



City of Strongsville

16099 Foltz Parkway
Strongsville, Ohio 44149-5598
Phone: 440-580-3110
www.strongsville.org

January 12, 2023

City Council

James A. Kaminski
Ward 1

Annmarie P. Roff
Ward 2

Thomas M. Clark
Ward 3

Gordon C. Short
Ward 4

Joseph C. DeMio
At-Large

James E. Carbone
At-Large

Kelly A. Kosek
At-Large

Aimee Pientka, MMC
Clerk of Council

MEETING NOTICE

City Council has scheduled the following meetings for **Tuesday, January 17, 2023**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road:***

Caucus will begin at 7:45 p.m. *All committees listed will meet immediately following the previous committee:*

7:45 P.M. **Finance Committee** will meet to discuss Ordinance No. 2023-007.

Planning, Zoning & Engineering will meet to discuss Ordinance Nos. 2023-008 & 2023-009.

Public Safety & Health will meet to discuss Ordinance Nos. 2023-010, 2023-011 & 2023-012.

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, JANUARY 17 2023 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:
 - *Regular Council Meeting – January 3, 2023*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
7. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Clark
 - BUILDING & UTILITIES – Clark
 - SOUTHWEST GENERAL HEALTH SYSTEM – Short
 - ECONOMIC DEVELOPMENT – Short
 - PUBLIC SERVICE AND CONSERVATION – DeMio
 - FINANCE – Kosek
 - PLANNING, ZONING AND ENGINEERING – Kaminski
 - PUBLIC SAFETY AND HEALTH – Kaminski
 - RECREATION AND COMMUNITY SERVICES – Roff
 - COMMUNICATIONS AND TECHNOLOGY – Carbone
 - COMMITTEE-OF-THE-WHOLE – Carbone
8. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:
 - MAYOR PERCIAK:
 - FINANCE DEPARTMENT:
 - LAW DEPARTMENT:
9. AUDIENCE PARTICIPATION:
10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2023-007 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2023 AND REPLEALING ORDINANCE NUMBER 2022-178.
- Ordinance No. 2023-008 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 1258.05 AND 1258.08 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING MOTORIST SERVICE DISTRICTS AND AREA REGULATIONS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-009 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED ON PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PORTION OF PPN 397-10-005), AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-010 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SEVENTH AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BEREA, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2023, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-011 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF FIFTY NEW GLOCK HANDGUNS, MODEL 45 MOS-7 9 MM, FOR USE BY THE CITY OF STRONGSVILLE POLICE DEPARTMENT, AND FOR TRADE-IN OF EXISTING OBSOLETE GUNS AND MAGAZINES, AND TO HAVE THE CREDIT APPLIED TO THE PURCHASE PRICE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-012 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF VARIOUS HANDGUN ACCESSORIES AND APPURTENANCES FOR USE BY THE POLICE DEPARTMENT OF THE CITY, WITH THE SALE, TRADE-IN AND CREDIT FOR VARIOUS OBSOLETE MUNICIPAL EQUIPMENT, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

Application for Permit: **TRFO-D1-D2-D3-D3A-D6**: To: Luv2saute, Inc.
14952 Pearl Rd. Front & Patio, Strongsville, Ohio 44136 (Responses must be postmarked no later than 02/03/23).

12. MISCELLANEOUS BUSINESS:

- Motion to appoint a Councilmember to serve as a Trustee of the Strongsville Community Improvement Corporation.

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 - 007
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 2023 AND REPEALING ORDINANCE NUMBER 2022 - 178

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:

General Fund - 101					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
101	Total General Fund	\$ 21,119,956.00	\$ 9,141,056.00	\$ 13,550,000.00	\$ 43,811,012.00

Special Revenue Funds - 200					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,512,761.00	\$ -	\$ -	\$ 1,512,761.00
204	Street Construction & Maintenance	5,451,540.00	9,741,500.00	-	15,193,040.00
205	State Highway Maintenance	-	58,000.00	-	58,000.00
206	Motor Vehicle License Tax	-	300,000.00	-	300,000.00
207	Emergency Vehicle Fund	-	2,093,489.00	-	2,093,489.00
208	Fire Levy	9,627,000.00	1,101,800.00	-	10,728,800.00
209	Fire Pension	1,813,000.00	-	-	1,813,000.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,558,000.00	-	1,558,000.00
213	Local Fiscal Recovery	500,000.00	-	500,000.00	1,000,000.00
214	Multi-Purpose Complex	3,192,750.00	2,133,200.00	-	5,325,950.00
215	Southwest General Hospital	-	360,000.00	-	360,000.00
216	Law Enforcement Federal Seizures	-	60,000.00	-	60,000.00
217	Law Enforcement State Seizures	-	20,000.00	-	20,000.00
218	Law Enforcement Drug Fine	-	10,000.00	-	10,000.00
219	Law Enforcement DWI/DUI	-	20,000.00	-	20,000.00
220	Tree Fund	-	96,300.00	-	96,300.00
222	Community Diversion	4,000.00	4,000.00	-	8,000.00
223	Bond Escrow	-	855,000.00	-	855,000.00
224	Earned Benefits	510,500.00	-	-	510,500.00
225	One Ohio Settlement Fund	-	2,820.00	-	2,820.00
200	Total Special Revenue Funds	\$ 22,611,551.00	\$ 18,454,109.00	\$ 500,000.00	\$ 41,565,660.00

Debt Service Funds - 300					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,365,200.00	\$ -	\$ 3,365,200.00
333	Pearl Road TIF # 1	-	585,000.00	-	585,000.00
334	Royalton Road TIF	-	73,000.00	-	73,000.00
335	Pearl Road TIF # 2	-	74,000.00	-	74,000.00
336	Pearl Road TIF # 3	-	40,000.00	-	40,000.00
337	Westwood Commons TIF	-	37,500.00	-	37,500.00
338	Giant Eagle TIF	-	115,000.00	-	115,000.00
339	GETGO TIF	-	24,000.00	-	24,000.00
340	Clover Senior TIF	-	137,000.00	-	137,000.00
341	Pearl Road TIF # 4	-	232,000.00	-	232,000.00
342	Cane's/Chase TIF	-	17,000.00	-	17,000.00
343	Brighton Best TIF	-	3,500.00	-	3,500.00
344	Pearl North TIF	-	30,000.00	-	30,000.00
300	Total Debt Service Funds	\$ -	\$ 4,733,200.00	\$ -	\$ 4,733,200.00

Capital Improvement Capital Project Funds - 400					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 361,503.00	\$ -	\$ 361,503.00
442	General Capital Improvement	-	14,279,073.00	-	14,279,073.00
447	TIF Capital Improvements	-	336,200.00	-	336,200.00
448	Town Center Improvement Fund	-	8,000,000.00	-	8,000,000.00
400	Total Capital Project Funds	\$ -	\$ 22,976,776.00	\$ -	\$ 22,976,776.00

Enterprise Funds - 500					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 2,077,750.00	\$ 15,398,700.00	\$ -	\$ 17,476,450.00

Internal Service Fund - 600					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
661	Health Insurance Reserve	\$ -	\$ 7,102,400.00	\$ -	\$ 7,102,400.00
664	Worker's Compensation Reserve	-	508,000.00	-	508,000.00
600	Total Internal Service Funds	\$ -	\$ 7,610,400.00	\$ -	\$ 7,610,400.00
Grand Total All Funds		\$ 45,809,257.00	\$ 78,314,241.00	\$ 14,050,000.00	\$ 138,173,498.00

Itemized list of Transfers and Advances by Fund	
Description	Amount
General Fund to Street Construction Fund	\$ 4,000,000.00
General Fund to Fire Levy Fund	5,000,000.00
General Fund to Multi-Complex Fund	2,600,000.00
General Fund to Police Pension Fund	950,000.00
General Fund to Fire Pension Fund	1,000,000.00
Total Transfers	\$ 13,550,000.00
Local Fiscal Recovery Fund Advance to General Fund	500,000.00
Ohio Opioid Settlement Fund Advance to the General Fund	1,300.00
Total Advance and Advance Repayments	\$ 501,300.00
Total Transfers, Advances and Advance Repayments	\$ 14,051,300.00

Section 2: That all expenditures within the fiscal year ending December 31, 2023 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.

Approved: _____ Mayor
 _____ President of Council
 _____ Date Passed
 _____ Date Approved

Attest:

Clerk of Council

	Yea	Nay
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

ORD. No. 2023-007 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	\$ 395,000.00	\$ 41,900.00	\$ -	\$ 436,900.00
011411	Mayors Office	280,200.00	19,800.00	-	300,000.00
015412	Police Department	10,981,700.00	1,733,212.00	-	12,714,912.00
011413	Human Resources	283,100.00	80,840.00	-	363,940.00
011414	Finance Department	552,500.00	18,230.00	-	570,730.00
011415	Legal Department	527,600.00	70,350.00	-	597,950.00
011416	Communication & Technology	832,900.00	647,200.00	-	1,480,100.00
011417	Building Department	1,067,990.00	192,900.00	-	1,260,890.00
011418	Mayors Court	168,700.00	252,200.00	-	420,900.00
011420	Rubbish Department	-	2,956,024.00	-	2,956,024.00
011421	Cemetery Department	144,000.00	303,320.00	-	447,320.00
011422	Architectural Board of Review	-	4,000.00	-	4,000.00
011423	Planning Commission	129,300.00	67,000.00	-	196,300.00
011424	Civil Service	-	77,030.00	-	77,030.00
011425	Board of Appeals	-	20,900.00	-	20,900.00
011428	Parks Department	128,600.00	258,000.00	-	386,600.00
011429	Public Safety	193,916.00	-	-	193,916.00
011430	General Miscellaneous	-	1,966,000.00	-	1,966,000.00
011435	Economic Development	209,000.00	92,000.00	-	301,000.00
015415	OPID Grant	28,550.00	11,250.00	-	39,800.00
015414	Corrections Officers	941,800.00	95,200.00	-	1,037,000.00
015413	Regional Dispatch Center	4,255,100.00	233,700.00	-	4,488,800.00
011468	Non Government Transfers	-	-	13,550,000.00	13,550,000.00
Total General Fund		\$ 21,119,956.00	\$ 9,141,056.00	\$ 13,550,000.00	\$ 43,811,012.00
031000	Police Pension	1,512,761.00	-	-	1,512,761.00
046419	Street Repairs	4,602,400.00	8,067,600.00	-	12,670,000.00
046426	Traffic Signal Maintenance	125,700.00	228,400.00	-	354,100.00
046427	Snow Removal	-	640,000.00	-	640,000.00
046433	Municipal Garage	723,440.00	805,500.00	-	1,528,940.00
056000	State Highway Maintenance	-	58,000.00	-	58,000.00
066000	Motor Vehicle License Tax	-	300,000.00	-	300,000.00
075000	Emergency Vehicle Fund	-	2,093,489.00	-	2,093,489.00
085000	Fire Levy	9,627,000.00	821,100.00	-	10,448,100.00
085001	Fire Station Ward 1	-	79,700.00	-	79,700.00
085002	Fire Station Ward 2	-	50,500.00	-	50,500.00
085003	Fire Station Ward 3	-	40,500.00	-	40,500.00
085004	Fire Station Ward 4	-	110,000.00	-	110,000.00
095000	Fire Pension	1,813,000.00	-	-	1,813,000.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,558,000.00	-	1,558,000.00
131000	Local Fiscal Recovery	500,000.00	-	500,000.00	1,000,000.00
143304	Sports Programs	299,400.00	227,700.00	-	527,100.00
143305	Recreation Administration	520,000.00	701,500.00	-	1,221,500.00
143306	Fitness	441,850.00	150,700.00	-	592,550.00
143310	Aquatics	677,600.00	109,800.00	-	787,400.00
143311	Recreation Programs	154,800.00	93,500.00	-	248,300.00
143430	Special Events	-	14,900.00	-	14,900.00
143431	Old Town Hall	8,900.00	23,200.00	-	32,100.00
143439	Senior Services	585,700.00	481,900.00	-	1,067,600.00
143451	Recreation Maintenance	504,500.00	301,000.00	-	805,500.00
143500	Program Refunds	-	29,000.00	-	29,000.00
152000	Southwest General Hospital	-	360,000.00	-	360,000.00
165000	Law Enforcement Federal Seizures	-	60,000.00	-	60,000.00
175000	Law Enforcement State Seizures	-	20,000.00	-	20,000.00
185000	Law Enforcement Drug Fine	-	10,000.00	-	10,000.00
195000	Law Enforcement DWI/DUI	-	20,000.00	-	20,000.00
204000	Tree Maintenance	-	96,300.00	-	96,300.00
225000	Community Diversion	4,000.00	4,000.00	-	8,000.00
223100	Bond Escrow	-	855,000.00	-	855,000.00
224000	Earned Benefits	510,500.00	-	-	510,500.00
250000	One Ohio Settlement Fund	-	2,820.00	-	2,820.00
Total Special Revenue Funds		\$ 22,611,551.00	\$ 18,454,109.00	\$ 500,000.00	\$ 41,565,660.00

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

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,365,200.00	-	3,365,200.00
333000	Pearl Road TIF # 1	-	585,000.00	-	585,000.00
334000	Royalton Road TIF	-	73,000.00	-	73,000.00
335000	Pearl Road TIF # 2	-	74,000.00	-	74,000.00
336000	Pearl Road TIF # 3	-	40,000.00	-	40,000.00
337000	Westwood Commons TIF	-	37,500.00	-	37,500.00
338000	Giant Eagle TIF	-	115,000.00	-	115,000.00
339000	GETGO TIF	-	24,000.00	-	24,000.00
340000	Clover Senior TIF	-	137,000.00	-	137,000.00
341000	Pearl Road TIF # 4	-	232,000.00	-	232,000.00
342000	Cane's/Chase TIF	-	17,000.00	-	17,000.00
343000	Brighton Best TIF	-	3,500.00	-	3,500.00
344000	Pearl North TIF	-	30,000.00	-	30,000.00
	Total Debt Service	\$ -	\$ 4,733,200.00	\$ -	\$ 4,733,200.00
413000	Recreation Capital Improvement	-	361,503.00	-	361,503.00
421000	General Capital Improvement	-	14,279,073.00	-	14,279,073.00
447100	Pearl & Whitney TIF	-	42,000.00	-	42,000.00
447102	Prospect & Albion TIF	-	20,000.00	-	20,000.00
447103	Goodyear & 5/3 TIF	-	70,000.00	-	70,000.00
447104	42/82 TIF	-	155,200.00	-	155,200.00
447105	Dunkin Donuts TIF	-	20,000.00	-	20,000.00
447106	Pearl & Lunn TIF	-	29,000.00	-	29,000.00
448108	Town Center Improvement Fund	-	8,000,000.00	-	8,000,000.00
	Total Capital Projects	\$ -	\$ 22,976,776.00	\$ -	\$ 22,976,776.00
512501	Engineering and Administration	767,600.00	944,400.00	-	1,712,000.00
512502	Plant Expenditures	-	7,608,000.00	-	7,608,000.00
512503	Line Expenditures	1,310,150.00	309,000.00	-	1,619,150.00
512504	Sewer Capital Improvements	-	6,300,000.00	-	6,300,000.00
512505	Sewer Debt Payments	-	237,300.00	-	237,300.00
	Total Sanitary Sewer	\$ 2,077,750.00	\$ 15,398,700.00	\$ -	\$ 17,476,450.00
661000	Health Insurance Reserve	-	7,102,400.00	-	7,102,400.00
664000	Workers Compensation Reserve	-	508,000.00	-	508,000.00
	Total Internal Service	\$ -	\$ 7,610,400.00	\$ -	\$ 7,610,400.00
	GRAND TOTAL	\$ 45,809,257.00	\$ 78,314,241.00	\$ 14,050,000.00	\$ 138,173,498.00

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 008

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTIONS 1258.05 AND 1258.08 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING MOTORIST SERVICE DISTRICTS AND AREA REGULATIONS, 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 existing Section 1258.05 of Chapter 1258, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1258.05 USE REGULATIONS; MOTORIST SERVICE DISTRICT.

Buildings and land shall be used and buildings shall be designed, erected, altered, moved or maintained in whole or in part in Motorist Service Districts only for the uses set forth in the following schedules and regulations:

(a) Main Buildings and Uses Permitted.

- (1) Service Stations. Service stations for the sale of fuels, oil, lubricants, batteries, tires, and other automotive accessories to the motoring public. Such facilities may include facilities for servicing and minor repair of vehicles and the retail sales of merchandise in accordance with the provisions of Section 1258.14.
- (2) Lodging facilities. Motel accommodations for the traveling public. A game room or amusement arcade may be permitted within lodging facilities only if a conditional use permit is granted in accordance with standards set forth in Section 1242.07.
- (3) Eating and drinking establishments. Restaurants, snack bars, taverns, drive-in restaurants as individual establishments or in conjunction with a lodging or indoor tennis facility permitted in this District. A game room or amusement arcade may be permitted within eating and drinking facilities only if a conditional use permit is granted in accordance with standards set forth in Section 1242.07. An outdoor eating area adjacent to and as an accessory use to the main building may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.
- (4) Automotive service centers. Automotive Service Centers in accordance with the provisions of Section 1258.14.
- (5) Indoor tennis facility.
- (6) Fueling Stations. Fueling stations for the sale of fuel and convenience goods to the motoring public. Such facilities may include the sale of food and beverages for carry out and/or on premises consumption. Outdoor display or sale of merchandise shall only be permitted as specifically authorized by Planning

Commission as part of development plan approval. Outdoor eating areas may be permitted provided a conditional use permit is obtained in accordance with Section 1242.07.

- (7) Recreational vehicle sales and service. Motorcycle, boat, snowmobile and outboard motor sales and service, provided the use is located within a free-standing building and all testing facilities and operations are conducted within an enclosed building; and
- (8) Automotive sales. Automotive, truck, van and recreational vehicle sales, leasing, renting and related services, including accessory repair and service garages, provided such uses are within a free-standing building; and new and used automotive, truck, van and recreational vehicle sales lots, provided such uses are in conjunction with a permitted vehicles sales use located on the same lot as the free-standing building used for the sale of new motor vehicles.
- (9) Auto Washes and Auto Wash Facilities.
- (b) Similar Main Uses Permitted. Any other motorist service facility or service not listed above or in any subsequent use classification and determined as similar by the Planning Commission in accordance with the standards set forth in Section 1242.08 of this Zoning Code; and
- (c) Accessory Uses Permitted.
 - (1) Off-street parking and loading facilities as required in Chapter 1270 of this Zoning Code;
 - (2) Signs in Motorist Service Districts shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the type, design size, location, illumination and other provisions set forth in Chapter 1272 of this Zoning Code; and
 - (3) The sale and/or exchange of propane canisters not exceeding twenty (20) pounds capacity as an accessory use at Fueling Stations, Service Stations, and Recreational Vehicle Sales and Service Facilities provided a conditional use permit is obtained in accordance with Section 1242.07.

~~(Ord. 2014-132. Passed 9-2-14.)~~

Section 2. That existing Section 1258.08 of Chapter 1258, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1258.08 AREA REGULATIONS.

In all Business Districts, buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained in whole or in part, only in accordance with the following schedule:

Schedule of Minimum Lot Area and Width Requirements			
<u>Main Use</u>	<u>District</u>	<u>Lot Area</u>	<u>Lot Width (feet)</u>
Dwelling	Local Business, General Business	In accordance with adjacent Residential District	In accordance with adjacent Residential District
Hotel/Motel	Motorist Service	1,000 sq. ft./rental unit	250
Service Stations	Motorist Service	1 acre	200
Auto Sales	Motorist Service	5 acres	350
Auto Washes; Auto Wash Facilities	Motorist Service	1 acre	150
Bus Garage	Motorist Service	4 acres	250
Restaurant, Auto Service Center, Motorcycle, Boat Sales	Motorist Service	2 acres	200
Indoor Tennis Facility	Motorist Service	4 acres	100
Neighborhood	Shopping Center	5 acres	
Community Center	Shopping Center	20 acres	
Regional Center	Shopping Center	35 acres	
Single Separate Business Use	General Business or Restaurant – Recreational Services		150
	Local Business		125
Attached or Multiple Business Use	General Business or Restaurant – Recreational Services Local Business		200

~~(Ord. 2002-6, Passed 3-18-02.)~~

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 008
Page 4

Section 3. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

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

First reading: _____

Referred to Planning Commission

Second reading: _____

Third reading: _____

Approved: _____

Public Hearing: _____

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

Attest: _____
Clerk of Council

Ord. No. 2023-008 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 009

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED ON PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PORTION OF PPN 397-10-005), 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 the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located on Pearl Road, in the City of Strongsville, from GB (General Business) classification to MS (Motorist Service) classification (portion of PPN 397-10-005), which property is more fully described in Exhibit A, and depicted in Exhibit B, all attached hereto and incorporated herein by reference.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the changes in zoning classification as provided in this Ordinance.

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 further to afford the applicant an opportunity to submit plans to facilitate economic development within the City, and to assure proper development of all lots and land within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: _____	Referred to Planning Commission
Second reading: _____	_____
Third reading: _____	Approved: _____
Public Hearing: _____	

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 009
Page 2

President of Council

Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

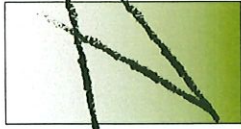
Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-009 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Legal Description

WXZ Development

Rezoning Parcel (Part of P.P.N. 397-10-005)

Strongsville, Ohio

File No. 14799-LD002

Page 1 of 2

Situated in the City of Strongsville, County of Cuyahoga, State of Ohio and known as being part of Original Strongsville Township Lot No. 58 and further bounded and described as follows:

Beginning at the intersection of the centerline of Drake Road (Width Varies) and the centerline of Pearl Road (U.S. Route 42) (Width Varies);

Thence North 00°31'56" West, along the centerline of said Pearl Road, a distance 258.00 feet to the Southwest corner of a parcel of land conveyed to Heinen's Inc. by deed recorded in Volume 14496, Page 283 of Cuyahoga County Records;

Thence North 89°06'18" East, a distance of 45.00 feet to a 5/8" iron pin set on the Easterly right of way of said Pearl Road and the principal place of beginning for the parcel hereinafter described;

- Course 1 Thence North 00°31'56" West, along the Easterly right of way of said Pearl Road, a distance of 150.00 feet to a 5/8" iron pin set;
- Course 2 Thence North 89°06'18" East, a distance of 300.00 feet to a 5/8" iron pin set;
- Course 3 Thence South 00°31'56" East, a distance of 150.00 feet to a 5/8" iron pin set on the Northerly line of a parcel of land conveyed to GETGO Portfolio II LP by deed recorded in A.F.N. 201310110620 of Cuyahoga County Records;
- Course 4 Thence South 89°06'18" West, along the Northerly line of said GETGO Portfolio II LP parcel, a distance of 300.00 feet to the principal place of beginning and **containing 1.0331 Acres (45,000 Square Feet) of land**, according to a survey made by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates, Dated in November 10, 2022.

Be the same more or less, but subject to all legal highways and easements of record.

Basis of bearings for this survey is Grid North of NAD83 (CORS96) Ohio State Plane Coordinate System, North Zone (3401) and is used to denote angles only.

Legal Description
WXZ Development
Rezoning Parcel (Part of P.P.N. 397-10-005)
Strongsville, Ohio
File No. 14799-LD002
Page 2 of 2

Monuments described as "iron pin set" are 5/8" x 30" rebar capped
"Neff & Assoc #8622".



Steven J. Metcalf

Registered Survey No. 8622-Ohio





1 INCH = 100 FT.

(PUBLIC ROADWAY) $N00^{\circ}31'56''W$ 5005.58' rec. (ODOT) 5005.77' obs.



CITY OF STRONGSVILLE, OHIO
11/15/2022 JOB# 14799
REZONING EXHIBIT
WXZ DEVELOPMENT

EXHIBIT B

PETITION FOR ZONING CHANGE

Ordinance Number: 2023-009

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class GB use to a class MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: **Change in zoning is required to allow for commercial service use consistent with the surrounding area. Development of the parcel will grow the tax base of the City and provide jobs and services to its residents.**

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because:

The proposed use (a car wash) is consistent with the Retail and Service uses in the area along Pearl Rd.

Please list other supporting documents (if any) which accompany this petition:

1. **Survey legal description**
2. **Preliminary site plan**
- 3.

THE PROPOSED USE OF THE PROPERTY IS: **a car wash (see attached site plan)**

Name, address and telephone number of applicant or applicant's agent:

Name: **David Budge, WXZ Development Inc.**

Address: **22720 Fairview Center Drive, #150, Fairview Park, OH 44126**

Telephone Number: **(440) 801-1690**

Signature of Owner(s) [Signature]

State of Ohio)
County of Cuyahoga)

I have read and subscribed in my presence this 5th day of December, 2022.

CINDY TORRES ESSELL
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No

[Signature]
Notary Public

My commission expires: Never

Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.



PROPERTY DESCRIPTION FORM

Ordinance Number: 2023-009

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: N/A

Permanent Parcel No.: a portion of 397-10-005

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Pearl Rd. (west)

Number and type of buildings which now occupy property (if any): N/A

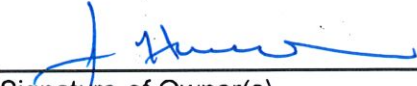
Acreage: 1.03 (rezoning parcel) 8.96 remainder

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): restriction to operate a grocery

Said deed restrictions (will) (have) expire(d) on: in perpetuity

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Heinens Inc.</u>	<u>100</u> %
2.	
3.	


Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 5th day of December, 20 22.



CINDY TORRES ESSELL
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C.


Notary Public

My commission expires Never

Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Lori Daley, Assistant City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: December ,12 2022

SUBJECT: Rezoning Application
Owner: Heinens Inc.
Portion of PPN: 397-10-005
Address: Pearl Road
From: General Business (GB) to Motorist Service (MS)

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

AKP
Attachments

Cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Brill, Planning Commission Secretary

City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Brill, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: December 14, 2022

Re: Rezoning Application
Heinens Inc.
Portion of PPN 397-10-005
From GB to MS

Neal,

The legal description included in the Clerk of Council's December 12, 2022 memo regarding the above referenced application had an error that was subsequently corrected by the surveyor.

Attached is the correct legal description that accurately describes the portion of land to be rezoned.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 010

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SEVENTH AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BEREA, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2023, AND DECLARING AN EMERGENCY.

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

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

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

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

WHEREAS, thereafter on February 17, 2016, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2016-022; and

WHEREAS, additionally, thereafter on November 21, 2016, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon two (2) years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2016-220; and

WHEREAS, additionally, thereafter on February 13, 2018, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon four years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2018-009; and

WHEREAS, also, for the year 2020, the parties entered into a *Fourth Amendment to Agreement* providing for an adjustment to the provision for payment based upon five years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-002; and

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 010
Page 2

WHEREAS, for the year 2021, the parties entered into a *Fifth Amendment to Agreement* providing for an adjustment to the provision for payment based upon six years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-176; and

WHEREAS, for the year 2022, the parties entered into a *Sixth Amendment to Agreement* providing for an adjustment to the provision for payment based upon seven years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2021-165; and

WHEREAS, based upon eight (8) years of operations and in accordance with provisions of said Agreement, it is now necessary to amend the provision relating to payment for Dispatch Services; and

WHEREAS, Berea has agreed to such a Seventh Amendment providing for an increase in fees commencing January 1, 2023.

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 *Seventh Amendment to Agreement* for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of Berea, Ohio, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2023, commencing January 1, 2023, at an adjusted rate of \$38,037.50 per month, for a total of \$456,450.00 for the year 2023, in accordance with the terms and conditions set forth in the Seventh Amendment to Agreement attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

Section 2. That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2023 and shall be paid from the General Fund.

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

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into the Amendment to Agreement to provide for proper and fair compensation to the City for dispatch services, to act in accordance with the terms and conditions of the Agreement, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 010
Page 3

President of Council

Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-010 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

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

THIS SEVENTH AMENDMENT TO AGREEMENT made at Strongsville, Ohio, this ____ day of _____, _____, by and between the **CITY OF STRONGSVILLE**, Ohio, hereinafter designated as "Strongsville", and the **CITY OF BERE, Ohio**, hereinafter designated as "Bere".

WITNESSETH:

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

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

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

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

WHEREAS, thereafter, on February 17, 2016, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year and a half of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2016-022; and

WHEREAS, additionally, thereafter on November 21, 2016, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon two (2) years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2016-220; and

WHEREAS, additionally, thereafter on February 13, 2018, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon four years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2018-009; and

WHEREAS, for the year 2019, there was no adjustment to the amount paid by Berea, from the rate of pay set forth in the Third Amendment to Agreement between the parties; and

WHEREAS, however, for the year 2020, the parties entered into a *Fourth Amendment to Agreement* providing for an adjustment to the provision for payment based upon five years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-002; and

WHEREAS, for the year 2021, the parties entered into a *Fifth Amendment to Agreement* providing for an adjustment to the provision for payment based upon six years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-176; and

WHEREAS, for the year 2022, the parties entered into *Sixth Amendment to Agreement* providing for an adjustment to the provision for payment based upon seven years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2021-165;

WHEREAS, now based upon eight (8) years of operations and in accordance with provisions of said Agreement, it is now necessary to amend the provision relating to payment for Dispatch Services.

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

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

* * *

“F. Payment for Dispatch Services: Berea, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville the amount of Twenty-Five Thousand Dollars (\$25,000.00) per month by the first (1st) of each month for Dispatch Services provided in that month, for a total annual fee of Three Hundred Thousand Dollars (\$300,000.00) through December 31, 2015. For the period of operation from January 1, 2016 through February 29, 2016, Berea will pay Strongsville at the same rate of Twenty-Five Thousand Dollars (\$25,000.00) per month; and thereafter from March 1, 2016 through December 31, 2016, Berea will pay Strongsville at an increased rate of Twenty-Six Thousand Dollars (\$26,000.00) per month by the first (1st) of each month for Dispatch Services provided in that month, for a total of Three Hundred Ten Thousand Dollars (\$310,000.00) for such second year of operation. For the period of operation from January 1, 2017 through December 31, 2017, Berea will pay Strongsville at an increased rate of pay of Twenty-Seven Thousand Six Hundred Forty-One Dollars (\$27,641.00) per month by the first of each month for Dispatch

Services provided in that month, for a total of Three Hundred Thirty-One Thousand Seven Hundred Dollars (\$331,700.00) for such third year of operation. For the period of operation from January 1, 2018 through December 31, 2018, Berea will pay Strongsville at an increased rate of pay of Twenty-Nine Thousand Three Hundred Dollars (\$29,300.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Fifty-One Thousand Six Hundred Dollars (\$351,600.00) for such fourth year of operation. For the period of operation from January 1, 2020 to December 31, 2020, Berea will pay Strongsville at an increased rate of pay of Thirty-One Thousand Fifty-Eight and 00/100 Dollars (\$31,058.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Seventy-Two Thousand Six Hundred Ninety-Six and 00/100 Dollars (\$372,696.00) for such year of operation. For the period of operation from January 1, 2021 to December 31, 2021, Berea will pay Strongsville at an increased rate of pay of Thirty-Two Thousand Nine Hundred Twenty-One and 48/100 Dollars (\$32,921.48) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Ninety-Five Thousand Fifty-Seven and 76/100 Dollars (\$395,057.76) for such year of operation. For the period of operation from January 1, 2022 to December 31, 2022, Berea will pay Strongsville at an increased rate of pay of Thirty-Five Thousand Eight Hundred Eighty-Five and 00/100 Dollars (\$35,885.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Four Hundred Thirty Thousand Six Hundred Twenty and 00/100 Dollars (\$430,620.00) for such year of operation.” **For the period of operation from January 1, 2023 to December 31, 2023, Berea will pay Strongsville at an increased rate of pay of Thirty-Eight Thousand Thirty-Seven and 50/100 Dollars (\$38,037.50) per month by the first of each month for Dispatch Services provided in that month, for a total of Four Hundred Fifty-Six Thousand Four Hundred Fifty and 00/100 Dollars (\$456,450.00) for such year of operation.**

* * *

2. This Seventh Amendment to Agreement amends, modifies and supplements the Agreement effective January 1, 2023 only as specifically set forth herein. All rights and obligations of Strongsville and Berea under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

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

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

Signed in the presence of:



CITY OF BEREA
("Berea")

By: 
Cyril M. Kleem, Mayor

CITY OF STRONGSVILLE
("Strongsville")

By: _____
Thomas P. Perciak, Mayor

CERTIFICATE OF FINANCE DIRECTOR

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

1/3/2023
Date


Andrea Morris, Finance Director, City of Berea

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

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 3 day of Jan 2023


Barbara Jones, Law Director

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

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this ____ day of _____, _____.

Neal M. Jamison, Law Director

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 011

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF FIFTY NEW GLOCK HANDGUNS, MODEL 45 MOS-7 9 MM, FOR USE BY THE CITY OF STRONGSVILLE POLICE DEPARTMENT, AND FOR TRADE-IN OF EXISTING OBSOLETE GUNS AND MAGAZINES, AND TO HAVE THE CREDIT APPLIED TO THE PURCHASE PRICE, AND DECLARING AN EMERGENCY.

WHEREAS, the Police Department of the City of Strongsville has various guns and magazines which are obsolete and no longer useful for municipal public purposes; and

WHEREAS, therefore, the Police Department is in immediate need of replacing the obsolete guns with fifty (50) new Glock handguns, Model 45 MOS-7 9mm, with certain appurtenances, as reflected on Exhibit A attached hereto and incorporated herein; and

WHEREAS, pursuant to Article IV, §3(e) of the City Charter, the Director of Finance is authorized to sell obsolete or surplus equipment in such manner as Council may by ordinance authorize; and

WHEREAS, this Council is desirous of having the Director of Finance sell and trade-in the existing guns and magazines, and have the selling price credited against the purchase price of the new Glock handguns.

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 that the City's Police Department is in need of fifty (50) new Glock handguns with certain appurtenances, which can be obtained most competitively through **VANCE'S LAW ENFORCEMENT**.

Section 2. That this Council further finds and determines that there is an immediate and present emergency in the operation of the Police Department of the City of Strongsville in that the Police Department has fifty-one (51) guns and magazines which are obsolete and no longer needed for any municipal purpose, and further finds that it will be in the best interests of the City to sell such guns and magazines, and have the selling price applied as a credit against the purchase of fifty (50) new Glock handguns, pursuant to O.R.C. §721.15.

Section 3. That, for the reasons aforesaid, the Mayor be and is hereby authorized to enter into an agreement with **VANCE'S LAW ENFORCEMENT** for the purchase of fifty (50) new Glock handguns, Model 45 MOS-7 9mm, with certain appurtenances, in the amount of \$45,248.00, as more fully set forth in Exhibit A, attached hereto and incorporated herein by reference; including the sale of the obsolete fifty-one (51) guns and magazines, in the total amount of \$11,565.00, as more fully set forth in Exhibit A, and providing that the sale price be credited towards the purchase price of the fifty (50) new Glock handguns, in order that the net contract price for the purchase of the new Glock handguns shall not exceed \$33,683.00, and in a form to be approved by the Law Director.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 011

Page 2

Section 4. That the funds for the purposes of said contract have been appropriated and shall be paid from the General Fund.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to maintain continuity of services in the operation of the City of Strongsville Police Department, to ensure that officers are in possession of proper and current equipment to provide for the safety and welfare of the public, 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.

President of Council
Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-011 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



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Obetz, OH 43207
ph (614)489-5025
fx (614)489-5077

Account Name STRONGSVILLE POLICE DEPARTMENT
Contact Name Lt. Patrick Russo
Bill To 16099 FOLTZ PARKWAY
FINANCE DEPT.
STRONGSVILLE, OH 44149
Phone (440) 580-3242
Email patrick.russo@strongsville.org

Date 1/9/2023
Quote Number 00050557
Prepared By Ryan Whitman

Quantity	Style	Product Family	Description	Unit Quantity	Sales Price	Total Price
50.00	PA455302MOS7A1	Glock	Model 45 MOS-7 9mm w/ 4.02" Bbl, Direct Mounted Aimpoint ACRO P2 Optic, AmeriGlo Suppressor Height Black Metal Sights (no tritium), Front Serrations, (3) 17-Round Magazines, (2) Beavertail Backstraps, Hard Case and Cable Lock	Each	\$904.96	\$45,248.00

Subtotal	\$45,248.00
Trade In Value	\$11,565.00
Shipping and Handling	\$0.00
Tax	\$0.00
Quote Grand Total	\$33,683.00

Trade In Notes

Qty. (43) Springfield Armory XD Full Size .45ACP pistols with Night Sights and (3) 13rd magazines @ \$225.00 each = \$9675.00

Qty. (7) Springfield Armory XD Compact Size .45ACP pistols with Night Sights and (3) 13rd magazines @ \$225.00 each = \$1575.00

Qty. (1) Smith and Wesson Model 60 .38spl revolver with standard sights and 2" barrel @ \$225.00

Qty. (18) Springfield Armory XD Full Size .45ACP 13rd magazines @ \$5.00 each = \$90.00

Payment Details

Net 30 ☒
Check ☐
Credit Card ☐

Number of Days
Quote Valid

Quote Valid 30 Days

Name _____

CC # _____

Office Use Only

TRADE VALUES ARE FOR STORE CREDIT ONLY --- NO CASH VALUE

Expires _____ CRV CODE _____
CREDIT CARDS OVER \$1,000 incur a 3% SURCHARGE

EXHIBIT A

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 012

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACTS
FOR THE PURCHASE OF VARIOUS HANDGUN ACCESSORIES
AND APPURTENANCES FOR USE BY THE POLICE
DEPARTMENT OF THE CITY, WITH THE SALE, TRADE-IN AND
CREDIT FOR VARIOUS OBSOLETE MUNICIPAL EQUIPMENT,
AND DECLARING AN EMERGENCY.**

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

WHEREAS, this Council wishes to take advantage of that opportunity to purchase various handgun accessories (Schedule/Contract No. RS900319, Index No. GDC004) for use by the Police Department of the City; and

WHEREAS, the Police Department has various handgun accessories and equipment that are obsolete and, therefore, no longer needed for municipal public purposes; and

WHEREAS, pursuant to Article IV, §3(e) of the City Charter, the Director of Finance is authorized to sell obsolete or surplus equipment in such manner as Council may by ordinance authorize; and

WHEREAS, this Council is desirous of having the Director of Finance sell and trade-in the existing obsolete equipment, and have the selling prices credited against the purchase price of the new accessories and appurtenances.

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 that the Police Department of the City of Strongsville has various handgun accessories and equipment, which are obsolete, and therefore, are no longer needed for any municipal purpose, and further finds that it will be in the best interests of the City to sell and trade-in such equipment through State contract, and have the selling prices applied as a credit against the purchase of the new accessories and appurtenances all directly related to the purchase of new handguns.

Section 2. That the Mayor accordingly be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in Ohio Department of Administrative Services contracts with **VANCE'S LAW ENFORCEMENT**, for the purchase of various handgun accessories and appurtenances, and for the sale and trade-in of the various obsolete equipment for the value and amount of \$12,900.00, and providing that such sale price be credited towards the purchase price of the new accessories and appurtenances, which total \$29,360.25, thereby resulting in a total net contract price for the new equipment plus trade-ins, in an amount not to exceed \$16,460.25, all as reflected on the quote summary attached hereto

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 012
Page 2

in an amount not to exceed \$16,460.25, all as reflected on the quote summary attached hereto as Exhibit A, and the list of trade-in values set forth on such attached Exhibit, all incorporated herein.

Section 3. That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases, and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

Section 4. That the Mayor and Director of Finance be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Administrative Services Cooperative Purchasing Program.

Section 5. That the funds for the purposes of said contract have been appropriated and shall be paid from the General Fund.

Section 6. 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 7. 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 maintain continuity of services in the operation of the City of Strongsville Police Department, to ensure that officers are in possession of proper and current equipment to provide for the safety and welfare of the public, 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: _____

Yea

Nay

Attest: _____
Clerk of Council

Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

Ord. No. 2023-012 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



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ph (614)471-0712	ph (614)489-5025
fx (614)471-2134	fx (614)489-5077

Account Name	STRONGSVILLE POLICE DEPARTMENT	Date	1/9/2023
Contact Name	Lt. Patrick Russo	Quote Number	00050559
Bill To	16099 FOLTZ PARKWAY FINANCE DEPT. STRONGSVILLE, OH 44149	Prepared By	Ryan Whitman
Phone	(440) 580-3242		
Email	patrick.russo@strongsville.org		

Quantity	Style	Product Family	Description	Unit Quantity	Sales Price	Total Price
35.00	69424	Streamlight	TLR-7A Flex - Includes high switch, low switch, CR123A lithium battery, and key kit - Black	Each	\$110.20	\$3,857.00
50.00	7360RDS-28327-41X	Safariland	Model 7360RDS 7TS ALS/SLS Mid-Ride Level III Retention Duty Holster for Glock 45MOS w/ ACRO P2 & TLR-7A, Plain Black Finish (85 RH / 5 LH)	Each	\$121.50	\$6,075.00
10.00	7378RDS-28327-41X	Safariland	7378RDS 7TS ALS Concealment Holster with Paddle & Belt Loop Combo for Glock 45MOS w/ ACRO P2 & TLR-7A, Plain Black Finish (18 RH / 2 LH)	Each	\$87.80	\$878.00
10.00	7304RDS-28327-41X	Safariland	7304RDS 7TS ALS Tactical Level I Retention Holster for Glock 45MOS w/ ACRO P2 & TLR-7A, Plain Black Finish (Specify RH/LH)	Each	\$183.45	\$1,834.50
90.00	77-83-41X	Safariland	Model 77 Double Magazine Pouch for Glock 45, STX Plain Black Finish (Specify Black, Chrome, Brass or Hidden Snaps)	Each	\$24.50	\$2,205.00
15.00	573-83-41x	Safariland	Magazine Holder and Handcuff Pouch - STX Finish(will specify RH, LH)	Each	\$28.45	\$426.75
20.00	90225	Hornady	Critical Duty 9mm Luger +P 135gr. FlexLock	500 rds	\$270.40	\$5,408.00
60.00	USA9MM1	Winchester	USA 9mm Luger 147gr. FMJ- Flat Nose	500 rds	\$122.40	\$7,344.00
10.00	WC93	Winchester	WinClean 9mm Luger 147gr. Brass Enclosed Base	500 rds	\$133.20	\$1,332.00

Subtotal	\$29,360.25
Trade In Value	\$12,900.00
Shipping and Handling	\$0.00
Tax	\$0.00
Quote Grand Total	\$16,460.25

Trade In Notes

Qty. (30) Streamlight TLR-1s weapon mounted flashlights @ \$40.00 each = \$1200.00
 Qty. (250) 50rd boxes of Remington Golden Sabre .45ACP 230gr Bonded JHP @ \$16.00 each = \$4000.00
 Qty. (300) 50rd boxes of Winchester WinClean .45ACP 230gr BEB (WC452) @ \$11.00 each = \$3300.00
 Qty. (400) 50rd boxes of Winchester USA.45ACP 230gr FMJ (Q4170) @ \$11.00 each = \$4400.00

Payment Details

Net 30



Number of Days

EXHIBIT A



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fx (614)489-5077

Check



Credit Card



Name _____

CC # _____

Expires _____ CRV CODE _____
CREDIT CARDS OVER \$1,000 incur a 3% SURCHARGE

Quote Valid

Quote Valid 30 Days

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CONTRACT #RS900319*****

AMMUNITION WILL BE PICKED UP IN STORE
BY AGENCY TO ELIMINATE SHIPPING
CHARGES -- WILL DELIVER TRADE IN AMMO
AT THAT TIME

TRADE VALUES ARE FOR STORE CREDIT
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