department.**

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 - 028

By: Mayor Perciak and Mr. Daymut

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2016 IN THE CITY OF STRONGSVILLE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized to advertise for bids for the Pavement Reconstruction Program for 2016, consisting of removal and replacement of concrete pavement, catch basin reconstruction, and replacement of curbs and ramps, in accordance with specifications and bid documents on file in the office of the City Engineer, which are in all respects hereby approved.

Section 2. That the funds for the purposes of this Resolution have been appropriated and shall be paid from the General Capital Improvement Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of the 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 shall take effect and be in force immediately upon its passage and approval by the Mayor.

\_\_\_\_\_  
President of Council

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

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

RES 2016-028  
 ORD. No. \_\_\_\_\_ Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 029

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AMENDING ORDINANCE NO. 2015-212, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR A COMPREHENSIVE HEALTH BENEFITS PLAN FOR CITY EMPLOYEES FOR THE YEAR 2016, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2015-212, this Council authorized the Mayor to enter into a contract with Medical Mutual of Ohio for a period of one (1) year expiring December 31, 2016 for a comprehensive health benefits plan for employees of the City; and

WHEREAS, it has come to the attention of the Human Resources Director and Director of Finance that two (2) of the City's collective bargaining groups remain, at this time, under their prior collective bargaining agreements which contain somewhat different provisions for health care, and which necessitate different and higher premium rates to be expended by the City of Strongsville as employer; and

WHEREAS, the foregoing thereby require adjustment of the rates set forth in Ordinance No. 2015-212 only as to such specific groups of City employees, being the employees who are Police Dispatchers and Corrections Officers.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

**Section 1.** That for the reasons aforesaid, Section 2 of Ordinance No. 2015-212 is hereby amended as follows:

**"Section 2.** That, for the reasons aforesaid, the Mayor, Director of Finance and Human Resources Director be and are hereby authorized and directed to enter into and implement a contract with **MEDICAL MUTUAL OF OHIO** at monthly premium rates not to exceed \$686.00 for each single employee, and the amount of \$1,713.00 for each employee with a family, all for a comprehensive health benefits plan for the period of January 1, 2016 through December 31, 2016, as reflected on Exhibit A, attached hereto, which includes hospitalization, major medical, dental, certain vision, prescription, health and wellness, and other coverages on file with the Human Resources Director and/or Director of Finance, and all in a form to be approved by the Director of Finance and Law Director. **Notwithstanding the foregoing and with regard specifically to the groups of employees who are Police Dispatchers and Corrections Officers, the health coverage benefits shall remain the same as those**

set forth in the City's Medical Mutual of Ohio contract for the year 2015, but with monthly premium rates not to exceed \$695.00 for each single employee, and the amount of \$1,736.00 for each employee with a family, all for a comprehensive health benefits plan as set forth on Exhibit B attached hereto, for the period retroactive to January 1, 2016 through December 31, 2016, or the date on which new collective bargaining agreements for such groups are executed and effective, whichever comes first."

**Section 2.** That the funds necessary for the aforesaid contract will be appropriated and shall be paid from the General Fund, Sanitary Sewer Fund, Fire Levy Fund, Multi-Purpose Complex Fund, the Street Construction, Maintenance & Repair Fund, and Community Diversion Fund.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to establish the aforesaid benefit plan in order to provide continuity of health benefits to City employees, comply with existing and future labor agreement requirements, and conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

\_\_\_\_\_ Approved: \_\_\_\_\_  
 President of Council Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-029 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_



MEDICAL MUTUAL OF OHIO  
*Your healthcare partner since 1934*

City of Strongsville 2016 Rates – COSE  
Section 020

3 Tier Plan	Single	\$545.13
	Family	\$1,362.98
Rx Plan	Single	\$117.42
	Family	\$292.16
Dental Plan	Single	\$28.75
	Family	\$71.92
Vision Plan	Single	\$3.21
	Family	\$8.03
Total Rate for all coverage's	Single	\$694.51
	Family	\$1,735.09

**EXHIBIT B**



CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2016 - 030  
BY: MAYOR THOMAS P. PERCIAK

AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2016 AND REPEALING ORDINANCE NUMBER 2016-013.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1: THAT THERE BE APPROPRIATED FROM THE FOLLOWING FUNDS AND AS FURTHER DETAILED IN THE SCHEDULE ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN:

<u>General Fund - 101</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
<b>101 Total General Fund</b>		<b>\$ 15,912,800.00</b>	<b>\$ 7,910,400.00</b>	<b>\$ 12,056,300.00</b>	<b>\$ 35,879,500.00</b>

<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,262,300.00	\$ -	\$ -	\$ 1,262,300.00
204	Street Construction & Maintenance	5,205,400.00	4,519,400.00	-	9,724,800.00
205	State Highway Maintenance	-	140,000.00	-	140,000.00
206	Motor Vehicle License Tax	-	500,000.00	-	500,000.00
207	Emergency Vehicle Fund	-	969,000.00	-	969,000.00
208	Fire Levy	7,472,100.00	1,481,200.00	-	8,953,300.00
209	Fire Pension	1,407,000.00	-	-	1,407,000.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	700,000.00	-	700,000.00
214	Multi-Purpose Complex	3,121,100.00	2,052,200.00	-	5,173,300.00
215	Southwest General Hospital	-	347,242.00	-	347,242.00
216	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
217	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
218	Law Enforcement Drug Fine	-	400.00	-	400.00
219	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
220	Tree Fund	-	100,000.00	-	100,000.00
222	Community Diversion	11,300.00	3,000.00	-	14,300.00
224	Earned Benefits	400,000.00	-	-	400,000.00
<b>200 Total Special Revenue Funds</b>		<b>\$ 18,879,200.00</b>	<b>\$ 10,876,442.00</b>	<b>\$ -</b>	<b>\$ 29,755,642.00</b>

<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,692,626.00	\$ -	\$ 3,692,626.00
333	Pearl Road TIF # 1 Fund	-	2,224,125.00	-	2,224,125.00
334	Royalton Road TIF Fund	-	205,500.00	-	205,500.00
335	Pearl Road TIF # 2 Fund	-	-	-	-
336	Pearl Road TIF # 3 Fund	-	1,700.00	-	1,700.00
337	Westwood Commons TIF	-	28,300.00	-	28,300.00
<b>300 Total Debt Service Funds</b>		<b>\$ -</b>	<b>\$ 6,152,251.00</b>	<b>\$ -</b>	<b>\$ 6,152,251.00</b>

<u>Capital Improvement Capital Project Funds - 400</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 850,000.00	\$ -	\$ 850,000.00
442	General Capital Improvement	-	6,169,834.00	-	6,169,834.00
444	Pearl Road Capital Improvement	-	-	155,907.00	155,907.00
<b>400 Total Capital Project Funds</b>		<b>\$ -</b>	<b>\$ 7,019,834.00</b>	<b>\$ 155,907.00</b>	<b>\$ 7,175,741.00</b>

Enterprise Funds - 500					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,345,400.00	\$ 6,158,635.00	\$ -	\$ 7,504,035.00

Internal Service Fund - 600					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
664	Workers' Compensation Reserve	\$ -	\$ 620,000.00	\$ -	\$ 620,000.00
<b>Grand Total All Funds</b>		<b>\$ 36,137,400.00</b>	<b>\$ 38,737,562.00</b>	<b>\$ 12,212,207.00</b>	<b>\$ 87,087,169.00</b>

Itemized list of Transfers and Advances by Fund		Amount
General Fund to Street Construction Fund		\$ 3,370,000.00
General Fund to Fire Levy Fund		2,965,000.00
General Fund to Multi-Complex Fund		2,100,000.00
General Fund to Police Pension Fund		840,000.00
General Fund to Fire Pension Fund		1,044,000.00
General Fund to Earned Benefits Fund		300,000.00
General Fund to General Bond Retirement Fund		109,000.00
General Fund to Recreation Capital Improvement Fund		200,000.00
General Fund to General Capital Improvement Fund		1,100,000.00
<b>Total Transfers</b>		<b>\$ 12,028,000.00</b>
General Fund to Westwood Commons TIF Fund		28,300.00
Pearl Road Capital Improvement Fund Phase II to General Fund		155,907.00
<b>Total Advances and Advance Repayments</b>		<b>\$ 184,207.00</b>
<b>Total Transfers, Advances and Advance Repayments</b>		<b>\$ 12,212,207.00</b>

Section 2: That all expenditures within the fiscal year ending December 31, 2016 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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: AS AN ORDINANCE providing for the appropriation of monies and consistent with the City's Charter Article III, Section 13, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, or otherwise at the earliest time allowed by law.

\_\_\_\_\_  
President of Council

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

\_\_\_\_\_  
Date Passed

\_\_\_\_\_  
Date Approved

Attest: \_\_\_\_\_  
Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

ORD. No. 2016-030 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**EXHIBIT "A"**  
**SCHEDULE OF BUDGETS BY DEPARTMENT - page 1 of 2**

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 315,700.00	\$ 26,000.00	\$ -	\$ 341,700.00
011411	Mayors Office	339,300.00	15,300.00	-	354,600.00
015412	Police Department	8,810,600.00	1,356,700.00	-	10,167,300.00
011413	Human Resources	223,600.00	100,200.00	-	323,800.00
011414	Finance Department	496,900.00	22,600.00	-	519,500.00
011415	Legal Department	450,300.00	125,900.00	-	576,200.00
011416	Communication & Technology	637,200.00	760,500.00	-	1,397,700.00
011417	Building Department	985,200.00	243,300.00	-	1,228,500.00
011418	Mayors Court	122,200.00	80,000.00	-	202,200.00
011420	Rubbish Department	-	2,441,500.00	-	2,441,500.00
011421	Cemetery Department	113,200.00	196,200.00	-	309,400.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	104,400.00	67,000.00	-	171,400.00
011424	Civil Service	-	54,100.00	-	54,100.00
011425	Board of Appeals	-	11,000.00	-	11,000.00
011428	Parks Department	102,600.00	223,100.00	-	325,700.00
011430	General Miscellaneous	-	1,822,400.00	-	1,822,400.00
011435	Economic Development	142,900.00	144,600.00	-	287,500.00
015414	Corrections Officers	738,000.00	140,500.00	-	878,500.00
011435	Joint Dispatch Center	2,174,600.00	67,500.00	-	2,242,100.00
011452	Public Safety	156,100.00	6,000.00	-	162,100.00
011468	Non Government Transfers	-	-	12,056,300.00	12,056,300.00
	<b>Total General Fund</b>	<b>\$ 15,912,800.00</b>	<b>\$ 7,910,400.00</b>	<b>\$ 12,056,300.00</b>	<b>\$ 35,879,500.00</b>
031000	Police Pension	1,262,300.00	-	-	1,262,300.00
046419	Street Repairs	4,402,600.00	2,764,900.00	-	7,167,500.00
046426	Traffic Signal Maintenance	115,800.00	230,500.00	-	346,300.00
046427	Snow Removal	-	689,000.00	-	689,000.00
046433	Municipal Garage	687,000.00	835,000.00	-	1,522,000.00
056000	State Highway Maintenance	-	140,000.00	-	140,000.00
066000	Motor Vehicle License Tax	-	500,000.00	-	500,000.00
075000	Emergency Vehicle Fund	-	969,000.00	-	969,000.00
085000	Fire Levy	7,472,100.00	1,260,700.00	-	8,732,800.00
085001	Fire Station Ward 1	-	44,000.00	-	44,000.00
085002	Fire Station Ward 2	-	32,100.00	-	32,100.00
085003	Fire Station Ward 3	-	35,500.00	-	35,500.00
085004	Fire Station Ward 4	-	108,900.00	-	108,900.00
095000	Fire Pension	1,407,000.00	-	-	1,407,000.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	700,000.00	-	700,000.00
143304	Sports Programs	264,600.00	166,600.00	-	431,200.00
143305	Recreation Administration	453,500.00	659,000.00	-	1,112,500.00
143306	Fitness	436,300.00	135,900.00	-	572,200.00
143309	Ice Rink	-	281,000.00	-	281,000.00
143310	Aquatics	651,300.00	98,100.00	-	749,400.00
143311	Recreation Programs	225,000.00	30,200.00	-	255,200.00
143430	Special Events	-	15,200.00	-	15,200.00
143431	Old Town Hall	10,200.00	16,100.00	-	26,300.00
143439	Senior Services	560,500.00	403,900.00	-	964,400.00
143451	Recreation Maintenance	519,700.00	203,000.00	-	722,700.00
143500	Program Refunds	-	43,200.00	-	43,200.00
152000	Southwest General Hospital	-	347,242.00	-	347,242.00
165000	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
175000	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
185000	Law Enforcement Drug Fine	-	400.00	-	400.00
195000	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
204000	Tree Maintenance	-	100,000.00	-	100,000.00
225000	Community Diversion	11,300.00	3,000.00	-	14,300.00
224000	Earned Benefits	400,000.00	-	-	400,000.00
	<b>Total Special Revenue Funds</b>	<b>\$ 18,879,200.00</b>	<b>\$ 10,876,442.00</b>	<b>\$ -</b>	<b>\$ 29,755,642.00</b>

**EXHIBIT "A"**  
**SCHEDULE OF BUDGETS BY DEPARTMENT - page 2 of 2**

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,692,626.00	-	3,692,626.00
333000	Pearl Road TIF # 1	-	2,224,125.00	-	2,224,125.00
334000	Royalton Road TIF	-	205,500.00	-	205,500.00
335000	Pearl Road TIF # 2	-	-	-	-
336000	Pearl Road TIF # 3	-	1,700.00	-	1,700.00
337000	Westwood Commons TIF	-	28,300.00	-	28,300.00
	<b>Total Debt Service</b>	\$ -	\$ 6,152,251.00	\$ -	\$ 6,152,251.00
413000	Recreation Capital Improvement	-	850,000.00	-	850,000.00
421000	General Capital Improvement	-	6,169,834.00	-	6,169,834.00
446200	Pearl Road Capital Improvement Phase II	-	-	155,907.00	155,907.00
	<b>Total Capital Projects</b>	\$ -	\$ 7,019,834.00	\$ 155,907.00	\$ 7,175,741.00
512501	Engineering and Administration	651,000.00	884,400.00	-	1,535,400.00
512502	Plant Expenditures	-	3,023,500.00	-	3,023,500.00
512503	Line Expenditures	694,400.00	425,000.00	-	1,119,400.00
512504	Sewer Capital Improvements	-	1,500,000.00	-	1,500,000.00
512505	Sewer Debt Payments	-	325,735.00	-	325,735.00
	<b>Total Sanitary Sewer</b>	\$ 1,345,400.00	\$ 6,158,635.00	\$ -	\$ 7,504,035.00
664000	Workers Compensation	\$ -	\$ 620,000.00	\$ -	\$ 620,000.00
	<b>GRAND TOTAL</b>	\$ 36,137,400.00	\$ 38,737,562.00	\$ 12,212,207.00	\$ 87,087,169.00

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 031

By: Mayor Perciak and Mr. Dooner

**A RESOLUTION ESTIMATING THE AGGREGATE  
MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE  
AWARDED AND DESIGNATING DEPOSITORIES FOR  
ACTIVE AND INTERIM FUNDS OF THE CITY OF  
STRONGSVILLE FOR A FIVE-YEAR PERIOD  
COMMENCING MARCH 15, 2016 TO MARCH 14, 2021,  
AND DECLARING AN EMERGENCY.**

WHEREAS, the statutes of the State of Ohio provide that depositories for interim and active funds shall be designated by the Council; and

WHEREAS, the last designation of City depositories made pursuant to Resolution No. 2011-033 and subsequently amended at various times, will expire on March 14 2016; and

WHEREAS, the Director of Finance of the City, therefore, has solicited proposals and received applications from eligible depositories for interim and active funds of the City of Strongsville, and is desirous of proceeding to designate such depositories for a period of five (5) years.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council estimates the aggregate amount to be awarded to banks to be on deposit as interim and active funds for a period commencing March 15, 2016 to March 14, 2021, as follows:

INTERIM AND ACTIVE FUNDS	\$35,000,000.00
--------------------------	-----------------

**Section 2.** That the following depositories be and they are hereby designated by the Council of the City of Strongsville for the deposit of public monies in compliance with the applicable provisions of the laws of the State of Ohio commencing March 15, 2016 to March 14, 2021:

DOLLAR BANK  
FIFTH THIRD BANK  
FIRST PREMIER BANK  
HUNTINGTON BANK  
INDEPENDENCE BANK  
KEY BANK, NATIONAL ASSOCIATION  
PNC BANK, NATIONAL ASSOCIATION  
TRI-STATE CAPITAL BANK

**CITY OF STRONGSVILLE, OHIO**  
**RESOLUTION NO. 2016 – 031**  
**Page 2**

U.S. BANK, NATIONAL ASSOCIATION  
 MEEDER INVESTMENT MANAGEMENT  
 HSBC BANK USA – PACE PAYMENT SOLUTIONS  
 TOTAL MERCHANT SERVICES –  
 NORTH AMERICAN ACQUIRING, INC.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal actions 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 immediate preservation of the public peace, property, health, safety and welfare of the City; and for the further reason that it is immediately necessary to provide for the safekeeping of monies of the City of Strongsville and to conserve public funds. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

*RES*  
 ORD. No. 2016-031 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 032

By: Mr. Short

**AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2015-024 TO INCREASE THE APPROPRIATED CONTRACT AMOUNT AND AMEND THE CONTRACT WITH ADLER TEAM SPORTS FOR PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2015-024 after public bidding, the Council approved and authorized the Mayor to enter into a contract with Adler Team Sports for the purchase of youth sports wearing apparel through 2015 at unit prices but in a total amount not to exceed \$36,488.95; and

WHEREAS, since then, due to higher than anticipated registration numbers for the City's youth basketball program, the Director of Recreation & Senior Services has advised the City that additional youth sports wearing apparel was necessary to purchase in order to accommodate the increased participation in the youth sports program; and

WHEREAS, it is, therefore, necessary to allocate additional funds in the amount of up to \$1,759.94 on an emergency basis, without further public bidding, to amend prior Ordinance No. 2015-024 and the contract authorized thereby, and to facilitate payment of some charges already, of necessity, incurred by the City's Recreation Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

**Section 1.** That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Recreation of the City of Strongsville, in that it has become immediately necessary to purchase additional youth sports wearing apparel, without further public bidding, in order to accommodate the increased participation in the youth basketball program, and to conserve public funds.

**Section 2.** That Section 2 of Ordinance No. 2015-024 is hereby amended to read in its entirety as follows:

**“Section 2.** That the Mayor be and is hereby authorized and directed to enter into a contract with the aforesaid lowest and best bidder

for the purchase of the specified youth sports wearing apparel in accordance with the specifications on file in the office of the Director of Recreation & Senior Services, and for the sums submitted as unit prices in such bid, but in a total amount not to exceed ~~\$36,488.95~~ **\$38,248.89**, and all in a form to be approved by the Law Director.”

**Section 3.** That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into an amendment to the contract with **ADLER TEAM SPORTS**, for youth sports wearing apparel, in order to increase the not-to-exceed amount, but at the same unit prices, from \$36,488.95 to \$38,248.89 for 2015, and without further public bidding.

**Section 4.** That the funds for the purposes of this amendment have been appropriated and shall be paid from the Multi-Purpose Complex Fund (Ehrnfelt Center).

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 of the City, and for the further reason that it is immediately necessary to amend the prior Ordinance and contract in order to provide sufficient funds for payment of additional purchases of youth sports wearing apparel, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

\_\_\_\_\_ Approved: \_\_\_\_\_  
 President of Council Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council  
 ORD. No. 2016-032 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 033

By: Mr. Schonhut

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACTS FOR THE ROUTINE GENERAL RADIO AND TELECOMMUNICATION NEEDS AND REQUIREMENTS OF THE CITY, INCLUDING THE REGIONAL DISPATCH CENTER, AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Revised Code Section 5513.01(B) provides the opportunity for counties, townships and municipal corporations to participate in contracts of the State of Ohio Department of Administrative Services for the purchase of machinery, materials, supplies or other articles; and

WHEREAS, based upon recommendation of the City's Director of Communication & Technology, this Council wishes to take advantage of that opportunity for the purchase of routine general radio and telecommunication needs and requirements of the City, including the Regional Dispatch Center, during 2016 (Schedule No. 573077-0-1, Index No. STS-073).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in Ohio Department of Administrative Services contracts which the Department has entered into pursuant to the Ohio Revised Code with **MOTOROLA SOLUTIONS, INC.** for the purchase of routine general radio and telecommunication needs and requirements of the City, including the Regional Dispatch Center, in a total amount not to exceed \$20,000.00, as required during 2016.

**Section 2.** That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases, and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

**Section 3.** That the Mayor, Director of Finance and Director of Communication & Technology be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Administrative Services Cooperative Purchasing Program.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 033**  
**Page 2**

**Section 4.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the General Fund.

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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 of the City, and for the further reason that it is immediately necessary to enter into said contract to provide for the routine general radio needs and requirements for the City-wide radio communications system, to provide for the continuity of services and operation of the various departments of the City of Strongsville, including the City's Regional Dispatch Center, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-033 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
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 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 034

By: Mr. Schonhut

**AN ORDINANCE AUTHORIZING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF COMPUTER, PRINTER, SCANNER, NETWORKING HARDWARE, SOFTWARE AND SUPPLIES, IN SUPPORT OF THE CITY'S TECHNOLOGY NEEDS, BY THE DIRECTOR OF COMMUNICATION & TECHNOLOGY THROUGH CDW GOVERNMENT, LLC; AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Section 5513.01(B) provides the opportunity for counties, townships and municipal corporations to participate in contracts of the Ohio Department of Administrative Services for the purchase of machinery, materials, supplies or other articles; and

WHEREAS, the Director of Communication & Technology recommends purchase of various computer, printer, scanner, networking hardware, software and supplies from CDW Government, LLC, under Contract No. 534334, Index No. STS-033, for use by various departments of the City during 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council hereby authorizes the Mayor to request authority in the name of the City of Strongsville to participate in the Ohio Department of Administrative Services contracts for the purchase of various computer, printer, scanner, networking hardware, software and supplies, in support of the City's technology needs, by the Director of Communication & Technology through **CDW GOVERNMENT, LLC** for use by various departments of the City in a total amount not to exceed \$120,000.00 for 2016, which the Department has entered into pursuant to Revised Code Section 5513.01(B).

**Section 2.** That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 034

Page 2

**Section 3.** That this Council hereby authorizes the Mayor and Director of Finance to enter into and execute such agreements and documents necessary for participation in the Ohio Department of Administrative Services Cooperative Purchasing Program.

**Section 4.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the General Fund.

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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, and for the further reason that it is immediately necessary to participate in the purchase of various computer, printer, scanner, networking hardware, software and supplies, in order to maintain continuity and efficiency in technology systems, and in the operation of various departments of the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2016-034 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

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Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 035

By: Mr. Schonhut

**AN ORDINANCE RATIFYING AND AUTHORIZING PARTICIPATION IN UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACTS FOR THE PURCHASE OF SERVICES AND SUPPORT FOR VIDEO PROCESSING AND SURVEILLANCE, FORENSIC AND FRAUD PREVENTION, DATA NETWORK ENGINEERING, AND COMPUTER HARDWARE AND SOFTWARE MAINTENANCE FOR USE BY VARIOUS DEPARTMENTS OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.**

WHEREAS, Federal law provides the opportunity for state, local, regional or tribal governments or any instrumentality thereof to participate in contracts of the United States General Services Administration for the purchase of a variety of information technology including services from contracts awarded under General Services Administration Federal Supply Schedule, Information Technology, as well as from contracts under the Corporate Schedule containing information technology special item numbers; and

WHEREAS, based upon recommendation of the City's Director of Communication and Technology, this Council wishes to take advantage of that opportunity in connection with the purchase of various services and support for video processing and surveillance, forensic and fraud prevention, data network engineering, and computer hardware and software maintenance (Contract No. GS-35F-0434W) for use by various City departments through December 31, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in the United States General Services Administration Federal Supply Schedule, Information Technology contracts for the purchase of various services and support for video processing and surveillance, forensic and fraud prevention, data network engineering, and computer hardware and software maintenance from **SEMS & ASSOCIATES LIMITED** for use by various departments of the City in amounts not to exceed a total of \$175,000.00 during 2016, based upon the hourly pricing rates set forth in the price list for such contract, which the General Services Administration has entered into pursuant to law, and that is on file with the City's Director of Communication and Technology.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 035**  
**Page 2**

**Section 2.** That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the United States General Services Administration for such purchases and to directly pay the vendor, under each such contract of the United States General Services Administration in which the City participates for items and services it receives pursuant to the contracts.

**Section 3.** That any purchases made to date are ratified; and that the Mayor, Director of Finance and Director of Communication and Technology be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the United States General Services Administrative Cooperative Purchasing Program.

**Section 4.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the General Fund.

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and 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, and for the further reason that it is immediately necessary to participate in the purchase of such services and support items in order to maintain and audit necessary technological systems, data network, and computer systems, to maintain continuity and efficiency in the operation of the various departments of the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-035 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

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Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 036

By: Mayor Perciak and All Members of Council

**AN ORDINANCE ENACTING NEW CHAPTER 882 OF TITLE FOUR OF PART EIGHT OF THE CITY'S CODIFIED ORDINANCES PROVIDING FOR IMPOSITION AND REGULATION OF AN ADMISSIONS TAX APPLICABLE TO CERTAIN LIMITED ENTERTAINMENT, AMUSEMENT AND RECREATIONAL BUSINESS USES WITHIN THE CITY, BUT SUBJECT TO CERTAIN EXEMPTIONS, FOR TAX YEARS COMMENCING JULY 1, 2016.**

WHEREAS, the Home Rule Amendment of the Ohio Constitution, Article XVIII, Section 3, provides that "Municipalities shall have authority to exercise all powers of local self-government . . .", and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the citizens of municipalities; and

WHEREAS, Article XIII, Section 6 of the Ohio Constitution provides that the General Assembly may restrict municipalities' power of taxation to the extent necessary to prevent abuse of such power; and Article XVIII, Section 13 of the Ohio Constitution states that "Laws may be passed to limit the powers of municipalities to levy taxes and incur debts for local purposes . . ."; and

WHEREAS, the Ohio Revised Code in Section 715.013(B)(1) specifically provides that municipalities are not prohibited from levying a tax on "amounts received for admission to any place."; and

WHEREAS, this Council and the Mayor have determined that consistent with other municipalities, it would be in the best interest of the City of Strongsville to establish an Admissions Tax of three percent (3%) on certain limited entertainment, amusement and recreational business uses but subject to certain exemptions, for tax years commencing July 1, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That new Chapter 882 (Admissions Tax) of Title Four of Part Eight of the City's Codified Ordinances, attached hereto as Exhibit A and incorporated herein by reference in its entirety, is hereby enacted effective July 1, 2016 for tax years commencing July 1, 2016 and going forward thereafter.

**Section 2.** That any money paid and collected through the Admissions Tax shall be deposited into the City's General Fund.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2016 – 036**  
**Page 2**

**Section 3.** That any ordinances or resolutions, or parts thereof, in conflict with new Chapter 882, are hereby superseded and repealed.

**Section 4.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 5.** That the provisions of this Ordinance shall take effect and be in force from and after July 1, 2016, presuming it is approved by the Council and Mayor in accordance with law.

\_\_\_\_\_  
 President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2016-036 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
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 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_



CHAPTER 882  
ADMISSIONS TAX

- 882.01 Definitions.
- 882.02 Levy of tax.
- 882.03 Admissions exempt from tax.
- 882.04 Price to be marked on ticket.
- 882.05 Collection of tax.
- 882.06 Certificate of registration required.
- 882.07 Certificate of registration in case of temporary or transitory amusement.
- 882.08 Taxes a lien.
- 882.09 Rules and regulations.
- 882.10 Authority to compel production of records.
- 882.11 Refusal to produce records.
- 882.12 Taxpayer required to retain records.
- 882.13 Appeals.
- 882.14 Disposition of moneys received.
- 882.15 Effective date.
- 882.16 Confidential reports.
- 882.99 Penalties.

CROSS REFERENCES

**882.01 DEFINITIONS.**

As used in this chapter:

(a) "Admission" means and includes seats, chairs, tables and benches, reserved or otherwise, or a place or space designated for standing, and other similar accommodations and charges made therefor.

(b) "Admission Charge" means the charge made for the right or privilege to enter into a place, or for the use or rental of property or services, of a recreational or entertainment nature such as, but not limited to, cinema or theater fees, bowling alley fees, or greens fees.

(c) "Amounts received for admission" excludes any state or Federal taxes otherwise paid or received with respect to such admission.

(d) "Director" means the Director of Finance of the City of Strongsville.

(e) "Person" means any individual, receiver, assignee, firm, co-partnership, joint venture, corporation, limited liability company, company, joint-stock company, association, society or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise.

(f) "Place" means and includes, but is not restricted to, indoor and outdoor theaters, dance halls, amphitheaters, auditoriums, stadiums, athletic pavilions and fields, baseball and athletic parks, circuses, sideshows, bowling alleys, swimming pools, ice rinks, outdoor amusement parks and such attractions as races, merry-go-rounds, ferris wheels, dodge'ems, roller coasters and observation towers.

**882.02 LEVY OF TAX.**

There is hereby levied and imposed upon every person who pays an admission charge to any place:

(a) A tax of three percent (3%) on the amounts paid for admission to any place, including admission by season ticket or subscription; the tax shall apply to every admission within the City of Strongsville for which a charge is made, notwithstanding that the sale of the ticket or other evidence of right of admission thereto is made outside of the City;

(b) A tax of three percent (3%) on the excess of the amounts paid for tickets or cards of admission to theaters, operas, sporting events, and other places of amusement, sold at newsstands, hotels, by any electronic means or devices, and places other than the ticket offices of such theaters, operas, sporting events or other places of amusement, over and above the amounts representing the established price therefor at such ticket offices; such tax to be returned and paid in the manner provided in Section 882.05 by the person selling the ticket;

(c) A tax of three percent (3%) on the amount paid for admission to any public performance for profit at any roof garden, night club, cabaret or other similar entertainment in case the charge for admission is in the form of a service charge, cover charge or other similar charge; and

(d) A tax of three percent (3%) on the amount paid as annual membership dues by every club or organization maintaining a golf course, and a tax of three percent (3%) on greens fees paid to a golf course, either under club or private ownership.

(e) A tax of three percent (3%) on the amount paid for admission to any small capacity live venue that has occupant load capacity of one hundred fifty-one (151) people or more. For purposes of this section, "small capacity live entertainment venue" is defined as any separate room in a premises where people pay admission to attend a separate active performance by an individual or individuals who, at the time of and during the performance, create live entertainment for an audience through the use or manipulation of voice, instruments or dance. If the same active performance is occurring for the benefit of more than one separate room, then those separate rooms shall be considered together as one venue.

In the case of persons (except bona fide employees, municipal officers on official business and children under the age for which a charge is regularly made) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected based on the price so charged to such other persons for the same or similar accommodations, such tax to be paid by the person so admitted.

### **882.03 ADMISSIONS EXEMPT FROM TAX.**

No tax shall be levied under this chapter with respect to any admissions, all the proceeds of which inure:

(a) Exclusively to the benefit of religious, educational or charitable institutions, societies or organizations, IRS tax-exempt organizations, homeowners' associations or other non-profit committees, associations, organizations, clubs, or societies or

organizations for the prevention of cruelty to children or animals, or of societies or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, of improving any municipal corporation or of maintaining a cooperative or community center place, if no part of the net earnings inures to the benefit of any private stockholder or individual;

(b) Exclusively to the benefit of persons in the military or naval forces of the United States or of National Guard organizations, reserve officer organizations or posts, associations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units or societies are organized in the State and if no part of their net earnings inures to the benefit of any private stockholder or individual;

(c) Exclusively to the benefit of an organization whose primary function is the sponsorship of amateur athletics, provided such organization is exempt from federal taxation under Subsection 501(a) and described in Subsection 501(c)(3) of the Internal Revenue Code, and further provided that all revenue derived from the event for which admission is charged is, after the payment of expenses incurred for such event, actually used for the sponsorship of amateur athletics;

(d) Exclusively to the benefit of any municipal corporation or exclusively to the benefit of any fund of any municipal corporation under the control of a recreation department, commission, group, committee or legislative body.

The exemptions from the tax provided by this section shall not, however, be allowed in cases of admissions to wrestling matches, prize fights or boxing, sparring or other pugilistic matches or exhibitions.

Upon request of the City's Finance Director, immediately after the event for which an exemption from admissions tax has been allowed, the treasurer or financial officer of the institution, society or organization for whose benefit such event was held shall file an itemized statement with the City's Director of Finance setting forth the amount of money actually received by such treasurer or financial officer, together with the expense of promoting and conducting such event. Such statement shall be used as a basis of subsequent requests for exemption from admissions tax for the benefit of such institution, society or organization; and if such statement shows a disproportionate expenditure for the promoting and conducting of such event in relation to the profits, if any, no such exemption shall thereafter be allowed to such institution, society or organization.

The exemptions from the tax provided by this section shall not be allowed to any institution, society or organization which does not control the sale of admissions to the event for which the exemption is requested; nor shall any exemption be allowed where talent, services or other items are the subject of compensation on a percentage basis if such percentage results in a payment in excess of the flat rate ordinarily charged for the same talent, services or other items.

#### **882.04 PRICE TO BE MARKED ON TICKET.**

The price (exclusive of any Federal or state tax to be paid by the person paying for admission) at which every admission ticket or card is sold shall be conspicuously and indelibly printed, stamped or written on the face or back of that part of the ticket which is to be taken back or acknowledged by the management of the theater, opera, sporting event or other place of amusement, together with the name of the vendor, if sold other than at a ticket office of the place of amusement, or otherwise reflected electronically in the case of an admission by electronic means or device.

#### **882.05 COLLECTION OF TAX.**

(a) Every person receiving any payment on which a tax is levied under this Chapter shall collect the amount of the tax imposed from the person making the admission payment, which shall be deemed to be held in trust by the person required to collect the same until paid to the City as herein provided. Any person required to collect the tax imposed under this Chapter who fails to collect the same, or having collected the same fails to remit the same to the City in the manner prescribed by this Chapter, whether such failure is the result of his/her own act or the result of acts or conditions beyond their control shall be guilty of a violation of this Chapter, and shall be personally liable to the City for the amount of such tax. No person shall fail to make the remittance as herein required.

(b) The tax imposed hereunder shall be collected at the time the admission charge is paid by the person seeking admission to any place and shall be reported and remitted by the person receiving the tax to the City in monthly installments and remittances therefor on or before the twentieth day of the month next succeeding the end of the monthly period in which the tax is collected or received. Payment or remittance of the tax collected may be made by check, unless payment or remittance is otherwise required by the City, but payment by check shall not relieve the person collecting the tax from liability for payment and remittance of the tax to the City unless the check is honored and is in the full and correct amount. The person receiving any payment for admissions shall make out a return upon such forms and setting forth such information as the City may require. Such forms shall show the amount of the tax upon admissions for which he/she is liable for the preceding monthly period. Such person shall sign and transmit the same to the City with a remittance for such amount. However, the Director may, at his/her discretion, require verified or notarized annual returns from any person receiving admission payments setting forth such additional information as deemed necessary to determine correctly the amount of tax collected and payable.

(c) Whenever any theater, circus, show, exhibition, professional sporting event, entertainment or amusement makes an admission charge which is subject to the tax herein levied and the same is of a temporary or transitory nature, of which the Director shall be the judge, the Director may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of the performance or exhibition, at the conclusion of the series of performances or exhibitions or at such other times as the Director determines. No person shall fail to comply with any requirement of the Director as to report and remittance of the tax.

(d) The books, records and accounts of any person collecting a tax herein levied shall, as to admission charges and tax collections, be at all reasonable times subject to examination and audit by the Director. If the tax imposed by this Chapter is not paid when due, there shall be added, as part of the tax, interest at the rate of one percent (1%) per month from the time the tax becomes due until paid.

#### **882.06 CERTIFICATE OF REGISTRATION REQUIRED.**

Any person conducting or operating any place for entrance to which an admission charge is made shall, on a form prescribed by the Director, make application to and procure from the Director a Certificate of Registration, the annual fee for which shall be ten dollars (\$10.00). Such Certificate shall continue valid until December 31 of the year in which the same is issued. Such Certificate or duplicate original copies thereof to be issued by the Director without additional charge, shall be posted in a conspicuous place in each ticket or box office where tickets of admission are sold.

#### **882.07 CERTIFICATE OF REGISTRATION IN CASE OF TEMPORARY OR TRANSITORY AMUSEMENT.**

Whenever a Certificate of Registration is obtained for the purpose of operating or conducting a temporary or transitory amusement, entertainment, sporting event, or exhibition by persons who are not the owners, lessees or custodians of the building, lots or places where the amusement is to be conducted, the tax imposed by this Chapter shall be reported and remitted as provided in Section 882.05 by the owner, lessee or custodian, unless paid by the person conducting the place. The applicant for a Certificate of Registration for such purpose shall furnish with the application therefor the name and address of the owner, lessee or custodian of the premises upon which the amusement or event is to be conducted, and such owner, lessee or custodian shall be notified by the City of the issuance of such Certificate and the joint liability for collection and remittance of such tax.

#### **882.08 TAXES A LIEN.**

The taxes imposed by this Chapter shall be a lien upon all of the property of any person required to collect and pay, or to pay the same. If the person ceases business for any reason or sells the business, then such person shall be required to make out the return provided for under this chapter within thirty (30) days after the date of sale of such business or retirement therefrom, and the successor in business shall be required to withhold a sufficient amount of the purchase money to cover the amount of such taxes so collected and unpaid, together with interest, if any, until such time as the former owner produces a receipt from the City showing that the taxes have been paid or a certificate that no taxes are due. If the purchaser of a business fails to withhold purchase money as above provided and the taxes so collected are due and unpaid after the thirty (30) day period allowed, the purchaser shall be liable for the payment of the taxes collected and unpaid on account of the operation of the business by the former owner, together with interest, as provided by this Chapter.

The lien for unpaid taxes herein imposed shall not become effective until such time as the City certifies to the Fiscal Officer of Cuyahoga County the amount of delinquent

taxes and such certification is placed on record by the Fiscal Officer of Cuyahoga County in a book maintained for that purpose.

#### **882.09 RULES AND REGULATIONS.**

The Director is hereby authorized to adopt rules and regulations not inconsistent with the provisions of this Chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied. A copy of such rules and regulations shall be published on the City's website at least once before they become effective and copies shall be printed and made available in the office of the Director and/or the City Clerk of Council. No person shall fail or refuse to comply with any such rules or regulations.

#### **882.10 AUTHORITY TO COMPEL PRODUCTION OF RECORDS.**

The Director is hereby authorized to order any person presumed to have knowledge of the facts to appear before him or her and may examine such person, under oath, concerning any tax which was or should have been reported for admissions tax purposes or any transaction tending to affect such tax, and for this purpose may compel the production of books, papers, records and other information and the attendance of all persons before him or her, whenever he or she believes such persons have knowledge pertinent to any inquiry of any admissions tax charged, collected or received or required to have been charged, collected or received.

#### **882.11 REFUSAL TO PRODUCE RECORDS.**

The refusal to produce books, papers, records and other information, or the refusal to submit to the examination authorized by Section 882.10 by any person charged with the duty of charging, collecting and/or remitting the tax, or by any officer, agent or employee of a person charged with such duty, or the failure of any person to comply with the provisions of Section 882,10 or with an order of the Director authorized hereby, shall be deemed a violation of this Chapter punishable in accordance with Section 882.99.

#### **882.12 TAXPAYER REQUIRED TO RETAIN RECORDS.**

Each person responsible for collecting and/or remitting the admissions tax imposed under this Chapter shall retain all records to compute the admissions tax liability for a period of five (5) years from the date the admissions tax return is filed or the admissions tax is paid.

#### **882.13 APPEALS.**

Appeals from any ruling of the Director under the provisions of this Chapter shall be made to the City's Board of Tax Review, in writing, not more than forty-five (45) days after the date of such ruling. Council shall have authority to annul, modify or affirm any such ruling appealed from, in conformity with the intent and purpose of this Chapter.

#### **882.14 DISPOSITION OF MONEYS RECEIVED.**

The moneys received under the provisions of this Chapter shall be credited to the General Fund of the City.

**882.15 EFFECTIVE DATE.**

The tax herein levied and imposed shall be collected and paid on and after July 1, 2016.

**882.16 CONFIDENTIAL REPORTS.**

All returns and information relating to the business of any person required to collect the tax imposed by this Chapter and coming into the possession of the City, its agents and employees shall be held confidential. No person shall make any disclosure thereof unless ordered to do so by a court of competent jurisdiction. However, the Director may furnish the United States Internal Revenue Service, Department of the Treasury, with copies of returns filed if so requested; or disclose such information required in connection with the performance of his/her official duties or the official business of the City of Strongsville as authorized by this Chapter.

**882.99 PENALTIES.**

(a) Whoever violates any of the provisions of this Chapter except for Section 882.16 for which no penalty is otherwise provided, shall be guilty of a misdemeanor of the second degree and shall be fined not more than Seven Hundred Fifty Dollars (\$750.00) and imprisoned for a term of up to three (3) months, or both.

(b) Whoever violates Section 882.16, shall be guilty of a misdemeanor of the first degree and shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than six (6) months, or both. In addition, if the individual who commits the violation is an employee or official of the City of Strongsville, the individual also is subject to dismissal from office or discharge from employment, and, in any event, shall be disqualified from participating in the assessment or collection of taxes under this Chapter.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 037

By: All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE-YEAR AGREEMENT IN ORDER TO BI-ANNUALLY UPDATE, REVISE, INTEGRATE AND PUBLISH NEW AND/OR REPLACEMENT PAGES TO THE CODIFIED ORDINANCE BOOK OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.**

WHEREAS, it is necessary to continue to update, revise, integrate and publish into the Codified Ordinance book ordinances of a general and permanent nature, ordinances that reflect changes in the law of the State of Ohio pertaining to the Traffic and General Offenses Code, and ordinances that reflect changes in the Planning and Zoning Code in order to make copies available to the public; and

WHEREAS, it is the desire of this Council to provide for the continued updating, revision, integration and publication of the aforesaid ordinances on a bi-annual basis in order to maintain the original publication of the Codified Ordinances as current and in the same manner as presently accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That the Mayor be and is hereby authorized to enter into a one-year agreement with the **WALTER H. DRANE COMPANY** to continually, on a bi-annual basis, update, revise, integrate and publish new and/or replacement pages to the Codified Ordinance book of the City of Strongsville, all in accordance with the terms and provisions of the Agreement, which is attached hereto as Exhibit "A" and made a part hereof as though fully rewritten herein, and for the sums set forth therein.

**Section 2.** That the Director of Finance be and is hereby authorized to pay the sums in accordance with the terms of the Agreement, and the funds, therefore, have been appropriated and shall be paid from the General Fund.

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



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 037

Page 2

**Section 4.** 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 of the City; and in order to provide updated Codified Ordinances to the public and provide for compatibility and continuity in daily City operations, including the Clerk's office. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council

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

Date Passed: \_\_\_\_\_

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

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2016-037 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

*The Walter H. Drane Company*  
*Professional Codification Service*

23811 Chagrin Boulevard  
Suite 344  
Beachwood, Ohio 44122-5525

216-514-1022  
E Mail: whdrane1@aol.com  
Web Site: www.walterdrane.com

**AGREEMENT FOR BIENNIAL  
CODIFICATION SUPPLEMENT**

An agreement dated February 3, 2016, between the City of Strongsville, Ohio, a municipal corporation (hereinafter called the Municipality), and the Walter H. Drane Company, an Ohio corporation (hereinafter called the Contractor), in consideration of mutually agreed upon promises and conditions set forth herein.

- A. For a total of two times, the Contractor shall biennially prepare and publish an updating to the Codified Ordinances containing all ordinances of a general and permanent nature, and in providing such service agrees to:
1. Examine and review all ordinances of the Municipality to ascertain material suitable for integration.
  2. Evaluate all selected material for provisions which appear to be obsolete, repealed specifically or by implication, ambiguous, vague or inapplicable, or in conflict with other law (State statute, Charter or other ordinance provisions and court decisions) and refer questions on the same to the Solicitor for a decision.
  3. Edit all ordinance material by correcting all spelling, capitalization, grammatical and typographical errors, but the sense, meaning or legal effect of any ordinance provision shall not be altered.
  4. Classify and arrange selected material into its proper component code, title (or article), chapter and section position.
  5. Prepare proper and descriptive headings for each title, chapter and section.
  6. Number all material to conform with the decimal numbering system and code classification.
  7. Substitute proper code numbers for references within sections of selected material so as to conform with the new numbering system.
  8. Substitute the words "this code" or "this chapter" for "this ordinance" whenever the sense so requires.
  9. Prepare cross references for each chapter to applicable provisions of State statutes, and other sections, chapters or codes of the Codified Ordinances.
  10. Prepare a legislative history for each section, noting the ordinance number and date of passage.
  11. Prepare a supplemental index or revise the general index to cover all ordinance material to be integrated.
  12. Prepare a comparative section table indicating the disposition of integrated ordinances.
  13. Prepare a supplemental listing of special ordinances if such original listing is included in the Codified Ordinances.
  14. Unless otherwise agreed to, revise key provisions of the Codified Ordinances to reflect enactments by the State Legislature.
  15. Guarantee typographical correctness. Errors attributable to the Contractor will be corrected at any time requested by the Municipality without charge to the Municipality. The Contractor's liability for all services shall extend only to the correcting of any such errors within the Codified Ordinances.
  16. Print, collate and deliver to the Municipality sufficient sets of printed pages to equal the original printing, or such number as are requested by the Municipality.

*The Walter H. Drane Company*

- B. The Municipality agrees to:
1. Pay the Contractor annually for the term the Contractor's services are retained a sum of:
    - (a) \$350.00 for editorial services set forth in Part A of this agreement.
    - (b) \$24.00 per printed page which is changed (new matter included).
    - (c) \$10.00 per page which is unchanged (the reverse side of a changed page).
    - (d) \$1.75 per printed page for 25 extra copies of any component code requested.
    - (e) Cost for updating 2 Folio CD-ROM's not to exceed \$400.00 per update. Extra CD-ROM's not to exceed \$55.00 each.
    - (f) No cost for the Codified Ordinances on zip disk.All sums are payable within thirty days after receipt of the sets of printed pages by the Municipality.
  2. Pay delivery charges of the sets of printed pages from Cleveland to Strongsville, Ohio.
  3. Provide the Contractor with copies of all materials needed to complete the supplementation.
- C.
1. This agreement is subject to acceptance by the Municipality within 60 days of the date of this agreement.
  2. This agreement is subject to cancellation by either of the parties hereto upon 90 days written notice to the other party.

IN WITNESS THEREOF, the parties have set their hands the day and date below written.

**THE WALTER H. DRANE COMPANY**  
Cleveland, Ohio

By 

Title President

Date February 3, 2016

**THE MUNICIPALITY OF**  
**STRONGSVILLE, OHIO**

By \_\_\_\_\_

Title Mayor

Date \_\_\_\_\_

By \_\_\_\_\_

Title President of Council

Date \_\_\_\_\_