

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 18, 2009.

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on **Monday, May 18, 2009 at 7:20 p.m.**

Present: Council Members: Patrick J. Coyne, Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley, and Mark A. Roth. Also Present: Clerk of Council, Leslie Seefried. Administration: Law Director Kenneth A. Kraus, Finance Director Donald C. Batke, Service Director Joseph M. Walker, City Engineer Ken Mikula, Building Commissioner Anthony J. Biondillo, Recreation Director Stephen F. Kilo, Communication and Technology Director John Bedford, Human Resources Director Anthony Urankar, Police Chief Charles Goss, and Assistant Fire Chief Greg Brown.

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering: Chairman Coyne recommended suspension and adoption for Ordinance 2009-083, amending the Master Sign Program for Westfield Shoppingtown Southpark Mall. He noted that the Planning Commission approved this item at its meeting of April 30, 2009.

Finance Committee: Chairman Dooner recommended suspension and adoption this evening for Ordinance 2009-084, making appropriations for the year 2009 and repealing Ordinance 2009-052, and for Resolution 2009-085, adopting alternative tax budget information for the fiscal year 2010.

Public Service and Conservation Committee: Chairman Haseley recommended suspension and adoption for Ordinance Nos. 2009-086, 2009-087, 2009-088, 2009-089, 2009-090 and 2009-0091, all dealing with the purchase of permanent and/or temporary easements from various property owners in connection with the Pearl Road Widening Project. Mr. Haseley recommended suspension and adoption for Resolution No. 2009-092, granting permission to transfer certain certificates of burial rights in the Strongsville Municipal Cemetery.

Building and Utilities Committee: Chairman Roth recommended suspension and adoption for Resolution No. 2009-093, authorizing the advertising of bids for lawn/landscape maintenance of certain nuisance abated and foreclosed properties within the City. Building Commissioner Biondillo provided Council members with an updated list of foreclosure properties within the City.

Recreation and Community Services Committee – Chairman Gallagher recommended suspension and adoption for Ordinance No. 2009-094, authorizing the sale by internet auction of certain obsolete property no longer needed for any municipal purpose by the Recreation Department.

Economic Development and Technology Committee: Chairman Daymut reminded all that the next Business Network breakfast meeting would be held on May 21st at 7 a.m. at the Event Center. PNC will sponsor the breakfast and a representative will speak about the loan program. He stated he would give the rest of his report on the floor.

President Gallagher asked if Council members had any issues or questions for the directors or the administration. There were no comments.

Councilman DeMio moved, seconded by Councilman Coyne, to adjourn from open session into executive session [Article XI, Section 9, City Charter] for the purpose of discussing legal matters with the Law Director. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:34 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher, Haseley and Roth. Also present were Law Director Kraus and Finance Director Batke. Motion was made by Mr. Coyne and seconded by Mr. Daymut to conclude the Executive Session and reconvene in open session. All members present voted aye and the motion carried. The executive session concluded at 7:50 p.m.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 18, 2009 IN THE COUNCIL CHAMBER AT THE STRONGSVILLE COMMUNICATIONS CENTER

CALL TO ORDER:

Council President Michael J. Gallagher called the meeting to order at 8:00 p.m. All joined in the Pledge of Allegiance to the Flag.

CERTIFICATION OF POSTING:

The Clerk of Council certified that the meeting had been posted in accordance with Ordinance No. 2004-273.

ROLL CALL:

Present: Council Members: Patrick J. Coyne, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley, Mark A. Roth III, and Michael J. Daymut. Also Present: Leslie Seefried, Clerk of Council. **Administration:** Thomas P. Perciak, Mayor; Kenneth A. Kraus, Law Director; Donald C. Batke, Finance Director; Joseph M. Walker, Service Director; Anthony J. Biondillo, Building Commissioner; Ken Mikula, City Engineer; Steve Kilo, Recreation Director; John Bedford, Communication and Technology Director; Tony Urankar, Human Resources Director; Charles Goss, Chief of Police; and Greg Brown, Assistant Chief of Fire.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of May 4, 2009 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

Mayor's appointment of a registered architect, Dale Serne, to a four (4) year term on the City's new Architectural Review Board, effective June 1, 2009 and expiring June 1, 2013

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's appointment of Dale Serne, registered architect, to the new Architectural Review Board. All members present voted aye and the motion carried.

APPOINTMENTS AND CONFIRMATIONS (cont'd):

Mayor's appointment of a landscape architect, Bill Boron, to a four (4) year term on the City's new Architectural Review Board, effective June 1, 2009 and expiring June 1, 2013.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's appointment of Bill Boron, landscape architect, to the new Architectural Review Board. All members present voted aye and the motion carried.

Mayor's appointment of a Delegate, Donald C. Batke, and Alternate Delegate, Joseph K. Dubovec, to the Regional Income Tax Agency (RITA) Regional Council of Governments.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's appointment of Donald C. Batke as Delegate and Joseph K. Dubovec as Alternate Delegate to the Regional Income Tax Agency (RITA) Regional Council of Governments. All members present voted aye and the motion carried.

Recognition of AFS and Rotary Foreign Exchange Students: AFS Student Laura Mathes of Germany, host family Neil and Donna Rozman; AFS Student Akiko Tsuda of Japan, host family Dennis and Maria Marella; Rotary Exchange Student Leo Martins of Brazil; host family Steve and Tammy Prichard.

The AFS and Rotary Foreign Exchange students were greeted by Mayor Perciak and presented with mementos from the City of Strongsville.

Proclamation recognizing Aimee Pientka, recipient of 2008 Ohio Solid Gold Award from the Ohio Chapters of the National Emergency Number Association(NENA) and the Association of Public Safety Communications Officials, International (APCO)

Mayor Perciak – This evening, we have a special Proclamation for Aimee Pientka, so Aimee, would you want to come up? Michael, you want to come up with me, please? Come on up here. We've got to get Mr. President up here, your boss; we wouldn't want to not have him here.

Mr. Gallagher – Actually, what I would like to do is maybe use the podium.

Mayor Perciak – You go right ahead, sir.

Mr. Gallagher – I just want to read a letter that was sent to us by Lieutenant Jeff Mason of the Strongsville Police Department regarding Aimee and what she did to be subject to the Solid Gold Award nomination here in Ohio. And it reads, in part: 'On Wednesday, March 5, 2008, Dispatcher Aimee Pientka, an eleven year veteran, was working the 2300-0700 shift with Dispatcher Rebecca Naymik. At approximately 2322 hundred hours, Dispatcher Pientka answered a 911 call and received a call from a female at a Strongsville residence reporting that a male with heart problems had passed out and was not breathing. She kept the caller on the line, dispatched a paramedic unit from the Strongsville Fire Department, and continued with what she suspected was a workable cardiac respiratory arrest. Over the eight minutes twelve seconds of the call, Dispatcher Pientka stepped the caller through CPR. What made this call especially challenging was that the caller was on a corded phone and put that phone down to execute each instruction. The caller went to a different room to perform each step of CPR and then would return to the phone for the next instruction.

APPOINTMENTS AND CONFIRMATIONS (cont'd):

Mr. Gallagher (cont'd) – ‘Dispatcher Pientka remained on the phone with the caller until the paramedics were on the scene and took over CPR. Finally, it is significant to mention that at the time of the 911 call, Dispatcher Aimee Pientka was nine months pregnant. Aimee’s husband, Frank, is a Strongsville police officer.’ When we were looking for an associate to join our Clerk of Council, we had many, many people apply and very, very good people apply. Aimee was clear and foremost of most everyone on the Council as far as who we wanted to step forward and fill the space that was vacated by Pat Stewart, one of our most beloved employees in the past many years. And Aimee, we obviously, not even knowing this about you, it even makes our decision to bring you on board, and even more important, your decision to honor us by coming on board, it makes everything just fine as far as who you are and the type of person that this City of Strongsville just stands forward and just respects and loves, and thank you very much. And this is just a little piece of you that we wanted to share with the Strongsville residents.

Mayor Perciak – Now Aimee, we have a Proclamation here from the entire City Council and from yours truly.

At this time, Mayor Perciak read the Proclamation congratulating Aimee Pientka as a recipient of the 2008 Ohio Solid Gold Award.

(Applause)

Aimee Pientka – I’m sorry. Thank you, members of Council, Leslie, and Mayor Perciak for this commendation. This means a lot to me, as it did when my previous supervisor, Lieutenant Jeff Mason, thought to nominate me for the Gold Star Award. I would just like to say that it was a privilege to work for Chief Goss and Chief Moody in the Dispatch Center and serve the residents of Strongsville in that capacity. And I appreciated you, Charlie, along with other representatives from the departments coming down to Columbus for the award program and supporting me. I would like Council and the Mayor to know that this particular call was a group effort. The men on the squad that responded to the call took over and kept that man alive until they could transport him to the hospital. In addition, my partner that night, Becky Naymik, covered the whole Dispatch Center, which consisted of answering all the incoming calls and all the radio traffic, while I was giving this woman CPR instructions. She is truly a professional, as well as the ten other women I had the privilege of working with. So thank you, you guys. Thank you.

(Applause)

APPOINTMENTS AND CONFIRMATIONS (cont'd):

Proclamation presented by Council to Mayor Perciak as recipient of Association for Health Care Philanthropy Midwest 2009 Distinguished Philanthropist Award (Award presented to Mayor on May 18, 2009 in Minneapolis, MN.)

Mr. Gallagher – Well, there's one last item of business. Once again, this will be easier for me. We have a Proclamation from the City Council, and it's to Mayor Perciak who is just recently honored for his giving to the Southwest Hospital community. I'll read the Proclamation. It's the best we could do for what you've done and there's more that you've done that we can't put into writing for the community itself and for many of us on Council. You've touched people and most importantly your family's touched people and we thought it appropriate, as little as this may be, to give you this Proclamation. The Mayor actually just got off a plane from receiving this honor.

At this time, Council President Gallagher read the Proclamation congratulating Mayor Tom Perciak as the recipient of Association for Health Care Philanthropy Midwest 2009 Distinguished Philanthropist Award.

(Applause)

Mayor Perciak – Thank you.

Mr. Haseley – You know you did all those things.

Mayor Perciak – A day of awards. Thank you very much. Gentlemen, thank you very much.

Mr. Gallagher – Thank you Mayor.

REPORTS OF COUNCIL COMMITTEES;

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth: Thank you, Mr. Gallagher. The next meeting-system board meeting...I'll be in attendance is Wednesday night at the hospital. A report will be forthcoming after that.

Mr. Gallagher – Thank you, Mr. Roth. Questions for Mr. Roth?

(None)

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. My school board meeting is Thursday, and I'll be in attendance there. A report will be forthcoming after that meeting.

Mr. Gallagher – Thank you, Mr. Roth. Questions for Mr. Roth?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: This evening there's one Ordinance before the Council, it's Ordinance 2009-094. It's an Ordinance authorizing the sale/internet auction of the obsolete and obscure items from the Recreation Center itself that we're no longer in need of. Recommendation is suspension and adoption. I'll take any questions.

(None)

PUBLIC SERVICE AND CONSERVATION – Mr. Haseley: Thank you Mr. Gallagher. We have several Ordinances on tonight's agenda; most of which deal with the purchase of permanent or temporary easements for the Pearl Rd. widening. They are all to be suspended and adopted, and I'll just list the Ordinance numbers: 2009-086, 2009-087, 2009-088, 2009-089, 2009,090, 2009-091. We also have a Resolution: 2009-092, which is a simple transfer for burial rights. That too is to be suspended and adopted. That concludes my report. I'll answer any questions.

Mr. Gallagher – Thank you Mr. Haseley. Questions for Mr. Haseley?

Mr. Roth – Yes, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Mr. Kraus, on all six of those widening Ordinances, does it take seven unanimous votes for that?

Mr. Kraus – Mr. President, Mr. Roth, no it does not. It would require five to suspend and five to adopt on an emergency basis this evening so we can proceed with the project.

Mr. Roth – In that case then, I will not be supporting it because I feel it is a waste of taxpayers' funds. The astronomical amounts that are being given to these people for sliver-couple feet of land in the neighborhood of-in some cases \$600,000.00 per acre. As much as I want to see the widening and I'm for the widening, I'm not for wasting taxpayers' funds in this case.

Mr. Gallagher – Mr. Roth, it's anything but the waste of taxpayers funds. It's doing business with the State of Ohio to widen the road, to access this city in 2009 that should have been done in 1975. I will grant you that if in 1975 this had been done or in 1990 if this had been done or even in 2000 if this had been done, massive savings would have occurred. As is what seems to be historical around here, we always wait till the last minute. This has been a project that has been on the books and when I got first got elected ten years ago, I was told 2025. Could you imagine what the cost would be then? So, while I appreciate and respect your position, I respectfully disagree with your conclusions as to the dollar figure. It is what it is and we're not going to get any lower. If there was a way to get lower, I absolutely guarantee this Administration and this Council would knock it down as substantially as possible. This is a project that is long overdue, and unfortunately we're paying the freight right now. So, let's look forward. Any other questions?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SAFETY AND HEALTH – Mr. DeMio: A very unusual-there is nothing for this Council regarding that Committee so if there are any issues that any Council members or Directors would like to share, I'm up for questions. Otherwise, I will close the Committee for tonight.

Mr. Gallagher – Thank you, Mr. DeMio. Questions for Mr. DeMio?

Mr. Roth – Yes.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Thank you Mr. Gallagher. The cable TV wires on Whitney Rd. just east of Whitney school. When I went there myself to take a look-contacted by a few homes, and sure enough they've always been historically low in that area and I know they have to stay a certain radius away from the high voltage wires; but they get extremely low just east of Whitney on Whitney. Some of the wires are nine foot above the ground and some teenagers who can hang on the rim can definitely hang on these wires. If there is anything the cable company can do- this work more in a workmanlike manner, pull up the slack, get them up to the twelve feet it is the rest of the roadway, would be appreciated for safety's sake.

Mr. Gallagher – Thank you Mr.-Ken, would it be possible if you would have Jennifer or one of your people take a look at that?

Mayor Perciak – We're going to have Mr. Bedford take care of it Mr. President.

Mr. Gallagher – Thank you Mayor. Anything further?

(None)

PLANNING, ZONING AND ENGINEERING –Coyne: Thank you Mr. Gallagher. The Planning, Zoning and Engineering Committee met this evening recommending the passage of Ordinance 2009-083, amending the master sign program for Westfield Shoppingtown/Southpark Mall-formerly Southpark Center. If there are any questions, I'd be more than glad to answer them at this time.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

FINANCE - Mr. Dooner: Thank you Mr. Gallagher. Before us this evening we have Ordinance 2009-084, which is an Ordinance making appropriations to the current expenses and other expenditures of the City of Strongsville for the year 2009. We're recommending suspension and adoption. Also, Resolution 2009-085, this is a Resolution adopting alternative tax budget information for the City of Strongsville for the fiscal year 2010. Also, recommending suspension and adoption of that. That is all we have Mr. Gallagher.

Mr. Gallagher – Thank you Mr. Dooner. Questions for Mr. Dooner?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut: Thank you Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. I'd like to invite everyone on Council here to attend our breakfast meeting, which will be this Thursday, May 21st at 7:00 a.m. at the Recreation Center. I'd like to also thank National City Bank, which is now part of PNC, for sponsoring that particular breakfast. Our speaker will be Lisa Rucker, Ohio SBA Program Manager for National City Bank/PNC. Our next meeting will be Tuesday because of the Holiday-Memorial Day, the 26th at 7:00 p.m. here in the Communications Center. That's all I have this evening Mr. Gallagher. Thank you very much.

Mr. Gallagher – Thank you Mr. Daymut. Questions for Mr. Daymut?

(None)

BUILDING AND UTILITIES – Mr. Roth: Thank you Mr. Gallagher. First, it's been a couple of years ongoing; and again, residents in my ward are the ones that have to experience the pain and mess of this directly. I really would like to see Whitney and Pearl Rd.-the corner of Whitney and Pearl Rd., the mess there cleaned up. We've got illegal dumping there. We got high mountains of concrete. We got three feet high weeds. We got half dead sparse trees, debris. We got a mess there and it really needs to be cleaned up; it's an eyesore, as soon as possible please. Also, we got-we had a situation-you know our Departments do a great job. The Service Department does a great job. I'm not alluding that they don't; but no ones perfect. In an instance where one of our Departments or one of our crew members makes a mistake, we really should have the ability to have the residents of this city-the tax paying residents come back before Council for a moral claim for reimbursement on a mistake made by the city. Now, we don't have this, so I really want to see the instance that I have-we had an instance where the water department left it up to us to clean up the mess of a water main break. We took apart and disassembled the sprinkler system. We did a nice job grading/seeding and leaving the area with the tree lawn nice; but the sprinkler system was not put back in. That cost should be reimbursed to the residents. There's no protection for the residents. Finally, this Ritson fire case-reading over a lot of the information just generated a lot of questions, and I'm not going to get into all the questions tonight. Generally, I got two questions that were generated by some of my reading on this fire and this tragedy. It's-if we give a very critical roof permit, and we grant that permit and we allow them to pay and take a permit out for a roof, do we go on the roof and look at it Mr. Biondillo? Do we inspect it?

Mr. Biondillo – Mr. Roth, Mr. President, yes we inspect it.

Mr. Roth – Ok. When we pull-when any homeowner pulls a set of permits, cause they know our inspectors are very observant- I've had neighbors and residents in my ward say hey they had a water tank on their lawn; and then they were approached by the City-where's your water permit to change your water tank? When we go to a house and it's being remodeled and we have a certain set of permits taken out, and we go into that house and we see that the house has far more scope being done, don't we usually shut that house down?

Mr. Biondillo – Mr. Roth, if that were the case, yes we would shut it down.

Mr. Roth – Ok. That's enough for tonight. There's so many questions I have right off the bat.

Mr. Biondillo – Sounds like this is a prosecution-but...

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Roth – No, these are some of the things that came to light that I was reading.

Mr. Biondillo – To answer questions-we do have permits and we do have requirements for inspections. At the time that we issue these permits, the contractor's given a list of what those inspections are and what the requirements are. There are cases where the contractor proceeds to a point where they shouldn't proceed without the approval or without the benefit of any inspection and we are investigating this particular case. We're investigating the contractor. We're also re-inspecting the said roof tomorrow and we'll make a determination based on what we see at that point. There are procedures in place that require inspection. To answer the other question-there are roofs we do not go on- if they're too steep where our guys can go up a ladder, they can inspect from the ground, from adjoining property, they try to take the best and the safest vantage point that they can to make a determination whether the material is being installed properly or not.

Mr. Roth – Ok. Thank you Mr. Gallagher.

Mr. Gallagher – Questions for Mr. Roth?

(None)

COMMITTEE OF THE WHOLE – Mr. Gallagher: This evening there is no legislation.

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

Mayor Perciak – Thank you, Mr. Gallagher, and again thank you for everything this evening. Just want to update all of you here at Council and everybody listening at home-as you know, the City of Strongsville applied for approximately \$45,000,000.00 from the Obama Administration for any type of road improvements, improvements to our community, underground, you name it...the list went on. I think I was very detailed about this in several Council meetings. I'm sorry to say that most of our applications were disapproved and we will not be receiving any federal money from the federal stimulus program currently being offered by the current Administration. I believe that as Strongsville residents, all of us here had an obligation to make application and to apply for these dollars because I feel that our city is as important as any other city across America. However, I guess the people in Washington, or the people in the know who are making the decisions didn't think as I do or as some of us do here up at with the City Council. We only have received one grant and that will be for \$180,000.00 as of this moment and that will be for the traffic light signalization for paying for part of the traffic light signalization from Shurmer Rd. through Drake Rd. once that program begins. That's about all I know and Chief Goss informed me the other day that we received \$4,600.00 grant towards bullet proof vests, which is a grant we normally receive from year to year anyhow. That's the end of my report Mr. President.

Mr. Gallagher – Thank you Mayor. Questions for the Mayor?

(None)

**REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS
AND OTHER OFFICERS (cont'd):**

Mr. Gallagher – it was nice to read though, Mayor, in the Plain Dealer today that CMHA townhomes in Cleveland are first on the list for the-from the Administration for their stimulus. I'm sure that'll stimulate much here in Northeast Ohio. Read the sarcasm as you will.

FINANCE DEPARTMENT - Mr. Batke: Thank you, Mr. President. Funds will be made available for all of the ordinances and resolutions on this evening's agenda requiring certification of funding and up for adoption. In spite of the stimulus package. Thank you.

Mr. Gallagher - Thank you, Mr. Batke. Questions for Mr. Batke?

(None)

LAW DEPARTMENT – Mr. Kraus: Yes, Mr. President. The City's Records Commission will be meeting on June 23rd at 10:00 a.m. in the Mayors conference room in order to receive any amendments to the schedules of records retention and to certify disposal of records in accordance with state and local law. I would request that due to the Memorial Day holiday, that our requests for legislation for the next Council meeting on June 15th be deposited with the Law Department if possible by this Wednesday, May 20th as opposed to Thursday. And finally, I would certify that all Ordinances and Resolutions before City Council this evening are in proper legal form.

Mr. Gallagher – Thank you Mr. Kraus. Questions for Mr. Kraus?

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – This is the segment of the evening where we set aside time for audience participation for those in the audience wishing to speak before Council. If you wish to do that – we have one person signed in, but if you didn't sign in you are still welcome – we ask that you give us your name and address, and you would have five minutes. First on the list is Laura Ritson.

Laura Ritson, 16853 Parkwood Lane, Strongsville – I had prepared this earlier, before some new developments came in to you. I spoke with Mr. Biondillo today and he is coming out to the house tomorrow to inspect the roof. But last Thursday, when I got my second roof report on the house and was told a \$15,600 roof was worth nothing because it was installed improperly...

Mr. Gallagher – May we have your name and address, please?

Laura Ritson – Oh, I'm sorry. Laura Ritson, 16853 Parkwood Lane.

Mr. Gallagher – Thank you.

AUDIENCE PARTICIPATION (cont'd):

Laura Ritson – Sorry. When I got the second report and I had called the City to ask them to please come out and cite the violations that were cited in the reports from the two companies, I was basically told that, you know, they would go off the reports, that they don't go up on the roof and they do your visual inspection when the roof is being installed and, as you know from previous correspondence and in talking with you, that's a problem because there was no notification of the roof going in, either to us or to the City, so there was no visual inspection. And I was just asking the City to basically have our back on this, since I had to pay for two inspection reports on a roof that is no good right now. It has leaks, if we get a hard rain right now at this point, it won't even last through the fall. On a thirty-year shingle, that's worthless. So, I'm glad to hear Mr. Biondillo is going to be out there tomorrow and I'll follow up with that, and I furnished him with the report. I was a little disenheartened again to have the homeowner blamed and the finger-pointing going to us when I did everything in my power, I even called the City and was told yes, there was a fire restoration permit pulled and was informed as much, and yes, it did cover the trusses in the roof – okay, fine. But, again, how much of this responsibility has to come back on us? And then I was also disappointed with the approach that was sent in the letter to me, that you all received, from the Law Director. And I thought there was a rush of judgment without all the information being given. And when you guys saw my response to the letter with the information that backed me that we weren't doubling our damages, that the, once again, the contractor lied to you and filled out improperly the paper work to you -- I didn't get the file on what was filled out until the day I picked up the copy of the hand-delivered letter sent back to us, so I didn't know what was in the file. I didn't – I guess I should have, in hind sight, gone up to the City and asked to look at the file and see what was put in there, but, like I said, the previous week when I finally did want to see the file, it was out because I believe the Law Director had it. So, in the sense that you felt that the inspection requirements were properly enforced and that there was no basis for amendments for provisions, I disagree with you. And I'm asking you once again to rethink the City's responsibility or looking at adding policies. In talking with Mr. Biondillo today, I am glad to hear that he will be working with the Fire Department so that this doesn't happen in the future to anybody else. And I have offered my services voluntarily that other families, if they should go through this, I would certainly love to get a hold of them, give my information to them, sit them down and explain to them again that it always seems to come back on the homeowner. But, as I explained, you're not thinking clearly and you're in a fog and you barely remember what's going on that day. The best way I can describe it as, and I said this before, is a death, and it's a process. And we finally came out of the fog and that's when I started checking into things. So I'm just asking simple emails, an assessment of the situation, an email once a month to the homeowner and to the contractor what work is being done on the house this month, and just check it against what permits have been pulled; that's all I'm asking. It's too late for us, you know, it's too little, too late, it's – basically, the horse is out of the barn, so. I really hope that in the future, that before people rush to judgment and put it back on the homeowner, that we have the benefit of the doubt of furnishing all the information because I really didn't appreciate, that was rather hurtful that...

Mr. Gallagher – You have ten seconds.

Laura Ritson - ...you know, it was put back again on us and that basically we were trying to double our goods at the house when, as you could see from the information I gave to you, that wasn't the case at all.

Mr. Gallagher – Thank you. Is there anyone else in the audience wishing to speak to Council?

AUDIENCE PARTICIPATION (cont'd):

David Kane, 13572 Stoneridge Trail, Strongsville – David Kane, 13572 Stoneridge Trail.

Mr. Gallagher – Could you say your address again? I'm sorry.

David Kane – 13572 Stoneridge Trail. I received a letter about a light that I have in my back yard, first it was to the wrong address, but we both know it's to me. And I guess I'm just puzzled, I got all this paperwork, the light's been there for three years, someone put in there that it's a new install in lights; it wasn't a new light, the light's been there for years. You've got to keep lights on back there because there's massive amounts of vandalism; I suffered tree losses, razor blades, golf balls, just – just aggravating things that people do. And I do believe it would be wrong if you tell me to turn the lights down back there because you're tired of sending your guys down here and I just don't – I just don't understand how people can make a statement that there's new installations when there isn't, then they take photographs and enhance them, as I showed you on the photographs – enhance them on PhotoShop to make them look worse. The light's been there for three years. The complaint pictures that are taken are not even from the person that made the complaint, they're made from a diagonal view of the yard, that the person that took them is not even filing a complaint. So I guess I'm just puzzled by this total aggravation. About every three months I get a letter, either about trash, trash bags out front, or something. And it is nothing more than a piece of land people want and they're just going to keep poking and poking and poking. And I guess I would need your help because I'm tired of calling the police. My wife had her brake lines cut in January. Basically, no response from the Police Department; I don't expect you to do anything about it, but it's getting downright serious where we're at here and...

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth, they're still (unintelligible).

David Kane – And that's all I'm saying is, if there's new installation going in, yes, I believe if it's bothering people, that's fine. But these are lights that have been there, they're put there not for – I don't need to be spending money on a light bill, I don't need to be having the hassles of having a piece of property that people – Me and my kid were out there for two days just straightening it all up again, just all kinds of debris and junk are thrown around there. You people had him put a fence up, a six foot fence, so these people would stay to themselves because they're like sardines in these little condos that probably should have never been built so close together, and I don't think – I think the containment just drives them crazy. And I wish someone would come out there – Mayor, you're welcome; Roth, you're welcome – come out there; we put a ton of money back in trees in the back property, we manicure it, we take good care of it, it's a good thing for Strongsville, and it seems like the more you fix it, the more aggravation you get. And that's not what I don't believe you people in Strongsville want; you want people to take care of their properties, spend money, and maintain it, do hard work and keep it. And everybody I'm talking about that's doing the complaining, they don't put any money in their property, they don't fix anything up and they just sit around and complain. So, if you guys want to come out and look, feel free. But it's getting serious because, like I said, they cut my wife's brake lines and, to me, that's attempted murder. So I don't know how far this is going to go, but it ain't stopping. That's all I have to say.

Mr. Gallagher – Sir, what is your street again?

AUDIENCE PARTICIPATION (cont'd):

David Kane – 13572 Stoneridge Trail.

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth, let's leave this be.

Mr. Roth – Leave this be? Okay. He was asking.

Mr. Gallagher – We can speak to you afterwards.

Mr. Roth – Okay.

Mr. Gallagher – Is there anyone else?

David Kane, 13572 Stoneridge Trail, Strongsville – David Kane, 13572 Stoneridge Trail. I just want to make a quick statement that I called the Police Department about two days ago, complaining that – I was jogging down the street and I was, you know, jogging and getting a workout in, happened to trip over a garbage can that was in the middle of the sidewalk, and called the Police Department to make a complaint and I speak to a dispatcher woman and she told me that they would – she doesn't think there's a law against it or any ordinance, but she would send a police officer out there, and I said okay. So, we went to go get the police report a day later and we look on the police report and it said when the policeman arrived at the house, but what we have is we have cameras in the front of our house because, like I said, like my dad said, there's been vandalism and things happening, and they happen to overlook the street. And we watched the videotape and there was no police cruiser ever coming down our street. So, I just wanted to make a statement that on the police report it says a policeman came down the street and they said they talked to him, but there was no police cruiser ever going down the street. So, I'm just making that statement.

Mr. Gallagher – Is there anyone else?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2009-083 by Mayor Perciak and Mr. Coyne. AN ORDINANCE AMENDING THE MASTER SIGN PROGRAM FOR WESTFIELD SHOPPINGTOWN SOUTHPARK MALL (FORMERLY SOUTHPARK CENTER), AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

*Mr. Gallagher noted this was approved by the Planning Commission.

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-083 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-084 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2009 AND REPEALING ORDINANCE NO. 2009-052.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: Ayes: Coyne, DeMio, Dooner, Gallagher, Haseley, Daymut

Nays: Roth

Motion carries.

Ordinance No. 2009-084 ADOPTED.

Resolution No. 2009-085 by Mayor Perciak and Mr. Dooner. A RESOLUTION ADOPTING ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF STRONGSVILLE, OHIO FOR THE FISCAL YEAR 2010, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Resolution No. 2009-085 ADOPTED.

Ordinance No. 2009-086 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST, A PERMANENT EASEMENT FOR STORM SEWER PURPOSES, A CULVERT AND CHANNEL EASEMENT, AND TEMPORARY WORK EASEMENTS FOR REAL PROPERTY LOCATED AT 16979 DRAKE ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: Ayes: Haseley, Daymut, Coyne, DeMio, Dooner, Gallagher

Nays: Roth

Motion carries.

Ordinance No. 2009-086 ADOPTED.

Ordinance No. 2009-087 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST, PERMANENT EASEMENT FOR STORM SEWER PURPOSES, AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED AT 16403 AND 16445 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-087 (cont'd):

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

**Roll Call: Ayes: Daymut, Coyne, DeMio, Dooner, Gallagher, Haseley
Nays: Roth
Motion carries.**

Ordinance No. 2009-087 ADOPTED.

Ordinance No. 2009-088 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST, PERMANENT EASEMENT FOR STORM SEWER PURPOSES, AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED AT 18575 DRAKE ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

**Roll Call: Ayes: DeMio, Dooner, Gallagher, Haseley, Daymut, Coyne
Nays: Roth
Motion carries.**

Ordinance No. 2009-088 ADOPTED.

Ordinance No. 2009-089 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FOR STORM SEWER SYSTEM PURPOSES AND TEMPORARY EASEMENT AGREEMENTS FOR CONSTRUCTION PURPOSES FROM SOUTHWEST GENERAL HEALTH CENTER IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

**Roll Call: Ayes: Gallagher, Haseley, Daymut, Coyne, DeMio, Dooner
Nays: Roth
Motion carries.**

Ordinance No. 2009-089 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-090 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED ON PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Kaminsky/Regional Holdings of Ohio)

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

**Roll Call: Ayes: Daymut, Coyne, DeMio, Dooner, Gallagher, Haseley
Nays: Roth
Motion carries.**

Ordinance No. 2009-090 ADOPTED.

Ordinance No. 2009-091 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST, PERMANENT EASEMENTS FOR STORM SEWER PURPOSES, AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED ON PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Heinen's Inc.)

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

**Roll Call: Ayes: Coyne, DeMio, Dooner, Gallagher, Haseley, Daymut
Nays: Roth
Motion carries.**

Ordinance No. 2009-091 ADOPTED.

Resolution No. 2009-092 by Mr. Haseley. A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY. (Garner/Westfall)

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Resolution No. 2009-092 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2009-093 by Mayor Perciak and Mr. Roth. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR LAWN/LANDSCAPE MAINTENANCE OF CERTAIN NUISANCE ABATED AND FORECLOSED PROPERTIES WITHIN THE CITY OF STRONGSVILLE.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Resolution No. 2009-093 ADOPTED.

Ordinance No. 2009-094 by Mr. Gallagher. AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY'S RECREATION DEPARTMENT AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Coyne. All members present voted aye and the motion carried.

Motion for adoption by Mr. DeMio, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-093 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Roth – Yes, get your voice back Mr. Gallagher.

Mr. Gallagher – I'd like to remind everybody in Ward 4 our June 11th and 12th 8:00 a.m.-4:00 p.m., the second annual garage sale. So, if you're going to have a garage sale, hold off till June 11th and 12th-Thursdy and Friday, 8:00 a.m.-4:00 p.m. You'll get more customers that way. We'll advertise it as best we can. If you could keep that in mind. Maybe we could get the Sun Newspaper to do something for us on that –it worked last year. Anything else Gentlemen?

(No comments)

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:48 p.m.

Signature on File
Leslie J. Seefried, MMC
Clerk of Council

June 1, 2009
Approval Date