



City of Strongsville

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

May 15, 2008

City Council

Mark A. Roth, III
Ward 3

Patrick J. Coyne
At Large

Michael J. Daymut
Ward 1

Joseph C. DeMio
At Large

Raymond L. Haseley
Ward 2

Michael J. Gallagher
President of Council
Ward 4

James A. Kaminski
President Pro Tem
At Large

Leslie J. Seefried, MMC
Clerk of Council
leslie.seefried@strongsville.org

Patricia J. Stewart, CMC
Assistant Clerk of Council
pat.stewart@strongsville.org

MEETING NOTICE

The following meetings have been scheduled by Council for **Monday, May 19, 2008**, to be held in the Caucus Room and the Council Chamber at the Strongsville Municipal Building, 18688 Royalton Road:

- | | |
|------------------|---|
| 7:30 P.M. | <u>Planning, Zoning and Engineering Committee</u> will meet to discuss Ordinance 2008-093 and Resolution 2008-112. |
| 7:35 P.M. | <u>Economic Development and Technology Committee</u> will meet to discuss Ordinance 2008-102; and any other pertinent matters. |
| 7:40 P.M. | <u>Public Service and Conservation Committee</u> will meet to discuss Resolution 2008-113. |
| 7:45 P.M. | <u>Public Safety and Health Committee</u> will meet to discuss Ordinance 2008-114. |
| 8:00 P.M. | <u>Regular Council Meeting</u> |

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

BY ORDER OF THE COUNCIL.

Leslie J. Seefried, MMC
Clerk of Council

AGENDA FOR THE REGULAR STRONGSVILLE COUNCIL MEETING

MONDAY, MAY 19, 2008 AT 8:00 P.M.

Council Chamber
18688 Royalton Road, Strongsville, Ohio



1. CALL TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. CERTIFICATION OF POSTING:

4. ROLL CALL:

5. COMMENTS ON MINUTES:

- Regular Council Meeting – May 5, 2008

6. APPOINTMENTS AND CONFIRMATIONS:

7. REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher:

SCHOOL BOARD – Mr. Roth:

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:

PUBLIC SERVICE AND CONSERVATION – Mr. Kaminski:

PUBLIC SAFETY AND HEALTH – Mr. DeMio:

PLANNING, ZONING AND ENGINEERING – Mr. Haseley:

FINANCE – Mr. Coyne:

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut:

BUILDING AND UTILITIES – Mr. Roth:

COMMITTEE-OF-THE-WHOLE – Mr. Gallagher:

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

MAYOR PERCIAK:

FINANCE DEPARTMENT - Mr. Batke:

LAW DEPARTMENT- Mr. Kraus:

9. AUDIENCE PARTICIPATION.

10. ORDINANCES AND RESOLUTIONS.

Ordinance No. 2008-093 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING SECTION 1262.04 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING MAIN USES IN GENERAL INDUSTRIAL DISTRICTS. 1st rdg: 4-21-08.

Ordinance No. 2008-102 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE OHIO ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE CITY OF STRONGSVILLE AND WORLD ALMANAC EDUCATION GROUP, INC. TO REDUCE THE NUMBER OF NEW FULL-TIME PERMANENT JOB OPPORTUNITIES, REDUCE THE ADDITIONAL ANNUAL PAYROLL, AND TO REDUCE THEIR PERSONAL PROPERTY TAXES FOR 2007 AND THEREAFTER, AND DECLARING AN EMERGENCY. 1st rdg: 5-5-08.

Resolution No. 2008-112 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND TELEPHONE CABINET AND POWER CABINET IN A UTILITY EASEMENT LOCATED AT 15939 DRAKE ROAD IN THE CITY OF STRONGSVILLE

Resolution No. 2008-113 by Mayor Perciak and Mr. Kaminski. A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY AND WAIVING THE TRANSFER FEE. (Kroupa/Bennett's Corner Church)

Ordinance No. 2008-114 by Mayor Perciak. AN ORDINANCE ESTABLISHING THE MAXIMUM NUMBER OF UNIFORMED OFFICERS IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

- Application for Liquor Permit – NEW – D5 – To: KP Pearl LLC, **13339 Pearl Road**, Strongsville, OH 44136. (Responses must be postmarked no later than 06/02/2008)

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2008 -093

By: Mayor Perciak and Mr. Haseley

AN ORDINANCE AMENDING SECTION 1262.04 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING MAIN USES IN GENERAL INDUSTRIAL DISTRICTS.

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

Section 1. That Section 1262.04 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

1262.04 USE REGULATIONS; GENERAL INDUSTRIAL (GI) DISTRICT.

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

(a) Main Uses Permitted.

(1) Office, laboratories, services, sales, storage and manufacturing uses permitted in Research-Development and Commercial Services Districts: **with the exception of outdoor kennels.**

(2) Manufacturing processes conducted wholly within an enclosed building: cutting, forging, stamping, casting, extrusion, drilling, machining, welding, brazing, soldering, sawing, cleaning, shot and sand blasting, grinding, enameling, painting, galvanizing, finishing, heat-treating and rustproofing, as a component process in connection with the production and assembly of products.

(3) Other industrial processes and uses:

A. Blending, mixing and packaging of disinfectants, insecticides, fungicides, ink, soap, detergents and related household and industrial chemical compounds, but excluding the preparation of any primary acids or other primary chemicals;

B. Making of metal alloy products from brass, bronze, pewter, tin, lead or aluminum, but excluding the smelting or founding of such metals; and

(4) The following uses may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code.

- A. Bulk distribution station for gasoline and oil.
- B. Day care facilities.
- C. Wireless telecommunication facilities in accordance with the provisions of C.O. Chapter 1273.
- D. Active and passive recreation and physical fitness facilities.

(b) Similar Main Uses Permitted. Any other manufacturing use not listed above or in any use classification of another district and determined to be similar by the Planning Commission according to standards set forth in Section 1242.08 of the Zoning Code.

(c) Accessory Uses Permitted.

(1) Storage of materials and products and processes clearly accessory to the main use;

(2) Signs: industrial, project, real estate, identification and directional, as set forth in Chapter 1272 of this Zoning Code;

(3) Off-street parking and loading facilities as required and set forth in Chapter 1270 of this Zoning Code;

(4) Oil and gas well drilling, operation and maintenance, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code; and

(5) Active and passive recreation and physical fitness facilities, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code.

~~(Ord. 2002-29. Passed 1-6-03.)~~

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 shall take effect and be in force from and after the earliest period allowed by law.

First reading: 4/21/08

Referred to Planning Commission

Second reading: _____

Third reading: _____

Approved: _____

Public Hearing: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2008 – 093
Page 3

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

Attest: _____
Clerk of Council

ORD. No.	<u>2008.093</u>	Removed:	_____
1st Rdg.	<u>4/21/08</u>	Ref:	<u>PC/PZE</u>
2nd Rdg.	_____	Ref:	_____
3rd Rdg.	_____	Red:	_____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2008 - 093

By: Mayor Perciak and Mr. Haseley

AN ORDINANCE AMENDING SECTION 1262.04 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING MAIN USES IN GENERAL INDUSTRIAL DISTRICTS, AS AMENDED.

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

Section 1. That Section 1262.04 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

1262.04 USE REGULATIONS; GENERAL INDUSTRIAL (GI) DISTRICT.

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

(a) Main Uses Permitted.

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

(2) Manufacturing processes conducted wholly within an enclosed building: cutting, forging, stamping, casting, extrusion, drilling, machining, welding, brazing, soldering, sawing, cleaning, shot and sand blasting, grinding, enameling, painting, galvanizing, finishing, heat-treating and rustproofing, as a component process in connection with the production and assembly of products.

(3) Other industrial processes and uses:

A. Blending, mixing and packaging of disinfectants, insecticides, fungicides, ink, soap, detergents and related household and industrial chemical compounds, but excluding the preparation of any primary acids or other primary chemicals;

B. Making of metal alloy products from brass, bronze, pewter, tin, lead or aluminum, but excluding the smelting or founding of such metals; and

(4) The following uses may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code.

- A. Bulk distribution station for gasoline and oil.
- B. Day care facilities.
- C. Wireless telecommunication facilities in accordance with the provisions of C.O. Chapter 1273.
- D. Active and passive recreation and physical fitness facilities.

(b) Similar Main Uses Permitted. Any other manufacturing use not listed above or in any use classification of another district and determined to be similar by the Planning Commission according to standards set forth in Section 1242.08 of the Zoning Code.

(c) Accessory Uses Permitted.

(1) Storage of materials and products and processes clearly accessory to the main use;

(2) Signs: industrial, project, real estate, identification and directional, as set forth in Chapter 1272 of this Zoning Code;

(3) Off-street parking and loading facilities as required and set forth in Chapter 1270 of this Zoning Code;

(4) Oil and gas well drilling, operation and maintenance, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code; and

(5) Active and passive recreation and physical fitness facilities, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code.

~~(Ord. 2002-29. Passed 1-6-03.)~~

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 shall take effect and be in force from and after the earliest period allowed by law.

First reading: (ORIG) 4-21-08

Referred to Planning Commission

Second reading: _____

Third reading: _____

Approved: _____

Public Hearing: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2008 – 093
Page 3

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

Attest: _____
Clerk of Council

ORD. No. 2008-093 (SUB) Removed: _____
(orig) 4-21-08 Ref: PC/P2E
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Red: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2008 - 102

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE OHIO ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE CITY OF STRONGSVILLE AND WORLD ALMANAC EDUCATION GROUP, INC. TO REDUCE THE NUMBER OF NEW FULL-TIME PERMANENT JOB OPPORTUNITIES, REDUCE THE ADDITIONAL ANNUAL PAYROLL, AND TO REDUCE THEIR PERSONAL PROPERTY TAXES FOR 2007 AND THEREAFTER, AND DECLARING AN EMERGENCY.

WHEREAS, on or about July 5, 2005, the City and World Almanac Education Group, Inc. entered into an Ohio Enterprise Zone Agreement (the "Agreement"), duly approved by all required governmental entities in accordance with law, to replace its then existing facility in Garfield Heights, Ohio by leasing a new facility to be constructed in Strongsville and to accommodate the warehousing and office facility and related improvements, and the acquisition and installation of various furniture, fixtures and personal property for its business of selling books to schools and public libraries (hereinafter referred to as the "Project"); and

WHEREAS, pursuant to the Agreement, World Almanac Education Group, Inc. agreed to create and/or relocate to the Project site by June 30, 2009, or such later time as agreed to in writing by the City, the equivalent of approximately 87 full-time permanent jobs (of which 30 would be new), and up to 22 full-time temporary jobs, and some \$830,000.00 of additional annual payroll based upon the increase in the number of new permanent, full-time employees; and

WHEREAS, the City's Tax Incentive Review Council met on March 14, 2008, reviewed the Agreement, and has recommended to City Council that the number of new full-time permanent job opportunities be reduced from 30 to 10 jobs; and that the additional annual payroll resulting from such additional new jobs be reduced from \$830,000.00 to \$318,000.00; and that their personal property taxes be reduced from 75 percent to 50 percent for the 2007 year and thereafter, and

WHEREAS, City Council, by and through Resolution No. 2008- 101, approved and accepted the recommendations of the City's Tax Incentive Review Council, and now desires to implement such recommendations;

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

Section 1. That the Mayor be and is hereby authorized and directed to enter into an Amendment to Ohio Enterprise Zone Agreement with World Almanac Education

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2008 – 102
Page 2

Group, Inc. in substantially the form attached hereto as Exhibit A, in order to reduce the number of full-time permanent job opportunities from 30 to 10 jobs; reduce the additional annual payroll resulting from such additional new jobs from \$830,000.00 to \$318,000.00; and reduce their personal property taxes from 75 percent to 50 percent for the 2007 year and thereafter; and

Section 2. That World Almanac Education Group, Inc. shall take all necessary actions to ensure compliance with the modification to the number of new full-time permanent and new part-time permanent job opportunities and the annual payroll.

Section 3. That the Mayor, Director of Economic Development, Director of Finance and other appropriate officers of the City be and hereby are authorized to execute all documents and/or instruments and do all things necessary to implement and effectuate the aforesaid tax exemption reduction in accordance with law.

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 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 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 enter into such Amendment to Ohio Enterprise Zone Agreement to facilitate and effectuate economic development 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: _____

Attest: _____
Clerk of Council

ORD. No. 2008-102 Removed: _____
1st Rdg. 5-5-08 Ref: ECON.DEV./TECH
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Red: _____

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

CITY OF STRONGSVILLE

**AMENDMENT TO
OHIO ENTERPRISE ZONE AGREEMENT
(World Almanac Education Group, Inc.)**

This Amendment to Ohio Enterprise Zone Agreement is made and entered into as of the _____ day of _____, 2008, by and between the **CITY OF STRONGSVILLE, OHIO**, a municipal corporation organized under the laws of the State of Ohio, with its main offices located at 16099 Foltz Parkway, Strongsville, Ohio 44149 (hereinafter referred to as the "City") and **WORLD ALMANAC EDUCATION GROUP, INC.**, a Delaware corporation, with its principal offices located at 512 Seventh Avenue, New York, New York 10018 (hereinafter referred to as the "Company").

WITNESSETH THAT:

WHEREAS, on or about July 5, 2005, the City and Company entered into an Ohio Enterprise Zone Agreement (the "Agreement"), duly approved by all required governmental entities in accordance with law, to replace its then existing facility in Garfield Heights, Ohio by leasing a new facility to be constructed in Strongsville and to accommodate the warehousing and office facility and related improvements, and the acquisition and installation of various furniture, fixtures and personal property for its business of selling books to schools and public libraries (hereinafter referred to as the "Project"); and

WHEREAS, pursuant to the Agreement, the Company agreed to create and/or relocate to the Project site by June 30, 2009, or such later time as agreed to in writing by the City, the equivalent of approximately 87 full-time permanent jobs, and up to 22 full-time temporary jobs, and some \$830,000.00 of additional annual payroll based upon the increase in the number of new permanent, full-time employees; and

Eyh. A

WHEREAS, the City's Tax Incentive Review Council met on March 14, 2008, reviewed the Agreement, and has recommended to City Council that the number of new full-time permanent job opportunities be reduced from 30 to 10 jobs; and that the additional annual payroll resulting from such additional new jobs be reduced from \$830,000.00 to \$318,000.00; and that their personal property taxes be reduced from 75 percent to 50 percent for the 2007 year and thereafter; and

WHEREAS, City Council, by and through Resolution No. 2008-_____, approved and accepted the recommendations of the City's Tax Incentive Review Council, and now desires to implement such recommendations;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the respective benefits to be derived by all of the parties hereto from the execution of this Amendment, the parties herein agree as follows:

Section 1. That Section 2 of the Agreement be and is hereby amended to read in its entirety as follows:

"Section 2. The Company shall create in the Enterprise Zone by June 30, 2009, or by such later time as may be agreed to in writing by the City, the equivalent of approximately ~~87~~ 67 full-time permanent jobs, 0 part-time permanent jobs, up to 22 full-time temporary jobs and 0 part-time temporary jobs. The creation of jobs in the Enterprise Zone consists of the relocation of those 57 permanent full-time jobs and up to 22 full-time temporary jobs from the Company's current facilities in Garfield Heights, Ohio and the addition of ~~30~~ 10 full-time permanent jobs.

The Company's projected schedule for transferring and hiring employees is as follows:

<u>Time Period</u> <u>Ending</u>	No. of Permanent Full-Time Jobs <u>Added in Time Period</u>	No. of Permanent Part-Time Jobs <u>Added in Time Period</u>	No. of Temporary Full-Time Jobs Added <u>in Time Period</u>
2005	57 0	0	22 0
2006	18 0	0	0 22
2007	7 5	0	0
2008	5 5	0	0

It is estimated that all jobs will be in place by December 31, 2008.

The Company currently has 57 full-time employees, 0 part-time permanent employees, up to 22 full-time temporary employees and 0 part-time temporary employees in the State of Ohio.

The increase in the number of employees will result in approximately \$830,000 \$318,000 of additional annual payroll from the 30 10 new permanent full-time jobs. The retention of existing Ohio jobs will maintain the current annual payroll of approximately \$2,001,748 for the existing 57 permanent full-time and up to 22 temporary jobs.”

Section 2. That Section 4 of the Agreement be and is hereby amended to read in its entirety as follows:

“Section 4. The City hereby grants to the Company a tax exemption pursuant to Sections 5709.63, 5709.632 and 5709.633 of the Ohio Revised Code, for eligible new tangible personal property acquired and first used in business at the Project Site in connection with the Project, and will only apply to the investment limits expressed in the Project description as defined in Sections 1 and 4 of this Agreement, and which exemption shall be in the amounts and for the number of years as follows:

<u>Year of Tax Exemption</u>	<u>Percentage of Assessed Valuation of Tangible Personal Property Exempted</u>
1 [2006]	75%
2 [2007]	75 50
3	75 50
4	75 50
5	75 50
6	75 50
7	75 50
8	75 50
9	75 50
10	75 50

Each item of eligible tangible personal property will receive a ten (10) year exemption period. The minimum investment for tangible personal property to qualify for the exemption is \$1,000,000 to purchase machinery and equipment first used in business at the facility as a result of the project and \$[75,000] for furniture and fixtures and other noninventory personal property first used in business at the facility as a result of the project. The maximum investment for tangible personal property to qualify for the exemption is \$3,000,000 to purchase machinery and equipment first used in business at the facility as a result of the project and \$175,000 for furniture and fixtures and other noninventory personal property first used in business at the facility as a result of the project. The exemption commences the first year for which the tangible personal property would first be taxable were that property not exempted from taxation. No personal property tax exemption for the Project shall commence after December 31, 2007 or extend beyond December 31, 2016. In no instance shall any tangible personal property be exempted from taxation for more than ten return years unless under division (D)(2) of section 5709.62 or under division (C)(1)(b) of section 5709.63 of the Revised Code, the board of education approves exemption for a number of years in excess of ten, in which

case the tangible personal property may be exempted from taxation for that number of years, not to exceed fifteen years. The Company shall file the appropriate tax forms with the County Auditor and with the State Department of Taxation to effect and maintain the exemptions covered in this Agreement.”

Section 3. The Company shall take all necessary actions to ensure compliance with the modification to the number of new full-time permanent job opportunities, the annual payroll described in Section 1 hereof, and the reduction in the personal property taxes for the 2007 year and thereafter.

Section 4. This Amendment to Ohio Enterprise Zone Agreement amends, modifies and supplements the Agreement only as specifically set forth herein. All rights and obligations of the City and the Company under the Agreement and all other provisions not specifically amended herein remain unmodified, and in full force and effect.

Section 5. This Amendment is subject to approval by the City including, but not limited to, approval by the Council of the City of Strongsville in accordance with law; and is further subject to any approvals and/or notifications which may be required by the State of Ohio, the Ohio Department of Taxation, the Ohio Department of Development, and/or the Board of Commissioners of Cuyahoga County, if any.

Section 6. The parties agree to execute whatever other documents and/or instruments may be reasonably required in order to implement and effectuate the within Amendment in accordance with law.

IN WITNESS WHEREOF, the City of Strongsville, Ohio, by its Mayor and pursuant to Ordinance No. 2008-_____, has caused this instrument to be executed this ____ day of _____, 2008; and the Company, World Almanac Education Group, Inc., by its

duly authorized officer, has caused this instrument to be executed on this _____ day of _____, 2008.

“CITY”

CITY OF STRONGSVILLE, OHIO

By: _____
Thomas P. Perciak, Mayor

“COMPANY”

**WORLD ALMANAC EDUCATION
GROUP, INC.**

By: _____

Title: _____

CERTIFICATE OF LAW DIRECTOR OF THE CITY OF STRONGSVILLE

I have reviewed and approved the legal form of the foregoing instrument this ____ day of _____, 2008.

Kenneth A. Kraus, Law Director

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2008 - 112

By: Mayor Perciak and Mr. Haseley

A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND TELEPHONE CABINET AND POWER CABINET IN A UTILITY EASEMENT LOCATED AT 15939 DRAKE ROAD IN THE CITY OF STRONGSVILLE.

WHEREAS, AT&T Corporation has submitted a site plan to the Planning Commission for approval of the construction and installation of an above-ground telephone cabinet and power cabinet in a utility easement located at 15939 Drake Road (PPN 397-33-017) zoned Public Facilities; and

WHEREAS, the Commission approved said plan at its meeting of May 8, 2008;

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

Section 1. That this Council hereby confirms the approval of the City's Planning Commission of the site plan submitted by AT&T Corporation for the construction and installation of an above-ground telephone cabinet and power cabinet in a utility easement located at 15939 Drake Road (PPN 397-33-017).

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: _____

Attest: _____
Clerk of Council

RES.
ORD. No. 2008-112 Removed: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2008 - 113

By: Mayor Perciak and Mr. Kaminski

A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY AND WAIVING THE TRANSFER FEE.

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 1060.09, this Council hereby authorizes the Sexton to transfer the certificates for burial rights in the Strongsville Municipal Cemetery for Graves D, F and H in Lot 50 of Section C from the estate of Eileen Kroupa to Bennett's Corner Church; and further waives the City's right to repurchase such lots.

Section 2. That pursuant to Codified Ordinance 1060.05, Council has the authority to waive fees for exceptional and meritorious causes; that Bennett's Corner Church is hereby found to be a religious and charitable organization; and that the fee for said transfer of certificates for burial rights is therefore hereby waived;

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: _____

Attest: _____
Clerk of Council

RES.
ORD. No. 2008-113 Removed: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2008 - 114

By: Mayor Perciak

AN ORDINANCE ESTABLISHING THE MAXIMUM NUMBER OF UNIFORMED OFFICERS IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 250.01(a) of the Codified Ordinances of the City of Strongsville establishes the membership of the uniformed ranks of the Police Department; and

WHEREAS, Section 250.01(b) of the Codified Ordinances of the City of Strongsville provides that the number of members of each rank of officer in the Police Department shall be as authorized by Council; and

WHEREAS, this Council previously established the maximum number of uniformed officers in the Police Department through adoption of Ordinance No. 2005-170 on September 6, 2005; and

WHEREAS, upon recommendation of the Safety Director and Chief of Police, Council now has determined that it would be in the City's best interests to increase the number of lieutenant positions from six (6) to eight (8) in the Police Department; and

WHEREAS, the maximum number of Patrol Officers set forth requires clarification, so that it accurately reflects actual current and historical staffing numbers as relates to the total number of sworn officers authorized in the Department;

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

Section 1. That, pursuant to Section 250.01(b) of the Codified Ordinances of the City of Strongsville, this Council hereby establishes the maximum number of members of each rank of officer in the Police Department as follows:

Rank	Maximum Number
Chief	1
Assistant Chief/Deputy Chief	2*
Lieutenant	6 ** 8**
Sergeant	11
Officer (Patrol)	58 60

*Pursuant to the Collective Bargaining Agreement between the Fraternal Order of Police, Parma Lodge #15 (Sergeants and Lieutenants Unit) and

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the City, the Chief of Police may select up to two (2) Lieutenants to fill the position of Assistant Chief/Deputy Chief.

**This number shall include any Lieutenant(s) designated by the Chief of Police as Assistant Chief/Deputy Chief.

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

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

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 reasons that it is necessary to provide for continuity in the operation of the Police Department, comply with applicable Civil Service requirements, 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: _____

Attest: _____
Clerk of Council

ORD. No. 2008-114 Removed: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Red: _____

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