

City of Strongsville

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

August 29, 2019

City Council

Matthew P. Patten
Ward 1

Annmarie P. Roff
Ward 2

Kelly A. Kosek
Ward 3

Gordon C. Short
Ward 4

Joseph C. DeMio
At-Large

James E. Carbone
At-Large

Matthew A. Schonhut
At-Large

Aimee Pientka, MMC
Clerk of Council

Tiffany Mekeel, CMC
Assistant Clerk of Council

MEETING NOTICE

City Council has scheduled the following meeting for **Tuesday, September 3, 2019**, 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 6:50 p.m. All committees listed will meet immediately following the previous committee:

6:50 P.M. Planning, Zoning & Engineering Committee will meet to discuss Ordinance Nos. 2019-131, 2019-132, 2019-133 and Resolution Nos. 2019-134 and 2019-135.

Public Service & Conservation Committee will meet to discuss Ordinance Nos. 2019-121, 2019-136, 2019-137 and Resolution No. 2019-138.

Finance Committee will meet to discuss Ordinance Nos. 2019-139, 2019-140 and Resolution Nos. 2019-141 and 2019-142.

Public Safety and Health Committee will meet to discuss Ordinance Nos. 2019-143, 2019-144 and 2019-145.

Building and Utilities Committee will meet to discuss Ordinance No. 2019-146.

Recreation and Community Services Committee will meet to discuss Ordinance No. 2019-147.

Committee of the Whole will meet to discuss Ordinance No. 2019-148 and Resolution No. 2019-149.

Motion to approve the Committee of the Whole meeting minutes of July 22, 2019.

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, MMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING

TUESDAY, SEPTEMBER 3, 2019 AT 8:00 P.M.

Mike Kalinich Sr. City Council Chamber
18688 Royalton Road, Strongsville, Ohio

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Council Meeting – July 15, 2019*
 - *Special Meeting - July 22, 2019*
 - *Special Meeting – August 6, 2019*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
7. PUBLIC HEARING:
 - Council review of the findings and determinations of the Board of Zoning Appeals granting certain variances concerning the property owned by Development Management Group, LLC, located at 9175 Pearl Road, PPN 395-16-004.
8. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Kosek
 - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Short:
 - BUILDING AND UTILITIES – Mr. Patten:
 - COMMUNICATIONS AND TECHNOLOGY – Ms. Kosek:
 - ECONOMIC DEVELOPMENT – Ms. Kosek:
 - FINANCE – Mr. Carbone:
 - PLANNING, ZONING AND ENGINEERING – Mr. Schonhut:
 - PUBLIC SAFETY AND HEALTH – Mr. Short:
 - PUBLIC SERVICE AND CONSERVATION – Ms. Roff:
 - RECREATION AND COMMUNITY SERVICES – Ms. Roff:
 - COMMITTEE-OF-THE-WHOLE – Mr. DeMio:

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

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

10. AUDIENCE PARTICIPATION:

11. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2019-121 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS AT THE CITY'S WESTWOOD DRIVE PUMP STATION, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. *First reading 07/15/19.*
- Ordinance No. 2019-131 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MODIFICATION TO THE PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND DLZ OHIO, INC., IN CONNECTION WITH THE TLCI IMPLEMENTATION PROJECT AT PEARL ROAD AND ROYALTON ROAD WITHIN THE TOWN CENTER DISTRICT (CUY.-STRONGSVILLE TLCI; PID NO. 106723), AND DECLARING AN EMERGENCY.
- Ordinance No. 2019-132 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND NERONE & SONS, INC., IN CONNECTION WITH THE GREENS OF STRONGSVILLE EMERGENCY CULVERT REPAIR PROJECT, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2019-133 by Mayor Perciak and All Members of Council. AN ORDINANCE VACATING STORM SEWER EASEMENTS AND AUTHORIZING THE MAYOR TO ACCEPT A NEW GRANT OF EASEMENT FOR STORM SEWER SYSTEM PURPOSES FROM ALTENHEIM PROPERTIES, INC., AND DECLARING AN EMERGENCY.
- Resolution No. 2019-134 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE WEST 130th AND SPRAGUE ROAD PUMP STATION PROJECT.
- Resolution No. 2019-135 by Mayor Perciak and All Members of Council. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE PLAN FOR CONSTRUCTION OF A REHABILITATION AND SKILLED NURSING FACILITY AT 18936 PEARL ROAD, IN THE CITY OF STRONGSVILLE.

- Ordinance No. 2019-136 by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY PLANNING COMMISSION UNDER THE HEALTHY URBAN TREE CANOPY GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2019-137 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT ONE TO THE AGREEMENT WITH VEOLIA WATER CONTRACT SERVICES USA, LLC, FORMERLY AMERICAN WATER OPERATIONS AND MAINTENANCE, INC., FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE CITY'S WASTEWATER TREATMENT FACILITIES AND APPURTENANCES, AND DECLARING AN EMERGENCY.
- Resolution No. 2019-138 by Mayor Perciak and All Members of Council. A RESOLUTION GRANTING PERMISSION TO REPURCHASE A CERTIFICATE FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY.
- Ordinance No. 2019-139 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2019 AND REPEALING ORDINANCE NO. 2019-113.
- Ordinance No. 2019-140 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S TRAFFIC CONTROL SYSTEM, IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, BY ACQUIRING AND INSTALLING SIGNALS AND RELATED EQUIPMENT AND DEVICES TO DIRECT AND CONTROL THE FLOW OF VEHICULAR AND PEDESTRIAN TRAFFIC IN THE CITY, AND DECLARING AN EMERGENCY.
- Resolution No. 2019-141 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.
- Resolution No. 2019-142 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE FISCAL OFFICER OF CUYAHOGA COUNTY UNPAID PROPERTY MAINTENANCE NUISANCE ABATEMENTS FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY.
- Ordinance No. 2019-143 by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FUNDING UNDER THE FISCAL YEAR 2016 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF THE GRANT AWARD FROM CUYAHOGA COUNTY FOR REIMBURSEMENT OF EXERCISE TRAINING EXPENSES INCURRED BY THE CITY'S POLICE AND FIRE DEPARTMENTS, AND DECLARING AN EMERGENCY.

- Ordinance No. 2019-144 by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO ATTORNEY GENERAL'S OFFICE IN CONNECTION WITH THEIR LAW ENFORCEMENT DIVERSION PROGRAM RELATING TO THE OPIOID EPIDEMIC; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

- Ordinance No. 2019-145 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 250.10 OF CHAPTER 250, OF TITLE SIX OF PART TWO-ADMINISTRATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING FEES FOR USE OF DEPARTMENT FACILITIES BY OTHER POLICE DEPARTMENTS; AND DECLARING AN EMERGENCY.

- Ordinance No. 2019-146 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT FINANCIAL ASSISTANCE UNDER THE "NOPEC ENERGIZED COMMUNITY GRANT" PROGRAM TO IMPLEMENT ENERGY EFFICIENCY/ENERGY INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

- Ordinance No. 2019-147 by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING FROM NOACA THROUGH THE ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, FOR THE PURCHASE OF A VEHICLE TO PROVIDE TRANSPORTATION SERVICES FOR THE CITY'S SENIOR WHEELS PROGRAM; AND DECLARING AN EMERGENCY.

- Ordinance No. 2019-148 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND ADOPTING MID-YEAR REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY, REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

- Resolution No. 2019-149 by Mayor Perciak and All Members of Council. A RESOLUTION IN SUPPORT OF PROSTATE CANCER AWARENESS DURING THE MONTH OF SEPTEMBER.

12. COMMUNICATIONS, PETITIONS AND CLAIMS:
13. MISCELLANEOUS BUSINESS:
14. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 121

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS AT THE CITY'S WESTWOOD DRIVE PUMP STATION, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY, AS AMENDED.

WHEREAS, it has been determined that emergency repairs to certain integral parts and appurtenances at the City's Westwood Drive Pump Station are in need of immediate repair and replacement and which constitute a potential operational and safety hazard; and

WHEREAS, the Director of Public Service has determined that in order to replace faulty pumps and motors at the Westwood Drive Pump Station, it is immediately necessary to contract for emergency repairs to temporarily install bypass connections, valves and other appurtenances in order to isolate the affected pumps and motors; and

WHEREAS, the Director of Public Service, therefore, has recommended that it is immediately necessary to contract for such emergency repairs in order to protect the health, safety, welfare and property of the City, its employees, agents, guests and invitees; and

WHEREAS, the City has received a competitive quote from a reliable and readily available City vendor/contractor for such work consisting of installation of temporary bypass connections, valves and other appurtenances in order to prepare to replace the faulty pumps and motors; and

WHEREAS, such vendor/contractor is able to promptly provide the necessary equipment and make the emergency repairs that are necessary at the most advantageous price.

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 Public Service of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **NERONE & SONS, INC.** for emergency work consisting of installation of temporary bypass connections, valves and other appurtenances in order to prepare to replace the faulty pumps and motors, all in connection with providing continued and efficient operation of the City's Westwood Drive Pump Station for the benefit of the public health, safety and welfare.

Section 2. That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into a contract with **NERONE & SONS, INC.**, without public bidding, in a total amount not to exceed ~~\$224,070.00~~**\$236,970.00** for the equipment and emergency work, as more fully set forth in the quotation attached hereto as **Exhibit A**, and incorporated herein by reference, and as reflected in a contract to be in a form approved by the Law Director.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 121
Page 2

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the Sanitary Sewer Fund.

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 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 necessary to enter into said contract in order to immediately repair and continue to provide efficient operation of the City's Westwood Drive Pump Station, to protect City-owned utilities and property, 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.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-121 Amended: _____

1st Rdg. 07/15/19 Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

Nerone & Sons Inc.

19501 S. Miles Rd., Suite 1 • Warrensville Heights, Ohio 44128
Phone (216) 662-2235 • Fax (216) 662-5522

**CITY OF STRONGSVILLE
EMERGENCY REPAIRS AT THE
WESTWOOD PUMP STATION
REVISED 8/13/19**

DESCRIPTION	QTY	UNIT	TOTAL
NEW PUMP STATION 12" BYPASS CONNECTION AT EX. MANHOLE MODIFCATIONS			
CLEAR/GRUBB/SET UP	2	HR	
48" MH RISER	1	EA	
48" FLAT TOP	1	EA	
12" F X PE 20'	1	EA	
12" FLG ADPT	1	EA	
12" BLIND FLG	2	EA	
12" N/B/G 304 SS SCREEN	2	EA	
1	1	EA	
12" HANGER ASSEMBLY	3	EA	
LS 360 LINK SEALS	21	EA	
NS GROUT	1	BAG	
16" CORE	1	LS	
INSTALL MODIFCATIONS	10	HR	
NEW PUMP STATION 12" BYPASS CONNECTION AT EX. MANHOLE MODIFCATIONS			\$7,700.00
NEW PUMP STATION 12" BYPASS CONNECTION ON EX. 18" FORCEMAIN			
GENERAL CONDITIONS	1	EA	
EXCAVATE BYPASS TRUCK	8	HR	
1	1	HR	
DISPOSAL	25	CY	
18" FLG ADPT	2	EA	

EXHIBIT A

Nerone & Sons Inc.

19501 S. Miles Rd., Suite 1 • Warrensville Heights, Ohio 44128
 Phone (216) 662-2235 • Fax (216) 662-5522

18" FLG GATE VALVE	1	EA
18" X 12" FLG WYE	1	EA
18" N/B/G 304 SS	1	EA
12" FLG 45 BEND	1	EA
12" FLG X PE 8'	1	EA
12" FLG GATE VALVE	1	EA
12" FLG ADPT	1	EA
12" BLIND FLG	1	EA
12" N/B/G 304 SS	3	EA
84" MH RISER	1	EA
84" FLAT TOP	1	EA
GRADE RING	1	EA
CASTING	1	EA
LS 360 LINK SEALS	21	EA
NS GROUT	1	BAG
16" CORE	1	LS
INSTALL BYPASS CONNECTION	8	HR
57 STONE	20	TN
INSTALL BACKFILL	4	HR

NEW PUMP STATION 12" BYPASS CONNECTION

ON EX. 18" FORCEMAIN

\$32,400.00

BYPASS PUMP STATION

GENERAL CONDITIONS	1	EA
36" BALL	1	EA
8" PRIMARY PUMP	1	MN
8" BACKUP PUMP	1	MN
CONTROL PANEL	1	MN
SUCTION (2 EA)	1	MN
8" MANIFOLD	1	EA
10" DISCHARGE	300	LF
FUEL (5 GAL/HR)	1500	GAL
6" PRIMARY PUMP	1	MN
CONTROL PANEL	1	MN
SUCTION	1	MN

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6" DISCHARGE	100	LF	
FUEL (5 GAL/HR)	750	GAL	
INSTALL BYPASS	12	HR	
MAINTAIN BYPASS	16	HR	
RELOCATE BYPASS	4	HR	
REMOVE BYPASS	8	HR	
BYPASS PUMP STATION			\$31,700.00
INTERIOR VALVES			
GENERAL CONDITIONS	1	EA	
16" FLG GATE VALVE	6	EA	
16" FLG CHECK VALVE + BACK-FLUSH ASSEMBLY + POSITION INDICATOR	3	EA	
16" N/B/G 304 SS	18	EA	
16" DRESSER CLPG	6	EA	
1" 304 SS ALLTHREAD	36	LF	
1" 304 SS N/B	144	EA	
REMOVE & INSTALL 16" VALVES	80	HR	
INTERIOR VALVES			\$102,800.00
CLEAN OUT WET WELL			
CLEAN OUT WET WELL	8	HR	
DISPOSAL	35	TN	
CLEAN OUT WET WELL			\$7,200.00
ADDITIONAL 18" ISOLATION VALVE			
18" FLG GATE VALVE	1	EA	
18" FLG X PE 1'	1	EA	
18" FLG ADPT	1	EA	
18" N/B/G 304 SS	3	EA	

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REMOVE & INSTALL 18" VALVE	12	HR	
ADDITIONAL 18" ISOLATION VALVE			\$16,100.00
REMOVE & REPLACE SUMP PUMPS			
REMOVE SUMP PUMPS	4	HR	
MISC MATERIAL	1	LS	
REMOVE SUMP PUMPS	4	HR	
REMOVE & REPLACE SUMP PUMPS			\$2,500.00
REMOVE & REPLACE COMMUNOTOR			
REMOVE COMMUNOTOR	12	HR	
NEW COMMUNOTOR BY OWNER	1	LS	
HYDRAULIC OIL	50	GAL	
MISC MATERIAL	1	LS	
REINSTALL COMMUNOTOR	12	HR	
REMOVE & REPLACE COMMUNOTOR			\$8,400.00
REMOVE & REPLACE SLUICE GATE			
REMOVE SLUICE GATE	12	HR	
NEW SLUICE GATE BY OWNER	1	LS	
MISC MATERIAL	1	LS	
REINSTALL SLUICE GATE	12	HR	
REMOVE & REPLACE COMMUNOTOR			\$7,800.00
SUBTOTAL			\$216,600.00
10% CONTINGENCE			\$20,370.00
<u>TOTAL</u>			<u>\$236,970.00</u>

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CLARIFICATIONS

NO BOND INCLUDED IF REQUIRED ADD 1%
CITY OF STRONGSVILLE IS RESPONSIBLE FOR ROAD
CLOSURE OF WESTWOOD DRIVE
BYPASSING BASED ON 2000 GAL/MIN
OWNER TO PROVIDE NEW COMMUNICATOR
INTENTION FOR COMMUNICATOR IS TO REUSE EX
HYDRAULIC PIPE & TUBING
OWNER TO PROVIDE NEW SLUICE GATE
PAVEMENT RESTORATION BY OWNER

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 121

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS AT THE CITY'S WESTWOOD DRIVE PUMP STATION, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined that emergency repairs to certain integral parts and appurtenances at the City's Westwood Drive Pump Station are in need of immediate repair and replacement and which constitute a potential operational and safety hazard; and

WHEREAS, the Director of Public Service has determined that in order to replace faulty pumps and motors at the Westwood Drive Pump Station, it is immediately necessary to contract for emergency repairs to temporarily install bypass connections, valves and other appurtenances in order to isolate the affected pumps and motors; and

WHEREAS, the Director of Public Service, therefore, has recommended that it is immediately necessary to contract for such emergency repairs in order to protect the health, safety, welfare and property of the City, its employees, agents, guests and invitees; and

WHEREAS, the City has received a competitive quote from a reliable and readily available City vendor/contractor for such work consisting of installation of temporary bypass connections, valves and other appurtenances in order to prepare to replace the faulty pumps and motors; and

WHEREAS, such vendor/contractor is able to promptly provide the necessary equipment and make the emergency repairs that are necessary at the most advantageous price.

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 Public Service of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **NERONE & SONS, INC.** for emergency work consisting of installation of temporary bypass connections, valves and other appurtenances in order to prepare to replace the faulty pumps and motors, all in connection with providing continued and efficient operation of the City's Westwood Drive Pump Station for the benefit of the public health, safety and welfare.

Section 2. That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into a contract with **NERONE & SONS, INC.**, without public bidding, in a total amount not to exceed \$224,070.00 for the equipment and emergency work, as more fully set forth in the quotation attached hereto as Exhibit A, and incorporated herein by reference, and as reflected in a contract to be in a form approved by the Law Director.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the Sanitary Sewer Fund.

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 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 necessary to enter into said contract in order to immediately repair and continue to provide efficient operation of the City's Westwood Drive Pump Station, to protect City-owned utilities and property, 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.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-121 Amended: _____
 1st Rdg. 07/15/19 Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

STANDARD TIME

Nerone & Sons Inc.

19501 S. Miles Rd., Suite 1 • Warrensville Heights, Ohio 44128

Phone (216) 662-2235 • Fax (216) 662-5522

CITY OF STRONGSVILLE
EMERGENCY REPAIRS AT THE
WESTWOOD PUMP STATION
REVISED 7/8/19

DESCRIPTION	QTY	UNIT	TOTAL
NEW PUMP STATION 12" BYPASS CONNECTION AT EX. MANHOLE MODIFCATIONS			
CLEAR/GRUBB/SET UP	2	HR	
48" MH RISER	1	EA	
48" FLAT TOP	1	EA	
12" F X PE 20'	1	EA	
12" FLG ADPT	1	EA	
12" BLIND FLG	2	EA	
12" N/B/G 304 SS SCREEN	2	EA	
1	1	EA	
12" HANGER ASSEMBLY	3	EA	
LS 360 LINK SEALS	21	EA	
NS GROUT	1	BAG	
16" CORE	1	LS	
INSTALL MODIFCATIONS	10	HR	
NEW PUMP STATION 12" BYPASS CONNECTION AT EX. MANHOLE MODIFCATIONS			\$7,700.00
NEW PUMP STATION 12" BYPASS CONNECTION ON EX. 18" FORCEMAIN			
GENERAL CONDITIONS	1	EA	
EXCAVATE BYPASS TRUCK	8	HR	
1	1	HR	
DISPOSAL	25	CY	
18" FLG ADPT	1	EA	
18" FLG GATE VALVE	1	EA	
18" X 12" FLG WYE	1	EA	
18" N/B/G 304 SS	1	EA	
12" FLG 45 BEND	1	EA	

EXHIBIT A

Nerone & Sons Inc.

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12" FLG X PE 8'	1	EA
12" FLG GATE VALVE	1	EA
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12" BLIND FLG	1	EA
12" N/B/G 304 SS	3	EA
84" MH RISER	1	EA
84" FLAT TOP	1	EA
GRADE RING	1	EA
CASTING	1	EA
LS 360 LINK SEALS	21	EA
NS GROUT	1	BAG
16" CORE	1	LS
INSTALL BYPASS CONNECTION	8	HR
57 STONE	20	TN
INSTALL BACKFILL	4	HR

NEW PUMP STATION 12" BYPASS CONNECTION

ON EX. 18" FORCEMAIN

\$32,400.00

BYPASS PUMP STATION

GENERAL CONDITIONS	1	EA
36" BALL	1	EA
8" PRIMARY PUMP	1	MN
8" BACKUP PUMP	1	MN
CONTROL PANEL	1	MN
SUCTION (2 EA)	1	MN
8" MANIFOLD	1	EA
10" DISCHARGE	300	LF
FUEL (5 GAL/HR)	1500	GAL
6" PRIMARY PUMP	1	MN
CONTROL PANEL	1	MN
SUCTION	1	MN
6" DISCHARGE	100	LF
FUEL (5 GAL/HR)	750	GAL
INSTALL BYPASS	12	HR
MAINTAIN BYPASS	16	HR

Nerone & Sons Inc.

19501 S. Miles Rd., Suite 1 • Warrensville Heights, Ohio 44128

Phone (216) 662-2235 • Fax (216) 662-5522

RELOCATE BYPASS	4	HR	
REMOVE BYPASS	8	HR	
BYPASS PUMP STATION			\$31,700.00
INTERIOR VALVES			
GENERAL CONDITIONS	1	EA	
16" FLG GATE VALVE	6	EA	
16" FLG CHECK VALVE	3	EA	
16" N/B/G 304 SS	18	EA	
16" DRESSER CLPG	6	EA	
1" 304 SS ALLTHREAD	36	LF	
1" 304 SS N/B	144	EA	
REMOVE & INSTALL 16" VALVES	80	HR	
INTERIOR VALVES			\$89,900.00
CLEAN OUT WET WELL			
CLEAN OUT WET WELL	8	HR	
DISPOSAL	35	TN	
CLEAN OUT WET WELL			\$7,200.00
ADDITIONAL 18" ISOLATION VALVE			
18" FLG GATE VALVE	1	EA	
18" FLG X PE 1'	1	EA	
18" FLG ADPT	1	EA	
18" N/B/G 304 SS	3	EA	
REMOVE & INSTALL 18" VALVE	12	HR	
ADDITIONAL 18" ISOLATION VALVE			\$16,100.00
REMOVE & REPLACE SUMP PUMPS			
REMOVE SUMP PUMPS	4	HR	
MISC MATERIAL	1	LS	
REMOVE SUMP PUMPS	4	HR	

Nerone & Sons Inc.

19501 S. Miles Rd., Suite 1 • Warrensville Heights, Ohio 44128

Phone (216) 662-2235 • Fax (216) 662-5522

REMOVE & REPLACE SUMP PUMPS **\$2,500.00**

REMOVE & REPLACE COMMUNOTOR

REMOVE COMMUNOTOR	12	HR
NEW COMMUNOTOR BY OWNER	1	LS
HYDRAULIC OIL	50	GAL
MISC MATERIAL	1	LS
REINSTALL COMMUNOTOR	12	HR

REMOVE & REPLACE COMMUNOTOR **\$8,400.00**

REMOVE & REPLACE SLUICE GATE

REMOVE SLUICE GATE	12	HR
NEW SLUICE GATE BY OWNER	1	LS
MISC MATERIAL	1	LS
REINSTALL SLUICE GATE	12	HR

REMOVE & REPLACE COMMUNOTOR **\$7,800.00**

SUBTOTAL	\$203,700.00
10% CONTINGENCE	\$20,370.00
<u>TOTAL</u>	<u>\$224,070.00</u>

CLARIFICATIONS

NO BOND INCLUDED IF REQUIRED ADD 1%
CITY OF STRONGSVILLE IS RESPONSIBLE FOR ROAD
CLOSURE OF WESTWOOD DRIVE
BYPASSING BASED ON 2000 GAL/MIN
OWNER TO PROVIDE NEW COMMUNOTOR
INTENTION FOR COMMUNOTOR IS TO REUSE EX
HYDRAULIC PIPE & TUBING
OWNER TO PROVIDE NEW SLUICE GATE
PAVEMENT RESTORATION BY OWNER

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 131

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MODIFICATION TO THE PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND DLZ OHIO, INC., IN CONNECTION WITH THE TLCI IMPLEMENTATION PROJECT AT PEARL ROAD AND ROYALTON ROAD WITHIN THE TOWN CENTER DISTRICT (CUY.-STRONGSVILLE TLCI; PID NO. 106723), AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2018-084, Council authorized the Mayor to enter into a contract with DLZ Ohio, Inc. for professional construction management services for the TLCI Implementation Project at Pearl Road and Royalton Road within the Town Center District (the "Project"); and

WHEREAS, this Project is part of the overall City-wide traffic signal upgrade program to improve traffic signalization, safety, and traffic flow in the City of Strongsville; and

WHEREAS, due to the fact that this is a federally funded project, it is required by the Ohio Department of Transportation that a construction manager be hired and that a representative of the construction manager be onsite at all times during construction; and

WHEREAS, therefore, in order to reduce the impact to traffic during the construction phase of the Project, the City's Engineer has now recommended that it would be in the City's best interests to include modifications to the scope and cost of the professional construction management services proposal by DLZ Ohio, Inc., all as more fully set forth in Exhibit A attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such modifications to the contract.

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 a modification to the professional construction management services contract, as recommended by the City Engineer and requested by the City, reflected in Exhibit A, and to direct the Director of Finance to make payment to **DLZ OHIO, INC.**, thereby increasing the total contract cost to \$132,561.17.

Section 2. That the funds necessary for this Ordinance 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 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. 2019 – 131
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 for the further reason that it is immediately necessary to provide for modifications to the project and cost proposal for construction management services, to facilitate payment to the consultant for additional work requested by the City, to avoid potential legal problems, 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-131. Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

**CONTRACT MODIFICATION SUMMARY FOR
 CUY-US 42 Strongsville TLCI Project (PID #106723)
 Prepared for the City of Strongsville
 Prepared by DLZ Ohio, Inc.**

DLZ Overhead: 155.02%
 Profit: 10%
 Multiplier: $((155.02\% + 100\%) * 1.0\%) + ((155.02\% + 100\%) * 2.80)$

DLZ Rates (based off 2.80 multiplier)
 Proj Mgr, PE (CPE) \$137.20 ODOT Project Inspector \$78.40
 ODOT Traffic & Electrical Inspector \$103.60 ODOT Project Inspector (Overtime) \$92.40

This fee proposal was based on the following schedule:
 Construction Work: August 26 to December 11 (15 weeks or 75 working days)
 Contractor Working 5 ten-hour days (40 straight + 10 overtime)
 Contractor Working 7 ten-hour Saturdays (overtime)
 Total amount of Straight Time Hours: 15 weeks x 40 hours = 600 hours
 (600 hours Straight Time Total)
 Total amount of Overtime Hours: 15 weeks x 10 hours = 150 hours
 Total amount of Saturday Overtime Hours: 7 Saturdays x 10 hours = 70 hours
 (220 hours Overtime Total)

Task Description	Project Manager (CPE)	Project Inspector (Straight Time)	Project Inspector (Overtime)	Traffic/Elec. Inspector (Straight Time)	Hours	Costs
Construction Services						
Management of Construction (CPE: 4hrs/Mk)	48				48	\$6,586
Full time Project Inspection Straight Time		600	190		600	\$47,040
Full time Project Inspection Overtime				50	190	\$17,556
One weeks of Traffic & Electrical Inspection (5 Days @ 10hrs/day)					50	\$5,180
Construction Services	48	600	220	50	888	\$76,362

Direct Costs	Hours	Costs
Project Inspector Company Truck (ODOT Rate \$49/day x 75 days)		\$3,675
Traffic & Electrical Inspector Company Truck (ODOT Rate \$49/day x 5 days)		\$245
Direct Costs		\$3,920

TOTAL COST FOR 15 WEEK DURATION:	\$80,282.00
LESS AMOUNT REMAINING ON CURRENT CONTRACT:	\$ 3,549.83
MODIFICATION AMOUNT REQUESTED:	\$76,732.17



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 132

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND NERONE & SONS, INC., IN CONNECTION WITH THE GREENS OF STRONGSVILLE EMERGENCY CULVERT REPAIR PROJECT, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2019-105, Council authorized the Mayor to enter into a contract, without public bidding, with Nerone & Sons, Inc., for emergency repair of the box culvert located under the Greens of Strongsville, in an amount not to exceed \$314,000.00, in order to protect the health, safety, welfare and property of the City and its residents; and

WHEREAS, the City Engineer has recommended that it would be in the best interests of the City to include changes in the work performed or to be performed on the Project by Nerone & Sons, Inc., generally being additional work requested by the City to remove and replace a concrete apron, all as more fully set forth in Exhibit A attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such changes in the work in the amount of \$3,023.73 for a new total Project cost of \$317,023.73.

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 consistent with the emergency nature of the above repairs, the Mayor be and is hereby authorized and directed to issue and approve Change Order No. 1 (Final) to the contract, without further public bidding, in the amount of \$3,023.73, as recommended by the City Engineer, and reflected in Exhibit A; and after the issuance and approval of said Change Order No. 1 (Final) and completion of such work, to direct the Director of Finance to make payment to Nerone & Sons, Inc., in the additional amount of \$3,023.73, thereby increasing the total Project cost to \$317,023.73.

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Drainage Levy Fund; and that the Director of Finance be and is hereby authorized and directed to issue the City's warrant for payment accordingly, and in accordance with the terms and conditions of the contract.

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. 2019 – 132

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 for the further reason that it is immediately necessary to provide for changes in the work in order to properly and timely complete the emergency repairs involved with this project, to facilitate payment to the contractor for changes in the work, to avoid potential legal problems, 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.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-132 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CHANGE ORDER

Order No. # 1
Date: August 20, 2019
Agreement Date: June 17, 2019

Name of PROJECT: **Greens of Strongsville Emergency Culvert Repair**

CONTRACTOR: **Nerone & Sons, Inc.**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Project close out to actual quantities

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$314,000.00**

Current CONTRACT PRICE adjusted by Previous CHANGE ORDER: **N/A**

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **\$3,023.73**

The new CONTRACT PRICE including this CHANGE ORDER will be: **\$317,023.73**

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by
 N/A calendar day(s).

The date for completion of all WORK will be (Date):

Requested by: _____
Nerone & Sons, Inc.

Recommended by: _____
Ken Mikula, P. E., City Engineer

Accepted by: _____
Mayor Thomas P. Perciak

Nerone & Sons, Inc.

19501 S. Mile Road
Warrensville Hts., OH 44128

Request for Change

RFC #: 1
Date: 08/13/2019

To:
Strongsville, City of

16099 Foltz Parkway
Strongsville, OH 44149

Job Site:
STRONG-005 - GREENS OF STRONGSVILLE
CULVER
18046 Royalton Road
Emergency Repair Project - RFP
Strongsville, OH 44136

Requested By:	Phone:	E-mail:
Pat Cervenik	(216) 662-2235	pat@nerone.biz

Recipients:	Phone:	E-mail:
Lori M Daley	(440) 580-3123	lori.daley@strongsville.org

Requested Change:	Change to Contract
Remove and Poured Apron	
Remove & Replace Apron	\$ 3,023.73
See Attached Cost Breakdown & Back-up	\$ 0.00

RFC Total	\$ 3,023.73
------------------	--------------------

Please respond by:

Pat Cervenik

Pat Cervenik
Nerone & Sons, Inc.

Lori M Daley
Strongsville, City of

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 133

By: Mayor Perciak and All Members of Council

AN ORDINANCE VACATING STORM SEWER EASEMENTS AND AUTHORIZING THE MAYOR TO ACCEPT A NEW GRANT OF EASEMENT FOR STORM SEWER SYSTEM PURPOSES FROM ALTENHEIM PROPERTIES, INC., AND DECLARING AN EMERGENCY.

WHEREAS, Altenheim Properties, Inc. ("Altenheim") is the owner of certain real estate located at 18627 Shurmer Road in the City of Strongsville, now known as Permanent Parcel No. 397-01-092; and

WHEREAS, on or about May 4, 1994 Altenheim's predecessor in title, Dennis Day, granted a storm sewer easement to the City over the property, which easement was recorded on or about May 31, 1994 in Volume 94-05294, Page 53 of Cuyahoga County Records; and on or about January 18, 1991, Altenheim's predecessor in title, West Side Deutscher Frauen Verein, also granted a storm sewer easement over the property, which easement was recorded on or about February 12, 1991 in Volume 91-0731, Page 43 of Cuyahoga County Records; and

WHEREAS, the City previously maintained a storm sewer system within the easements identified above in, on, over and through the property; and

WHEREAS, the parties now wish to vacate such existing storm sewer easements identified above, to relocate said easements as set forth on the Grant of Easement for Storm Sewer System Purposes attached hereto as Exhibit 1; and

WHEREAS, at this time, Altenheim wishes to grant and the City wishes to accept an easement for the purposes of relocating, constructing, reconstructing, maintaining, operating and repairing the existing storm sewer system and appurtenances described above.

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 finds and determines that the existing storm sewer easements identified above be and are hereby vacated.

Section 2. That the Council hereby authorizes the Mayor to accept a Grant of Easement for Storm Sewer System Purposes from Altenheim Properties, Inc., for the purposes of relocating, constructing, reconstructing, maintaining, operating and repairing a storm sewer system and appurtenances in connection with the Altenheim property located at 18627 Shurmer Road (PPN 397-01-092), as more fully set forth in Exhibit 1 attached hereto and made a part hereof by reference.

Section 3. That the Clerk of Council is hereby directed to cause the aforesaid Grant of Easement for Storm System Purposes to be recorded with the Cuyahoga County Fiscal Office after its execution and upon receipt of evidence of title satisfactory to the Law Director, and to record any other documents necessary to vacate the aforementioned existing easements.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 133

Page 2

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 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 necessary to vacate the prior easements and obtain the aforesaid storm sewer system easement in order to provide storm sewer service to certain areas of the City, for the proper development of lots and lands within 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-133 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

[Faint, illegible text]

**GRANT OF EASEMENT
FOR
STORM SEWER SYSTEM PURPOSES**

This Easement Grant is made between **ALTENHEIM PROPERTIES, INC.**, (an Ohio nonprofit corporation) of 18627 Shurmer Road, Strongsville, Ohio 44136 (hereinafter referred to as the "Grantor"), and the **CITY OF STRONGSVILLE**, a municipal corporation, located at 18688 Royalton Road., Strongsville, Ohio 44136 (hereinafter referred to as the "Grantee").

WHEREAS, the Grantor is the owner in fee simple of certain real estate located in the City of Strongsville, Ohio and known as Permanent Parcel No. 397-01-092 (hereinafter referred to as "Property"); and

WHEREAS, on or about May 4, 1994 Grantor's predecessor in title, Dennis Day granted a storm sewer easement to Grantee over the Property, which easement was recorded on or about May 31, 1994 in Volume 94-05294 Page 53 of Cuyahoga County Records, and on or about January 18, 1991 Grantor's predecessor in title, West Side Deutscher Frauen Verein, also granted a storm sewer easement over the Property, which easement was recorded on or about February 12, 1991 in Volume 91-0731 Page 43 of Cuyahoga County Records; and

WHEREAS, the Grantee previously maintained a storm sewer system within the easements identified above in, on, over and through the Property; and

WHEREAS, the Grantor wishes to grant and the Grantee wishes to accept an easement for the purposes of relocating, constructing, reconstructing, maintaining, operating and repairing the existing storm sewer system and appurtenances described above; and

WHEREAS, the parties wish to vacate the existing storm sewer easements identified above, to relocate said easements as set forth herein and agree to execute and record such documents as are necessary to terminate said easement rights of record;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) the receipt of which is hereby acknowledged, the following grants, agreements, and covenants are made:

The Grantor hereby gives, grants, bargains and conveys to the Grantee, its successors and assigns a perpetual easement and right to enter upon the premises described in the attached Exhibit

“A”; attached hereto and incorporated herein by reference, and to remove and/or replace trees and other vegetation where necessary for the purposes of constructing, reconstructing, maintaining, operating and repairing a storm sewer system and appurtenances, and to make all repairs to such storm sewer system and appurtenances connected therewith, that in the opinion of the proper local authorities of the City of Strongsville, its successors or assigns, may be necessary or advisable, in order to maintain or operate said storm sewer system and appurtenances in accordance with the ordinances, rules and regulations for the management and protection of such systems of said City of Strongsville, now in force or that may hereafter be adopted.

The Grantor and Grantee further, in consideration of the acceptance of the above-mentioned easement by the City of Strongsville, do hereby agree that Grantor has relocated and constructed at its full cost the prior storm sewer system over the Property, and the newly relocated storm sewer system has been transferred to the Grantee’s control and the Grantee now has the sole and primary responsibility to operate, maintain, repair and/or reconstruct all storm sewer and related improvements located within the easement created herein.

Grantor acknowledges and agrees that Grantee shall not be obligated to maintain landscaping and/or lawn areas within the easement area. These areas shall be maintained by the Grantor.

The Grantor and Grantee hereby restrict said premises within the limits of the above-described easement against the construction thereon of any temporary or permanent structures, other than the existing landscaping and parking facilities, unless prior written permission is granted by the Grantee.

The Grantor agrees to keep the Property free of materials, equipment, and any other obstructions which would interfere with Grantee’s access to, or maintenance of the storm sewer system and appurtenances. Grantor further agrees to make no alterations to the premises which would increase or reduce the depth of the storm sewer system.

If the Grantor desires to alter the premises in any way other than as expressly permitted herein, it must obtain the prior written approval of the Grantee, which approval will not be unreasonably denied. Upon receipt of such approval, the Grantor shall, at its own expense, relocate or reconstruct all or any portion of the storm sewer system and appurtenances which are affected by such alteration and, where necessary, grant a new easement of not less than the width of this easement under the same terms and conditions as herein provided. The relocated or reconstructed storm sewer system and appurtenances shall become the property of the City of Strongsville.

If the Grantor violates any of the provisions of this easement, the Grantee, after providing reasonable written notice to Grantor, may enter upon the premises and at the expense of Grantor make such alterations as are necessary to bring the premises into compliance with the provisions of this easement.

The Grantor hereby reserves the right to use the premises for such use as is not expressly prohibited by or inconsistent with the terms of this easement.

The Grantor covenants with the Grantee that it is well-seized of the premises as a good and indefeasible estate in fee simple and has the right to grant and convey the premises in the manner and form above written. The Grantor further covenants that it will warrant and defend the premises with the appurtenances thereunto belonging to the City of Strongsville against all lawful claims and demands whatsoever for the purposes described herein.

This Grant of Easement shall constitute a binding covenant that shall run with the land and be binding upon and inure to the benefit of the parties, their respective legal representatives, successors and assigns.

The easement, rights, and privileges granted under this Easement shall terminate when the purposes of the Easement cease to exist, are abandoned by Grantee, or become impossible to perform. Should Grantee fail after reasonable notice to perform any covenant, undertaking, or obligation arising under this Easement, all rights and privileges granted by this Easement shall terminate, and this Easement shall be of no further force or effect.

Grantor, for itself and its successors and assigns, agrees to and does hereby indemnify, defend, and hold harmless Grantee from any damages to the above described storm sewer system and appurtenances, as well as the easement property described in the attached Exhibit "A", occasioned by Grantor's subsequent use of the easement property.

This easement shall inure to the benefit of any person, firm or corporation who the City of Strongsville, its successors and assigns, shall authorize to undertake the performance of work within the purpose of this easement.

The parties hereto agree that this Grant of Easement embodies the complete understanding of the parties, and that no changes in this Grant of Easement shall be made unless such changes are in writing, approved and subscribed by the parties hereto.

This Grant of Easement shall be binding upon and inure to the benefit of the parties, their respective heirs, legal representatives, successors and assigns.

TO HAVE AND TO HOLD the above granted easement, right-of-way, storm sewer system and appurtenances for the purposes above mentioned, unto the City of Strongsville, forever.

[Signature page to follow]

**PROPOSED DRAINAGE EASEMENT ACROSS
PPN. 397-01-092**

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being part of Original Strongsville Township Lot 57 and further described as follows:

Beginning at the centerline intersection of Pearl Road (U.S. Route 42), width varies, and the centerline of Shurmer Road, 60' wide, thence Due South, along the centerline of said Pearl Road, a distance of 951.79 feet to a point, said point being the northwest corner of land conveyed to Echo Strongsville, LLC. By AFN 201210290454 of the Cuyahoga County Records (CCR), thence North 89°04'10" East, along said Echo Strongsville land, a distance of 86.09 feet to the principle place of beginning;

Thence North 45°55'19" West, a distance of 32.94 feet to a point;

Thence North 00°55'19" West, a distance of 169.76 feet to a point;

Thence South 89°04'10" West, a distance of 26.71 feet to the current right-of-way;

Thence Due North, along said right-of-way, a distance of 74.31 feet to a point;

Thence South 48°45'57" East, a distance of 73.46 feet to a point;

Thence South 00°55'34" East, a distance of 25.00 feet to a point;

Thence South 89°04'10" West, a distance of 8.94 feet to a point;

Thence South 00°55'19" East, a distance of 161.47 feet to a point;

Thence South 45°55'19" East, a distance of 16.34 feet to a point;

Thence North 89°04'10" East, a distance of 692.78 feet to a point;

Thence South 15°29'11" East, a distance of 20.69 feet to a point on the northerly line of said Echo Strongsville land;

Thence South 89°04'10" West, along said land, a distance of 706.24 feet to the principle place of beginning and containing 0.472 Acres.

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 134

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE WEST 130th AND SPRAGUE ROAD PUMP STATION PROJECT.

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 West 130th and Sprague Road Pump Station Project, which consists of the removal and replacement of a sanitary sewer pump station and all appurtenances, in accordance with plans and specifications 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 Sanitary Sewer 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 this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2019-134 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 135

By: Mayor Perciak and All Members of Council

A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE PLAN FOR CONSTRUCTION OF A REHABILITATION AND SKILLED NURSING FACILITY AT 18936 PEARL ROAD, IN THE CITY OF STRONGSVILLE.

WHEREAS, The Avenue at Strongsville, through its agent, has submitted a final site plan to the Planning Commission for approval of a 84,279 square foot facility to be located at 18936 Pearl Road, and further identified as PPN 394-31-004, zoned Public Facilities; and

WHEREAS, the Planning Commission approved said final site plan at its meeting of August 15, 2019, subject to certain conditions.

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 hereby confirms the City Planning Commission's approval of the final site plan submitted by The Avenue at Strongsville, through its agent, for construction of a 84,279 square foot facility, located at 18936 Pearl Road, in the City of Strongsville, and further identified as PPN 394-31-004, zoned Public Facilities, subject to the 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 shall take effect and be in force 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2019-135 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: August 16, 2019

Please be advised that at its meeting of August 15, 2019, the Strongsville Planning Commission gave Favorable Recommendation to the following;

THE AVENUE AT STRONGSVILLE/ Marc Cohen, Agent

Site Plan approval for a 84,279 SF nursing home to be located at 18936 Pearl Road, PPN 394-31-004 zoned Public Facility. **ARB Favorable Recommendation 7-9-19.*

This was made subject to the Engineering and Building Departments including storm drainage problems to the north.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 136

By: Mayor Perciak and All Members of Council

AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY PLANNING COMMISSION UNDER THE HEALTHY URBAN TREE CANOPY GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville has been a Tree City since 1995, with more than 112,000 trees, which are an integral component of Strongsville's urban environment. Their shade and beauty contribute to the community's quality of life and soften the hard appearance of concrete structures and streets; and

WHEREAS, in 2019, Cuyahoga County announced a significant new program to expand the percentage of the urban tree canopy throughout Cuyahoga County, and therefore, established a competitive grant program; and

WHEREAS, the Healthy Urban Tree Canopy Grant Program is coordinated by the Cuyahoga County Department of Sustainability, Cuyahoga County Planning Commission, and the Cuyahoga Soil & Water Conservation District; and

WHEREAS, in order to meet the deadline for submission of applications to receive funding from the Cuyahoga County Planning Commission under the Healthy Urban Tree Canopy Grant Program for the year 2019, the City, through its Coordinator of Natural Resources, has applied for funding in the amount of \$48,000.00, in order to implement a risk mitigation program and crown raising of the existing urban forest canopy through pruning of street trees in the City; and

WHEREAS, the grant award will fund ninety-five percent (95%) of the estimated total project costs, on a reimbursement basis, with a five percent (5%) local match required; and

WHEREAS, when the City is advised that its application for funding under the Grant Program is approved, the City is desirous of accepting such award.

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 ratifies and approves the Mayor and City Coordinator of Natural Resources submitting an application for financial assistance to the Cuyahoga County Planning Commission under the Healthy Urban Tree Canopy Grant Program for the year 2019, in the form on file with the City Coordinator of Natural Resources.

Section 2. That this Council hereby approves the acceptance of any award of funding under such Grant Program for 2019, and hereby authorizes the Mayor, Director of Finance, Coordinator of Natural Resources, and other appropriate officers of the City to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 136

Section 3. That any advance of funds under this Ordinance and/or the City's share will be made from the Tree Fund, subject to reimbursement under the Grant.

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 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 ratify and approve the submission of such application for financial assistance in order to meet the application deadline, to accept such funds when awarded, 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-136 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 137

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT ONE TO THE AGREEMENT WITH VEOLIA WATER CONTRACT SERVICES USA, LLC, FORMERLY AMERICAN WATER OPERATIONS AND MAINTENANCE, INC., FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE CITY'S WASTEWATER TREATMENT FACILITIES AND APPURTENANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the City owns and is responsible for the operation and maintenance of the City's wastewater Facilities, which include but are not limited to two (2) wastewater treatment plants and nineteen (19) lift stations, and appurtenances (collectively, the "Facilities"); and

WHEREAS, the operation, maintenance and management of the Facilities require unique and specialized professional skills; and

WHEREAS, by and through Ordinance No. 2014-162, Council authorized the Mayor to enter into a contract with American Water Operations and Maintenance, Inc. ("American Water") for the operation, maintenance and management of the City's Facilities, which Agreement was dated October 1, 2014; and

WHEREAS, on July 12, 2018, American Water assigned the aforementioned Agreement to Veolia Water Contract Services USA, LLC ("VWNA"), also formerly known as Contract Services, LLC, and VWNA is currently conducting the operations, maintenance and management obligations under the Agreement as assigned; and

WHEREAS, pursuant to Section 2.01 of the assigned Agreement, the City and VWNA wish to modify the Agreement and extend the Term of the Agreement beginning October 1, 2019 for an additional five (5) year term, on the terms and conditions set forth in the *Amendment One to the Wastewater Facilities Operations, Maintenance and Management Services Agreement*, a copy of which is attached hereto as Exhibit A and incorporated herein.

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

Section 1. That, for the reasons aforesaid, the Mayor be and hereby is authorized and directed to enter into the *Amendment One to the Wastewater Facilities Operations, Maintenance and Management Services Agreement* with **VEOLIA WATER CONTRACT SERVICES USA, LLC**, for extension of the existing Agreement for the continued operation, maintenance and management of the City's wastewater treatment facilities, lift stations, and appurtenances for a period of five (5) years beginning October 1, 2019, and in accordance with the *Amendment One* document attached hereto as Exhibit A and incorporated herein by reference, which is approved.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 137
Page 2

Section 2. That the funds necessary for the purposes of this Ordinance and the Amendment One to the Agreement have been appropriated for 2019 from the Sanitary Sewer Fund and shall otherwise be paid from the Sanitary Sewer 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 said Amendment One to the Agreement in order to efficiently continue the operation, maintenance and management of the aforesaid facilities and appurtenances, provide for safe disposal of sanitary waste within the City, 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.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-137 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

**AMENDMENT ONE TO THE WASTEWATER FACILITIES
OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES AGREEMENT**

This Amendment One (hereinafter “**Amendment One**”) is entered into effective as of September _____, 2019, by and between:

CITY OF STRONGSVILLE, OHIO an Ohio municipal corporation with its principal address located at 16099 Foltz Parkway, Strongsville Ohio 44149, (hereinafter “**CITY**”)

and

VEOLIA WATER CONTRACT SERVICES USA, LLC, with its principal address at 700 E. Butterfield Road, Suite 201, Lombard, IL 60148, (hereinafter “**VWNA**”)

WHEREAS, CITY and American Water Operations and Maintenance, Inc. (“American Water”) entered into the City of Strongsville, Ohio Wastewater Facilities Operations, Maintenance and Management Services Agreement between the City of Strongsville, Ohio and American Water Operations and Maintenance, Inc. dated October 1, 2014 (the “Agreement”);

WHEREAS, on July 12, 2018, American Water assigned the Agreement to VWNA (f/k/a Contract Services, LLC) and VWNA is currently conducting the operations, maintenance and management obligations under the Agreement as assigned;

WHEREAS, pursuant to Section 2.01 of the Agreement, the CITY and VWNA wish to modify the Agreement and extend the Term of the Agreement beginning October 1, 2019 for an additional five (5) year term, on the terms and conditions set forth below;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Five Year Extended Term. The parties agree to extend the Term of Agreement by an additional five (5) year term (the “Extended Term”). The Extended Term begins October 1, 2019.
2. Update Index. The parties agree to replace the current CPI index definition. Accordingly, the definition of CPI Index in Agreement Section 3.02 is deleted and replaced with:

“CPI Index means the Consumer Price Index Series for All Urban Consumers, Midwest Urban Area, All Items, Monthly, Not Seasonally Adjusted as

published by the U.S. Department of Labor, Bureau of Labor Statistics or any successor series (or a replacement index as mutual agreed upon by the parties and which provides for the measurement of the Adjustment Factor pursuant to a specified, objective, external standard that is not linked to the output of efficiency or of the Facilities or any portion thereof) . The CPI Index will have a minimum yearly increase of 1.5% and in any year where the CPI index is above 3.5% the parties will meet to mutually agree on the yearly increase amount.“

3. Removal of Staffing Requirements. The parties agree that Section 7.01 is hereby deleted and replaced with the following:

7.01 Adequate Staffing. The Company shall maintain a staffing level and qualifications at the Facilities sufficient to enable the Company to perform all of its obligations pursuant to the terms and provisions of this Agreement in a timely and efficient manner and in compliance with all Applicable Laws and OEPA requirements.

4. Fixed Fee. The parties agree that Article 8 Section 8.01B is hereby updated with the Fixed Fee for the 2019-2020 Contract Year in the amount of \$1,853,790, where,

FF _i	=	\$1,853,790 replaces \$1,699,132
TF	=	\$59.66 replaces \$54.74
LS	=	\$2,590 replaces \$2,377
LS _i	=	2019 which is 19 replaces 2014 which is 18

5. Additional Services; Change in Scope of Services. The parties agree to the following additional services as reflected by the following changes:

- a. Section 6.02 is hereby deleted in its entirety and replaced with “Reserved”.
- b. A new Section 6.18 is hereby added and is as follows:
- “Company shall perform the obligations of “PROJECT MANAGER”, “CHIEF OPERATOR,” and “MAINTENANCE SUPERVISOR” as set forth in (i) the City’s OHEPA Approved Storm Water Pollution Prevention Plan for Strongsville “B” WWTP, attached hereto and incorporated into the Agreement as Exhibit 12 to the Agreement and (ii) the City’s OHEPA Approved Storm Water Pollution Prevention Plan for Strongsville “C” WWTP attached hereto and incorporated into the Agreement as Exhibit 13.”
- c. Upon written request from the City from time to time throughout the Term, the Company may, but is not obligated to, submit a proposal for capital project management of certain projects identified by the City.

- d. Exhibit 2 is hereby revised to replace the existing NPDES Permit with NPDES Permit #3PB00047*GD (the City "B" WWTP Permit"). Exhibit 3 is hereby revised to replace the existing NPDES Permit with NPDES Permit #3PB00048*HD (the "City "C" WWTP Permit", together with City "B" WWTP Permit, the "Current Permits"). Under the Current Permits:
- i. The City shall continue to be responsible for any publicly owned treatment works modifications requiring Permit-to-Install applications.
 - ii. The costs to meet the requirements of Part I, Section C, Subsection B of the City "C" WWTP Permit for the Contract years 2019-2020 and 2020-2021 shall be passed through at cost to the City pursuant to Section 8.02(A)(1). Upon expiration of the 2020-2021 Contract Year, the Company shall submit a proposal to the City defining the scope and pricing for the performance of this work on a going forward basis. Upon acceptance of such proposal, the parties shall execute an amendment to govern such additional services for the remainder of the Term.
6. The parties agree that the following Lift Station shall be added to Exhibit 1, Facilities: "Arbor Creek, Submersible, Duplex, and 3 HP Pumps."
7. All terms of the Agreement not specifically amended or modified by this instrument or by prior amendments shall remain unmodified and in full force and effect.

WHEREFORE, both parties indicate their approval of this Amendment One by their signatures below, and each party warrants that all corporate or governmental action necessary to bind the parties to the terms of this Amendment One has been and will be taken.

**VEOLIA WATER CONTRACT
SERVICES USA, LLC**

CITY OF STRONGSVILLE, OHIO

By: _____
 Print Name: _____
 Title: _____
 Date Signed: _____

By: _____
 Print Name: Thomas P. Perciak
 Title: Mayor
 Date Signed: _____

EXHIBIT 12
OHIO-EPA APPROVED STORM WATER POLLUTION PREVENTION PLAN FOR
STRONGSVILLE “B” WWTP

EXHIBIT 13
OHIO-EPA APPROVED STORM WATER POLLUTION PREVENTION PLAN FOR
STRONGSVILLE “C” WWTP

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 138

By: Mayor Perciak and All Members of Council

A RESOLUTION GRANTING PERMISSION TO REPURCHASE A CERTIFICATE FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY.

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

Section 1. That pursuant to Codified Ordinance Section 1060.09, this Council hereby authorizes the repurchase by the City of Strongsville of a certificate for burial rights in the Strongsville Municipal Cemetery for Grave C, in Lot 126 of Section E, from Dean H. Levigne and Michelle L. Levigne at the same price that was originally paid therefor.

Section 2. That the funds for the repurchase of said certificate 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 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 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2019-138 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 - 139
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 2019 AND REPEALING ORDINANCE NUMBER 2019 - 113.

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
101	Total General Fund	\$ 18,811,900.00	\$ 8,202,700.00	\$ 14,232,000.00	\$ 41,246,600.00

<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,413,600.00	-	-	\$ 1,413,600.00
204	Street Construction & Maintenance	5,312,200.00	6,807,800.00	-	12,120,000.00
205	State Highway Maintenance	-	142,500.00	-	142,500.00
206	Motor Vehicle License Tax	-	1,888,000.00	-	1,888,000.00
207	Emergency Vehicle Fund	-	1,601,000.00	-	1,601,000.00
208	Fire Levy	7,872,400.00	1,075,400.00	-	8,947,800.00
209	Fire Pension	1,523,000.00	-	-	1,523,000.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,113,200.00	-	1,113,200.00
214	Multi-Purpose Complex	3,313,200.00	1,968,300.00	-	5,281,500.00
215	Southwest General Hospital	-	357,275.00	-	357,275.00
216	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
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	-	107,000.00	-	107,000.00
222	Community Diversion	11,300.00	2,400.00	-	13,700.00
224	Earned Benefits	455,800.00	-	-	455,800.00
200	Total Special Revenue Funds	\$ 19,901,500.00	\$ 15,132,275.00	\$ -	\$ 35,033,775.00

<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,427,800.00	-	\$ 3,427,800.00
333	Pearl Road TIF # 1 Fund	-	1,096,600.00	-	1,096,600.00
334	Royalton Road TIF Fund	-	209,000.00	-	209,000.00
335	Pearl Road TIF # 2 Fund	-	103,000.00	-	103,000.00
336	Pearl Road TIF # 3 Fund	-	103,000.00	-	103,000.00
337	Westwood Commons TIF	-	35,500.00	-	35,500.00
338	Giant Eagle TIF	-	103,000.00	-	103,000.00
300	Total Debt Service Funds	\$ -	\$ 5,077,900.00	\$ -	\$ 5,077,900.00

<u>Capital Improvement Capital Project Funds - 400</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 100,000.00	-	\$ 100,000.00
442	General Capital Improvement	-	8,198,700.00	-	8,198,700.00
447	TIF Capital Improvements Fund	-	2,089,029.00	2,106,000.00	4,195,029.00
400	Total Capital Project Funds	\$ -	\$ 10,387,729.00	\$ 2,106,000.00	\$ 12,493,729.00

Enterprise Funds - 500					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,795,400.00	\$ 8,133,035.00	\$ -	\$ 9,928,435.00

Internal Service Fund - 600					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
661	Health Insurance Reserve	\$ -	\$ 6,522,600.00	\$ -	\$ 6,522,600.00
664	Worker's Compensation Reserve	-	1,355,000.00	-	1,355,000.00
600	Total Internal Service Funds	\$ -	\$ 7,877,600.00	\$ -	\$ 7,877,600.00
Grand Total All Funds		\$ 40,508,800.00	\$ 54,811,239.00	\$ 16,338,000.00	\$ 111,658,039.00

Itemized list of Transfers and Advances by Fund		Amount
General Fund to Street Construction Fund		\$ 4,100,000.00
General Fund to Fire Levy Fund		3,000,000.00
General Fund to Multi-Complex Fund		2,000,000.00
General Fund to Police Pension Fund		900,000.00
General Fund to Fire Pension Fund		1,032,000.00
General Fund to Drainage Levy Fund		100,000.00
General Fund to General Bond Retirement		100,000.00
General Fund to General Capital Improvement Fund		1,000,000.00
Total Transfers		\$ 12,232,000.00
General Fund Advance to 42/82 TIF Capital Improvement		2,000,000.00
Prospect/Albion TIF Advance Repayment to General Fund		50,000.00
42/82 TIF Advance Repayment to General Fund		2,056,000.00
Total Advances and Advance Repayments		\$ 4,106,000.00
Total Transfers, Advances and Advance Repayments		\$ 16,338,000.00

Section 2: That all expenditures within the fiscal year ending December 31, 2019 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

	Yea	Nay
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Ord. No. 2019-139 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	\$ 351,000.00	\$ 26,000.00	\$ -	\$ 377,000.00
011411	Mayors Office	308,500.00	38,900.00	-	347,400.00
015412	Police Department	10,020,800.00	1,557,300.00	-	11,578,100.00
011413	Human Resources	245,500.00	81,900.00	-	327,400.00
011414	Finance Department	544,700.00	21,600.00	-	566,300.00
011415	Legal Department	508,100.00	215,900.00	-	724,000.00
011416	Communication & Technology	702,600.00	691,500.00	-	1,394,100.00
011417	Building Department	1,074,800.00	206,300.00	-	1,281,100.00
011418	Mayors Court	175,400.00	28,100.00	-	203,500.00
011420	Rubbish Department	-	2,600,000.00	-	2,600,000.00
011421	Cemetery Department	132,900.00	234,300.00	-	367,200.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	115,400.00	59,000.00	-	174,400.00
011424	Civil Service	-	31,000.00	-	31,000.00
011425	Board of Appeals	-	11,000.00	-	11,000.00
011428	Parks Department	112,500.00	424,000.00	-	536,500.00
011429	Public Safety	170,700.00	-	-	170,700.00
011430	General Miscellaneous	-	1,619,600.00	-	1,619,600.00
011435	Economic Development	165,900.00	159,600.00	-	325,500.00
015415	OPID Grant	43,500.00	-	-	43,500.00
015414	Corrections Officers	898,500.00	142,700.00	-	1,041,200.00
015413	Regional Dispatch Center	3,241,100.00	48,000.00	-	3,289,100.00
011468	Non Government Transfers	-	-	14,232,000.00	14,232,000.00
	Total General Fund	\$ 18,811,900.00	\$ 8,202,700.00	\$ 14,232,000.00	\$ 41,246,600.00
031000	Police Pension	1,413,600.00	-	-	1,413,600.00
046419	Street Repairs	4,428,700.00	5,107,000.00	-	9,535,700.00
046426	Traffic Signal Maintenance	111,800.00	194,000.00	-	305,800.00
046427	Snow Removal	-	671,800.00	-	671,800.00
046433	Municipal Garage	771,700.00	835,000.00	-	1,606,700.00
056000	State Highway Maintenance	-	142,500.00	-	142,500.00
066000	Motor Vehicle License Tax	-	1,888,000.00	-	1,888,000.00
075000	Emergency Vehicle Fund	-	1,601,000.00	-	1,601,000.00
085000	Fire Levy	7,872,400.00	804,200.00	-	8,676,600.00
085001	Fire Station Ward 1	-	69,200.00	-	69,200.00
085002	Fire Station Ward 2	-	47,500.00	-	47,500.00
085003	Fire Station Ward 3	-	35,500.00	-	35,500.00
085004	Fire Station Ward 4	-	119,000.00	-	119,000.00
095000	Fire Pension	1,523,000.00	-	-	1,523,000.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,113,200.00	-	1,113,200.00
143304	Sports Programs	328,600.00	305,400.00	-	634,000.00
143305	Recreation Administration	476,500.00	735,200.00	-	1,211,700.00
143306	Fitness	434,300.00	186,900.00	-	621,200.00
143310	Aquatics	701,700.00	120,900.00	-	822,600.00
143311	Recreation Programs	262,800.00	30,200.00	-	293,000.00
143430	Special Events	-	15,200.00	-	15,200.00
143431	Old Town Hall	8,800.00	18,100.00	-	26,900.00
143439	Senior Services	617,900.00	306,700.00	-	924,600.00
143451	Recreation Maintenance	482,600.00	213,200.00	-	695,800.00
143500	Program Refunds	-	36,500.00	-	36,500.00
152000	Southwest General Hospital	-	357,275.00	-	357,275.00
165000	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
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	-	107,000.00	-	107,000.00
225000	Community Diversion	11,300.00	2,400.00	-	13,700.00
224000	Earned Benefits	455,800.00	-	-	455,800.00
	Total Special Revenue Funds	\$ 19,901,500.00	\$ 15,132,275.00	\$ -	\$ 35,033,775.00

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

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,427,800.00	-	3,427,800.00
333000	Pearl Road TIF # 1	-	1,096,600.00	-	1,096,600.00
334000	Royalton Road TIF	-	209,000.00	-	209,000.00
335000	Pearl Road TIF # 2	-	103,000.00	-	103,000.00
336000	Pearl Road TIF # 3	-	103,000.00	-	103,000.00
337000	Westwood Commons TIF	-	35,500.00	-	35,500.00
338000	Giant Eagle TIF	-	103,000.00	-	103,000.00
	Total Debt Service	\$ -	\$ 5,077,900.00	\$ -	\$ 5,077,900.00
413000	Recreation Capital Improvement	-	100,000.00	-	100,000.00
421000	General Capital Improvement	-	8,198,700.00	-	8,198,700.00
447100	Pearl & Whitney TIF	-	-	-	-
447102	Prospect/Albion TIF	-	-	50,000.00	50,000.00
447104	42/82 TIF	-	2,089,029.00	2,056,000.00	4,145,029.00
	Total Capital Projects	\$ -	\$ 10,387,729.00	\$ 2,106,000.00	\$ 12,493,729.00
512501	Engineering and Administration	712,300.00	940,400.00	-	1,652,700.00
512502	Plant Expenditures	-	3,576,500.00	-	3,576,500.00
512503	Line Expenditures	1,083,100.00	761,000.00	-	1,844,100.00
512504	Sewer Capital Improvements	-	2,480,000.00	-	2,480,000.00
512505	Sewer Debt Payments	-	375,135.00	-	375,135.00
	Total Sanitary Sewer	\$ 1,795,400.00	\$ 8,133,035.00	\$ -	\$ 9,928,435.00
661000	Health Insurance Reserve	-	6,522,600.00	-	6,522,600.00
664000	Workers Compensation Reserve	-	1,355,000.00	-	1,355,000.00
	Total Internal Service	\$ -	\$ 7,877,600.00	\$ -	\$ 7,877,600.00
	GRAND TOTAL	\$ 40,508,800.00	\$ 54,811,239.00	\$ 16,338,000.00	\$ 111,658,039.00

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 140

BY: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S TRAFFIC CONTROL SYSTEM, IN COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, BY ACQUIRING AND INSTALLING SIGNALS AND RELATED EQUIPMENT AND DEVICES TO DIRECT AND CONTROL THE FLOW OF VEHICULAR AND PEDESTRIAN TRAFFIC IN THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 15 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance;

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

Section 1. Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the City in an aggregate principal amount not to exceed \$2,000,000 (the Bonds) for the purpose of paying costs of improving the City's traffic control system, in cooperation with the Ohio Department of Transportation, by acquiring and installing signals and related equipment and devices to direct and control the flow of vehicular and pedestrian traffic in the City, together with necessary appurtenances and work incidental thereto.

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2020, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 15 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2020, and the first principal payment on the Bonds is estimated to be December 1, 2021.

Section 3. Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in an aggregate principal amount not to exceed \$2,000,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate awarding the Notes and signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 5% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The aggregate principal amount of and rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

Section 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America, as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the City's paying agent, at the designated corporate trust office of The Huntington National Bank or at the designated corporate trust office or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award, after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

Section 5. Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, provided that no Note shall be issued in a denomination less than \$100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes deposited or maintained in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited or maintained in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository

and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

Section 6. Award and Sale of the Notes.

(a) To the Original Purchaser. The Notes shall be sold at not less than par plus accrued interest at private sale by the Director of Finance to the original purchaser identified in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance and the Certificate of Award. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are

appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent money from the municipal income tax is available for the payment of the debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated in compliance with the covenant hereinafter set forth. To the extent necessary, the debt charges on the Notes and Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio; and the City hereby covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in this Section in any way diminishes the pledge of the full faith and credit and property taxing power of the City to the prompt payment of the debt charges on the Notes and Bonds.

Section 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of

those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Section 11. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a copy of the signed Certificate of Award to the Cuyahoga County Fiscal Officer.

Section 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. Retention of Bond Counsel. In connection with the issuance of the Notes, the legal services of Squire Patton Boggs (US) LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution thereof by the Mayor, the Director of Finance, the Director of Law, or any one of them, are hereby authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 14. Retention of Municipal Advisor. In connection with the issuance of the Notes, the municipal advisory services of MAS Financial Advisory Services LLC, as municipal advisor, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution thereof by the Mayor, the Director of Finance, the Director of Law, or any one of them, are hereby authorized, ratified and approved. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts.

Section 15. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 16. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 17. Declaration of Emergency; Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that this Ordinance is required to be immediately effective in order to enable the City to sell the Notes and enter into contracts for the improvement which is needed to eliminate existing and potential hazards to vehicular and pedestrian traffic in the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

 President of Council

Approved: _____
 Mayor

Date Passed: _____, 2019 Date Approved: _____, 2019

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Short	_____	_____
Schonhut	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-140 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF STRONGSVILLE, OHIO:

As fiscal officer of the City of Strongsville, Ohio, I certify in connection with your proposed issue of not to exceed \$2,000,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving the City's traffic control system, in cooperation with the Ohio Department of Transportation, by acquiring and installing signals and related equipment and devices to direct and control the flow of vehicular and pedestrian traffic in the City, together with necessary appurtenances and work incidental thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 15 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: September 3, 2019



Director of Finance
City of Strongsville, Ohio

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 141

By: Mayor Perciak and All Members of Council

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Sections 5705.34 and 5705.35 of the Ohio Revised Code, the Cuyahoga County Budget Commission has informed the City of Strongsville of the amounts and rates of the necessary tax levies for tax year 2019, to be collected in year 2020; and

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2020; and

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

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

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

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

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES

Fund	Amount to be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund				1.50
General Bond Retirement Fund			2.30	
Police Pension Fund			0.30	
Fire Pension Fund			0.30	
Fire Fund				3.50
Sewer Fund				0.40
Southwest General H. C.				1.00
Total			2.90	6.40

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

Fund	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A. Column II)
General Fund:		
Current Expense Levy authorized by voters on , 20 for not to exceed years.		
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on , 20 for not to exceed years.		
Recreation Fund: Levy authorized by voters on , 20 for not to exceed years.		

Section 3. That the Clerk of Council be and is hereby authorized and directed to promptly certify and transmit a copy of this Resolution to the Cuyahoga County Fiscal Officer.

Section 4. 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 5. 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 in order to comply with all state, county and local requirements concerning tax amounts and rates. 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. 2019 – 141
Page 4

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2019-141 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2019 – 141
Page 5

CERTIFICATE OF COPY
ORIGINAL ON FILE

State of Ohio)
) ss.
Cuyahoga County)

I, AIMEE PIENKA, Clerk of the Council of the City of Strongsville, within and for said County, and in whose custody of the files and records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Resolution No. 2019-141 now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of September, 2019.

Aimee Pientka, Clerk of Council

<p>Resolution No. 2019 – 141</p> <p>COUNCIL OF THE CITY OF STRONGSVILLE Cuyahoga County, Ohio</p> <p>RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER</p> <p>(City Council)</p> <hr/> <p>Adopted September 3, 2019</p> <hr/> <p>Aimee Pientka, Clerk of Council</p> <hr/> <p>Filed _____, 2019</p> <hr/> <p>County Fiscal Officer</p> <p>By _____</p> <hr/> <p>Deputy</p>

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 142

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE FISCAL OFFICER OF CUYAHOGA COUNTY UNPAID PROPERTY MAINTENANCE NUISANCE ABATEMENTS FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY.

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

Section 1. That the Director of Finance of the City be and is hereby authorized and directed to certify to the Fiscal Officer of Cuyahoga County various property maintenance nuisance abatements and penalties which are due and unpaid for the premises and in the sums set forth in Exhibit "A", plus interest at the rate of ten percent (10%) per annum, attached hereto and incorporated herein by reference, for extension of the tax duplicate and collection by the County Treasurer in the same manner as other taxes.

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 immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the immediate certification is necessary in order to comply with County deadlines and to preserve 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
Ord. No. 2019-142 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

PPN	NAME	ADDRESS	TOTAL	PENALTY @ 10%	Total
391-06-063	Mark S Plavney	22410 Rock Creek Circle	\$ 500.00	\$ 50.00	\$ 550.00
391-11-017	Patricia Reiter	8851 Priem Road	\$ 2,950.00	\$ 295.00	\$ 3,245.00
391-11-026	Overlook Estate	00000 Priem Road	\$ 500.00	\$ 50.00	\$ 550.00
391-19-080	Jaqulyn Paige Thompson	9485 Fair Road	\$ 150.00	\$ 15.00	\$ 165.00
	Total Book 391	4 Detail Records	\$ 4,100.00	\$ 410.00	\$ 4,510.00
392-09-033	Joyce Giracs	21511 Meadows Edge	\$ 500.00	\$ 50.00	\$ 550.00
392-23-005	Deborah Hill	20300 Westwood Drive	\$ 425.00	\$ 42.50	\$ 467.50
392-23-012	Ray D Allen	20496 Westwood Drive	\$ 500.00	\$ 50.00	\$ 550.00
392-32-013	Chester & Cornelia Isabell	00000 Alameda Drive	\$ 250.00	\$ 25.00	\$ 275.00
392-35-080	William Eversole	19633 Glenmar Way Oval	\$ 1,650.00	\$ 165.00	\$ 1,815.00
	Total Book 392	5 Detail Records	\$ 3,325.00	\$ 332.50	\$ 3,657.50
393-16-011	Joseph Thomas Canfield	20051 Royalton Road	\$ 500.00	\$ 50.00	\$ 550.00
393-37-019	Reallife Cleveland	19520 Drake Road	\$ 500.00	\$ 50.00	\$ 550.00
	Total Book 393	2 Detail Records	\$ 1,000.00	\$ 100.00	\$ 1,100.00
395-27-006	Basma Hamid	00000 Albion Road	\$ 156.60	\$ 15.66	\$ 172.26
395-28-075	Diane Kurz	15377 Highland Park Drive	\$ 1,800.00	\$ 180.00	\$ 1,980.00
	Total Book 395	2 Detail Records	\$ 1,956.60	\$ 195.66	\$ 2,152.26
396-06-015	Nancy Lawson	12612 The Bluffs	\$ 1,500.00	\$ 150.00	\$ 1,650.00
396-08-011	John & Mary Jo Perrette	12961 Fountain Ct	\$ 4,000.00	\$ 400.00	\$ 4,400.00
	Total Book 396	2 Detail Records	\$ 5,500.00	\$ 550.00	\$ 6,050.00

PPN	NAME	ADDRESS	TOTAL	PENALTY @ 10%	Total
397-02-025	Cathy Lehner	18266 Raccoon Trail	\$ 150.00	\$ 15.00	\$ 165.00
397-06-008	Michael Boukzam	00000 Canterbury Drive	\$ 150.00	\$ 15.00	\$ 165.00
397-08-004	Betty Naylor	16245 Shurmer Road	\$ 500.00	\$ 50.00	\$ 550.00
397-08-055	Equity Trust Co	16230 Windsor Dr	\$ 650.00	\$ 65.00	\$ 715.00
397-13-019	Freedom Mortgage	16699 Lanier Avenue	\$ 500.00	\$ 50.00	\$ 550.00
397-16-004	Kathleen & Brian Radesic	16348 Drake Road	\$ 4,500.00	\$ 450.00	\$ 4,950.00
397-19-005	Ann Domonkos	17893 Drake Road	\$ 1,050.00	\$ 105.00	\$ 1,155.00
397-21-054	U S Bank C/O Caliber Home Loans	16547 Peppergrass Cr	\$ 500.00	\$ 50.00	\$ 550.00
397-28-055	Milton Randall	19390 Ridgeline Ct	\$ 650.00	\$ 65.00	\$ 715.00
397-31-003	Michael Nagle	19294 Howe Road	\$ 2,800.00	\$ 280.00	\$ 3,080.00
	Total Book 397	10 Detail Records	\$ 11,450.00	\$ 1,145.00	\$ 12,595.00
398-08-009	Christina & James Jagers	13927 Whitney Road	\$ 2,000.00	\$ 200.00	\$ 2,200.00
398-23-021	Teresa Petro	12199 Webster Road	\$ 1,000.00	\$ 100.00	\$ 1,100.00
	Total Book 398	2 Detail Records	\$ 3,000.00	\$ 300.00	\$ 3,300.00
399-01-015	William & Fern Legat	15024 W 130th Street	\$ 500.00	\$ 50.00	\$ 550.00
399-22-015	Richard & Gail Walker	17877 Hunt Road	\$ 156.60	\$ 15.66	\$ 172.26
	Total Book 399	2 Detail Records	\$ 656.60	\$ 65.66	\$ 722.26

Total All Books	29 Detail Records	\$ 30,988.20	\$ 3,098.82	\$ 34,087.02
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TO THE FISCAL OFFICER OF CUYAHOGA COUNTY:

THE FOLLOWING LIST OF SPECIAL ASSESSMENT CHARGES HAVE BEEN CONFIRMED BY THE COUNCIL OF

City of Strongsville FOR Grass Cutting

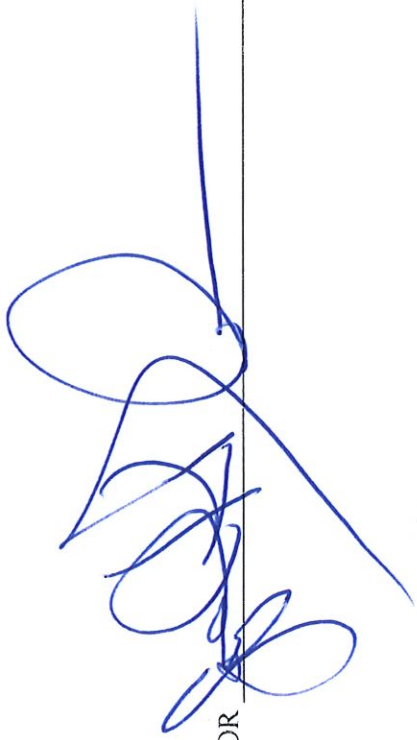
MUNICIPALITY

TYPE OF ASSESSMENT

AND IS HEREBY CERTIFIED FOR COLLECTION FOR COLLECTION(S) IN 1 ANNUAL INSTALLMENT(S) TO BE

COLLECTED FOR THE TAX YEAR(S) 2019

ORD / RES NO: 2019-142



SIGNATURE OF FINANCE DIRECTOR

DATE 8/30/2019

FOR FISCAL OFFICE USE ONLY:

DATE ENTERED _____ DATE SENT TO IT _____ DATE RETURNED FROM IT _____ DATE IMPORTED TO MVP _____ DATE VALIDATED _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 143

By: Mayor Perciak and All Members of Council

AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FUNDING UNDER THE FISCAL YEAR 2016 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF THE GRANT AWARD FROM CUYAHOGA COUNTY FOR REIMBURSEMENT OF EXERCISE TRAINING EXPENSES INCURRED BY THE CITY'S POLICE AND FIRE DEPARTMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provides funding to states, territories, urban areas, and other local governments to prevent, protect against, mitigate, respond to, and recover from potential terrorist attacks and other hazards; and

WHEREAS, Fiscal Year 2016 Urban Area Security Initiative Grant Program (hereinafter called the "FY16 UASI") funds were awarded to Cuyahoga County, for the County, and on behalf of municipalities and other permissible agencies in Cuyahoga County for training; and

WHEREAS, Cuyahoga County has approved a grant for FY16 UASI Grant Program funds for reimbursement of overtime and backfill expenses associated with a hazardous materials/active shooter full-scale training exercise conducted at SouthPark Mall on September 30, 2018, by the City of Strongsville Fire and Police Departments, which expenditures shall not exceed the total amount of \$11,572.87; and

WHEREAS, in order to meet application deadlines, it was necessary for the City to apply for such grant to be eligible for a grant award.

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 ratifies and approves the filing of an application for FY16 UASI grant funds, and authorizes the Mayor to accept such funding from Cuyahoga County under the Grant Program, for reimbursement of overtime and backfill expenses associated with a hazardous materials/active shooter full-scale training exercise conducted at SouthPark Mall on September 30, 2018, by the City of Strongsville Fire and Police Departments, in the total amount of \$11,572.87.

Section 2. That the Mayor, Director of Finance, Police Chief and Fire Chief and/or their authorized representatives be and are hereby authorized and directed to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith.

Section 3. That funds required to meet the City's obligation under this Ordinance, if any, have been appropriated and shall be paid from the Fire Levy Fund and General Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 143
Page 2

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 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 was immediately necessary in order to apply for and receive grant funds to assist in defraying costs of training to enhance the ability of the Police and Fire Department personnel to provide for homeland security, 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.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-143 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 144

By: Mayor Perciak and All Members of Council

AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO ATTORNEY GENERAL'S OFFICE IN CONNECTION WITH THEIR LAW ENFORCEMENT DIVERSION PROGRAM RELATING TO THE OPIOID EPIDEMIC; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, by and through Ordinance No. 2017-159, this Council approved and authorized the filing of an application for financial assistance from the Ohio Attorney General's Office in connection with their Law Enforcement Diversion Program relating to the opioid epidemic, so that the City could proceed to form and implement a Quick Response Team (QRT) to directly assist individuals affected by the opioid crisis, and provide such individuals and families with outreach from the City of Strongsville Police and Fire Emergency Services; and

WHEREAS, thereafter, by and through Ordinance No. 2017-178, the Council approved acceptance of the award of funding from the Ohio Attorney General's Office and further authorized the Mayor to enter into an Agreement in connection therewith; and

WHEREAS, the Ohio Attorney General's Office has once again extended the opportunity for law enforcement agencies to apply for funds through the Law Enforcement Diversion Program for the fiscal year 2020; and

WHEREAS, in order to meet the deadline for submission of applications to receive funding under the Ohio Attorney General's Office Law Enforcement Diversion Program for the fiscal year 2020, the City, through its Police Department, has applied for further funding to continue the Quick Response Team program; and

WHEREAS, the City has been notified that its application for the reimbursement of certain funds expended under the program has been approved in the amount of \$50,000.00; and

WHEREAS, with the additional funds awarded, it is the intention of the City's Police Department to continue their outreach services in order to include the presence of a drug counselor from Ohio Guidestone at all initial visits with affected individuals; and

WHEREAS, therefore, the City is now desirous of accepting such award.

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 ratifies and approves the submission of an application for financial assistance to the Ohio Attorney General's Office Law Enforcement Diversion Program for fiscal year 2020, in the form on file with the Chief of Police.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 144
Page 2

Section 2. That this Council hereby approves acceptance of the award of funding in the amount of \$50,000.00, and any other amounts that might be awarded under such Grant Program for fiscal year 2020, and hereby authorizes the Mayor, Director of Finance, Chief of Police, and other appropriate officers of the City to provide, execute and deliver agreements, certifications, assurances and such other information as may be required in connection therewith.

Section 3. That any funds required to meet the City's obligation under said application have been appropriated and shall be paid from the General Fund, and any grant funds awarded to the City shall be deposited to such fund.

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 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 ratify and approve the submission of the application for financial assistance in order to meet the filing deadline, to accept such award, 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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2019-144 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 145

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTION 250.10 OF CHAPTER 250, OF TITLE SIX OF PART TWO-ADMINISTRATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING FEES FOR USE OF DEPARTMENT FACILITIES BY OTHER POLICE DEPARTMENTS; AND DECLARING AN EMERGENCY.

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

Section 1. That Section 250.10 of Chapter 250 of Title Six of Part Two-Administration Code of the City of Strongsville be and is hereby amended to read in its entirety as follows:

250.10 USE OF DEPARTMENT FACILITIES BY OTHER POLICE DEPARTMENTS; FEES.

(a) The Mayor is authorized to enter into agreements with other political subdivisions and public agencies for the use of the municipal jail facilities and police department testing equipment and facilities by their respective law enforcement agencies, provided that the form of any such agreement is approved by the Law Director, and the fees to be charged therefore are in compliance with this section.

(b) The fees to be charged to the law enforcement agencies of other jurisdictions for the use of the Municipal Police Department facilities shall be as follows:

- (1) For persons incarcerated in the Municipal jail facilities, ~~eighty dollars~~ **Ninety Dollars** (~~\$80.00~~**\$90.00**) per day or any part of a day, except for persons incarcerated who are Cuyahoga County sentenced prisoners, wherein the charge shall be fifty-five dollars (\$55.00) per day or any part of a day;
- (2) For use of the breathalyzer test facilities, ~~Twenty~~ **d**Dollars (\$20.00) per test;
- (3) For the use of recording equipment in conjunction with the breathalyzer test, the additional sum of ~~fifteen~~ **d**Dollars (\$15.00) per test;
- (4) For use of the video arraignment equipment in conjunction with an arraignment, the additional sum of ~~Twenty~~ **d**Dollars (\$20.00) per arraignment; ~~and~~
- (5) For use of recording equipment in conjunction with the interview room, the additional sum of ~~Twenty~~ **d**Dollars (\$20.00) per interview recording; ~~and~~
- (6) **For other video requests not mentioned above, the additional sum of Fifteen Dollars (\$15.00).**

(c) The Director of Public Safety may waive the fees set forth in subsection (b)(1) above for law enforcement agencies with jurisdiction within the corporate limits of the City of Strongsville when any of the following conditions apply:

- (1) The person has been arrested within the corporate limits of the City of Strongsville by such law enforcement agency for violation of law and is being incarcerated pending securing bond or appearing for arraignment;
- (2) The person has been arrested within the corporate limits of the City of Strongsville by such law enforcement agency and is being incarcerated pursuant to a violation of the Ohio Revised Code, for which the costs related to such violation and/or incarceration are recoverable through reimbursement by Cuyahoga County;
- (3) The person arrested for an offense arising within the corporate limits of the City of Strongsville by such law enforcement agency has been sentenced by the Strongsville Mayor's Court or the Berea Municipal Court to serve his/her incarceration time in the Strongsville Municipal Jail.

(d) The Director of Finance is hereby directed to send to any political subdivision or public agency using the facilities an invoice for same including thereon a statement of the purpose and charge for each use of such facilities.
~~(Ord. 2012-142. Passed 9-4-12.)~~

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 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 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 the immediate adjustment to charges for the aforesaid facilities is required to meet operating and maintenance costs of such facilities, to provide for continuity and efficiency of Police Department 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: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 - 145
Page 3

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-145 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 146

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT FINANCIAL ASSISTANCE UNDER THE “NOPEC ENERGIZED COMMUNITY GRANT” PROGRAM TO IMPLEMENT ENERGY EFFICIENCY/ENERGY INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville, Ohio is a member of the Northeast Ohio Public Energy Council (“NOPEC”); and

WHEREAS, by and through Ordinance No. 2018-014, Council authorized the Mayor to enter into a Grant Agreement with NOPEC for financial assistance in connection with the NOPEC Energized Community Grant Program; and

WHEREAS, the City has been advised that NOPEC again has agreed to provide funding to the City in the amount of \$161,764.00 for 2019; and

WHEREAS, the City is desirous of accepting said funding.

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 accept financial assistance from the Northeast Ohio Public Energy Council under the NOPEC Energized Community Grant Program in the amount of \$161,764.00.

Section 2. That the Mayor, Director of Finance, and any other appropriate City officials and their designees be and are hereby authorized and directed to provide, execute and deliver such information, documents and assurances as may be required in connection therewith.

Section 3. That the grant funds shall be placed into and expended out of the General Capital Improvement Fund.

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 this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and general welfare of the inhabitants of the City, and for the further reason that it is necessary to accept funds for the implementation of energy efficiency or energy infrastructure projects, 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.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 - 146
Page 2

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-146 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 147

By: Mayor Perciak and All Members of Council

AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING FROM NOACA THROUGH THE ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, FOR THE PURCHASE OF A VEHICLE TO PROVIDE TRANSPORTATION SERVICES FOR THE CITY'S SENIOR WHEELS PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville Department of Recreation & Senior Services coordinates with the City of Berea, and other agencies, to operate the Senior Wheels program, which provides transportation services for the elderly and persons with disabilities who reside within those communities; and

WHEREAS, the Senior Wheels program has documented a need to replace a vehicle for use in its transportation services; and

WHEREAS, therefore, the City of Strongsville is desirous of applying for funding to replace such vehicle, from the Northeast Ohio Areawide Coordinating Agency (NOACA) for Cleveland Urbanized Area Federal Transit Administration (FTA) funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program (Section 5310); and

WHEREAS, NOACA is designated recipient of the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program for the Cleveland Urbanized Area, authorized to make grants to public bodies, private nonprofit organizations, and other eligible entities; and

WHEREAS, the Enhanced Mobility for Seniors and Individuals with Disabilities program provides eighty percent (80%) federal funds for capital projects and fifty percent (50%) federal funds for operating projects to support alternatives to public transportation projects that assist seniors and individuals with Disabilities, new or expanded transportation services and alternatives that go beyond the requirements of the Americans with Disabilities Act (ADA) of 1990 for individuals with disabilities; and

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

WHEREAS, the City of Strongsville certifies it will provide local matching funds of approximately \$10,000.00 for capital or planning projects from sources other than federal Department of Transportation funds; and

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 147
Page 2

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

WHEREAS, the City of Strongsville is authorized to execute a contract with NOACA if selected for the Enhanced Mobility for Seniors and Individuals with Disabilities program.

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 ratifies and approves the filing of an application with NOACA for Cleveland Urbanized Area Federal Transit Administration funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program (Section 5310), on behalf of the City of Strongsville for funding for a new vehicle, as more fully set forth in the application on file in the office of the Director of Recreation & Senior Services; and further authorizes the Mayor, Director of Finance, Director of Recreation & Senior Services and/or their authorized representatives to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith.

Section 2. That the funds necessary to carry out the purposes of this Ordinance, and to pay the City's share, have been appropriated and shall be paid from the Multi-Purpose Complex 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 approve the filing of the application in order to continue the Senior Wheels program and to provide an adequate vehicle for transportation service for the elderly and individuals with disabilities, 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: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 – 147
Page 2

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-147 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

STRONGSVILLE, OHIO

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2019 – 148

By: Mayor Perciak and All Members of Council

AN ORDINANCE APPROVING AND ADOPTING MID-YEAR REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY, REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, in order to conform with the changes adopted by the Ohio General Assembly and with current State law as required by the Ohio Constitution, it is necessary for the City to amend certain provisions within its Traffic and General Offenses Codes; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since January 22, 2019 and through August 6, 2019, which now should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish the aforesaid amendments and revisions on a semi-annual basis.

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

Section 1. That the additions and amendments to the Traffic and General Offenses Codes of the Codified Ordinances of the City of Strongsville, as prepared by the Walter H. Drane Company in order to comply with current State law, be and are hereby approved and adopted; and the ordinances of Strongsville of a general and permanent nature, as revised, re-codified, rearranged and consolidated into component codes, titles, chapters and sections within the mid-year 2019 replacement pages to the Codified Ordinances, be and are hereby approved and adopted, all as set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 2. That any other ordinances or resolutions or parts thereof in conflict with any of the above Ordinances shall, to the extent of any conflict, be and are hereby repealed.

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 there exists an imperative necessity for the earliest publication and distribution of the aforesaid amendments to the Codified Ordinances to the officials and residents of the City, so as to facilitate the administration and daily operation of the City and its departments, and to avoid practical and legal entanglements. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2019 - 148
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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	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2019-148 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

STRONGSVILLE, OHIO

EXHIBIT "A"

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2019-019	2-4-19	1046.247
2019-027	2-4-19	January 2019 Replacement Pages
2019-039	4-1-19	636.23, 636.24
2019-082	6-17-19	414.09
2019-096	5-20-19	452.055

Traffic Code

- 402.111 Electric Bicycle. (Added)
- 402.20 Motor Vehicle. (Amended)
- 402.22 Motorized Bicycle, Moped. (Amended)
- 402.271 Predicate Motor Vehicle Offense. (Amended)
- 402.381 Shared-Use Path. (Amended)
- 402.53 Vehicle. (Amended)
- 412.05 Freeway Use Restricted. (Amended)
- 414.10 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 432.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 432.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 432.15 Hand and Arm Signals. (Amended)
- 434.03 Maximum Speed Limits. (Amended)
- 438.29 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 474.01 Code Application to Bicycles. (Amended)
- 474.02 Riding Upon Seats. (Amended)
- 474.03 Attaching Bicycle to Vehicle. (Amended)
- 474.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 474.05 Signal Device on Bicycle. (Amended)
- 474.07 Lights and Reflector on Bicycle. (Amended)
- 474.11 Motorized Bicycle Operation. (Amended)
- 474.13 Electric Bicycles. (Added)

General Offenses Code

- 648.04 Disorderly Conduct. (Amended)
- 624.01 Drug Abuse Control Definitions. (Amended)
- 624.03 Drug Abuse; Controlled Substance Use. (Amended)
- 612.07 Open Container Prohibited. (Amended)
- 666.04 Sexual Imposition. (Amended)
- 666.07 Public Indecency. (Amended)
- 666.17 Dissemination of Private Sexual Images. (Added)

672.01 Weapons Definitions. (Amended)
672.07 Unlawful Transactions in Weapons. (Amended)

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2019 – 149

By: Mayor Perciak and All Members of Council

**A RESOLUTION IN SUPPORT OF PROSTATE CANCER
AWARENESS DURING THE MONTH OF SEPTEMBER.**

WHEREAS, each September, the United States recognizes National Prostate Cancer Awareness Month in order to help defeat this most commonly diagnosed form of cancer among men and the second leading cause of cancer deaths among men; and

WHEREAS, approximately 174,650 men will be diagnosed with prostate cancer in the United States, and an estimated 31,620 men will lose their lives to prostate cancer in 2019; and in Ohio, it is estimated that 5,340 men will be diagnosed with the disease this year; and

WHEREAS, there are estimated to be three million prostate cancer patients and survivors fighting their personal battles with this disease every day, and that number is estimated to climb to four million by 2024 as men in the baby boomer generation age; and

WHEREAS, one in nine men will get prostate cancer sometime in their lifetime, with African American men at the highest risk for the disease; and

WHEREAS, men who served in the military who have been exposed to chemicals and herbicides are at a higher risk for developing prostate cancer; and

WHEREAS, education regarding prostate cancer and early detection strategies are critical to saving lives and preserving and protecting our families; and

WHEREAS, therefore, all men are at risk for prostate cancer, and we encourage the citizens of the City of Strongsville to increase their knowledge of the symptoms of this disease and to understand the importance of prostate screenings.

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

Section 1. That the City, through the Mayor and this Council, recognize the importance of National Prostate Cancer Awareness in the month of September, and encourage the residents of the City of Strongsville to become more informed about this disease and to understand the importance and value of prostate screenings.

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 actions were in meetings open to the public, in compliance with all legal requirements.

Section 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

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RESOLUTION NO. 2019 – 149
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President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kosek	_____	_____
Patten	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2019-149 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____