

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JUNE 15, 2009**

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on ***Monday, June 15, 2009 at 7:30 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 J. Seefried. Administration: Mayor Thomas P. Perciak, 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, Economic Development Director Eugene Magocky, Police Chief Charles Goss and Fire Chief Robert Moody.

The following Committees met to review legislation on the agenda:

Finance Committee: Chairman Dooner recommended suspension and adoption this evening for Ordinance No. 2009-104, making appropriations for current expenses and other expenditures for 2009, and repealing Ordinance 2009-084.

Building and Utilities Committee: Chairman Roth asked Building Commissioner Biondillo if he would like to provide any input on Ordinance 2009-105, authorizing the Mayor to enter into a contract for lawn/landscape maintenance services for certain nuisance abated and foreclosed properties. Mr. Biondillo stated a letter was sent to fifty some contractors and had only five respondents. The lowest and best bidder by a substantial amount was M&S Connection Landscaping, Inc. Chairman Roth recommended suspension and adoption for the Ordinance. Mr. Daymut requested a copy of the bid tabulations from Mr. Biondillo.

Planning, Zoning and Engineering: Chairman Coyne recommended suspension and adoption for Resolution No. 2009-106, authorizing the Mayor to advertise a request for qualifications and proposals for construction management services in connection with the Pearl Road Improvement Project.

Public Service and Conservation Committee: Chairman Haseley recommended suspension and adoption for Ordinance Nos. 2009-107, 2009-108, 2009-109, 2009-110, 2009-111, 2009-112, 2009-113, and 2009-114, all dealing with the purchase of permanent and/or temporary easements from various property owners in connection with the Pearl Road Widening Project. Law Director Kraus clarified that Ordinance Nos. 2009-107, 108 and 109 are legislative prerequisites for possible appropriation action on properties, should that become necessary, as opposed to the other five ordinances, which are simply negotiated takes on Pearl Road by agreement between the parties.

Economic Development and Technology Committee: Chairman Daymut stated the next committee meeting would be held on Monday, June 22<sup>nd</sup>. He stated he has some information that will be discussed at that meeting concerning a new program that Medina has started called Business to Business. He will provide Council members with a brochure describing the program for their review, and he will be reviewing the brochure with Economic Development Director Magocky prior to the meeting on June 22<sup>nd</sup>.

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President Gallagher asked if Council members had any issues or questions for the directors or the administration. Communication and Technology Director Bedford updated Council members regarding the status of low hanging cable wires on Whitney Road near Whitney Elementary School. Mr. Bedford stated he received an update today from WideOpenWest; they've been out, they've tried to adjust them a little bit, but at this moment in time, they need to now get AT&T involved because of the way the cables were initially put up. When it was Ameritech, they had Americast. Americast put the cables up originally and they attached them to Ameritech cables. So now the phone lines that they are attached to are AT&T; WideOpenWest now owns the Americast cables and so they are waiting for AT&T to make their adjustments so that they can elevate those cables. Mr. Roth stated he noticed that east of Whitney the cables are still eight feet off the ground. Mr. Roth thanked Mr. Bedford for the update. Mr. Haseley mentioned that AT&T was out of service for most of the day, he had no phone, computer or television service.

Mr. Roth mentioned the ongoing dispute between the Kane family and their neighbors in the Bent Tree area and asked the Building Commissioner if a shield can be installed on the light. Mr. Biondillo replied that there is a shield on the light; it was installed. Mr. Roth stated a couple of residents said the light was not shielded and asked Mr. Biondillo if he could check to make sure it was shielded. Mr. Biondillo stated we really have to check it at night; we tried to check it out after the last meeting, but it doesn't get dark until later now, so he is going to try to get over there when it is dark out to take a look at the light. Mr. Roth volunteered to check the light. He said he knows some people in the area and it is still a problem. Mr. Biondillo said the notice was sent out, he knows the shield was installed; however, that is not to say the shield is always in place, as it should be.

Economic Development Director Magocky stated he noticed Vining's gas station is up for sale, with a listing price of \$399,000. Mr. Roth stated the station has been for sale several times in the past, always with the same or a similar listing price.

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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 personnel matters. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:43 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher, Haseley and Roth. Also present were Mayor Perciak, Law Director Kraus and Finance Director Batke. Motion was made by Mr. Gallagher and seconded by Mr. Dooner to conclude the Executive Session and reconvene in open session. All members present voted aye and the motion carried. The executive session concluded at 7:49 p.m.

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## **MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JUNE 15, 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 J. 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; Gene Magocky, Economic Development Director; Steve Kilo, Recreation Director; John Bedford, Communication and Technology Director; Charles Goss, Chief of Police; and Robert Moody, Chief of Fire.

**COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting of June 1, 2009 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS:**

None.

**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth:** Yes, there is a meeting this month, Mr. Gallagher, but it's at eight o'clock during the weekday. If you want to replace me for this work session, I think it is June 25<sup>th</sup>, feel free, but I can't make that, weekday at eight o'clock.

Mr. Gallagher – I don't believe they allow us to substitute anymore.

Mr. Roth – Oh, okay.

Mr. Gallagher – That's fine.

Mr. Roth – That's the only one I have a problem with, having a day job.

Mr. Gallagher – They do forget those things.

Mr. Roth – Yeah. So, other than that, nothing to add.

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

(None)

**SCHOOL BOARD – Mr. Roth:** Yes, I'll be in attendance at the next School Board meeting Thursday and I'll be giving you a report, forthcoming after that.

Mr. Gallagher – Any questions for Mr. Roth?

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

(None)

Mr. Gallagher – I want to congratulate all the graduates of Strongsville High School 2009.

**RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:** There is no legislation before Recreation, but I will answer any questions.

(None)

**PUBLIC SERVICE AND CONSERVATION – Mr. Haseley:** Thank you Mr. Gallagher. This Committee met this evening to discuss the following: Ordinance 2009-107 – every one of these has to do with the Pearl Road widening – recommendation is to suspend and adopt; Ordinance 2009-108, suspend and adopt; 2009-109, recommendation is to suspend and adopt; 2009-110, likewise, suspend and adopt; 2009-111, suspend and adopt; 2009-112, suspend and adopt; Ordinance 2009-113, suspend and adopt; and 2009-114, likewise, suspend and adopt. That's all I have this evening. I'll answer any questions.

Mr. Gallagher – Questions for Mr. Haseley?

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Just real briefly, within this committee. Mr. Walker, whatever you can do – and I know we don't have surfacing going on on some of these real bad streets I have in Ward 3, but we've got some real deep chuckholes that have been there since the winter and they are really damaging people's cars. Some of them I'm very familiar with are all around the four sides of the Barton/Jonathan intersection, you know, east of Priem and Bernice; there are some real big, big boys out there that are doing damage and are unsafe and if we could at least put some cold patch in there soon, so we can enjoy,= sort of a level ride there because if we fill the chuck holes in September and then the first plow in November pulls it back out, we can't really feel the effects. So, whatever you can do.

Mayor Perciak – It will be done.

Mr. Roth – Thank you.

Mr. Gallagher – Any other questions?

(None)

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** Thank you Mr. Gallagher. This committee has no legislation or resolutions before this committee tonight. There were no questions of this committee or the chair in the general caucus before the meeting, but if there is anything that anyone had forgot, we would be glad to help out; otherwise, I will close the committee.

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

(None)

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

**PLANNING, ZONING AND ENGINEERING –Mr.Coyne:** Thank you Mr. Gallagher. The Planning, Zoning and Engineering met this evening. Resolution 2009-106 is a resolution authorizing the Mayor to advertise a request for qualifications and proposals for construction management services in connection with the Pearl Road Improvement Project, and we're going to suspend and adopt this this evening. If there are any questions, I'd be more than happy to answer them.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

**FINANCE - Mr. Dooner:** Thank you, Mr. Gallagher. Before the Finance Committee today is Ordinance 2009-104, this is an ordinance making appropriations for the current expenses and other expenditures of the City of Strongsville for the year 2009, and repealing Ordinance 2009-084. That is all we had, Mr. Gallagher, this evening and if there are any questions, I'll be happy to answer them.

Mr. Gallagher – Questions for Mr. Dooner?

(None)

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut:** Thank you, Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. Our next meeting will be Monday, June 22<sup>nd</sup> – next Monday – at 7:00 p.m. here at the Strongsville 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. We have Ordinance 2009-105 up for adoption, and that is recommended for adoption tonight to deal with our whole host of foreclosed properties and such.

Also, I'd just like to ask maybe the Mayor and maybe Mr. Mikula or Mr. Biondillo to do whatever – whatever influence you have with Columbia Station, Lorain County there. The Marks Road project is, like, stalled, in limbo. You know, that was one of the streets that looked nice and they tore it up to put the sewer line in, Lorain County did, and they went right down the street with the sewer, but for the last four weeks nothing much is happening there and we've got a really beat up street. So whatever you can do to move them along so we can get our street back there, North Marks Road. It's in bad shape. I know it's not our project, but they tore our street up, the roads are a mess, and nothing is happening for four weeks, so.

Mr. Mikula – I was just down there the other day and they are working, they're down towards the south end of that right now, so they're getting ready to get off of it. And then, once this is over, they're scheduled to repave the road and fix it, so.

Mr. Roth – In a timely fashion, Mr. Mikula?

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

Mr. Mikula – I'm not sure what the date is for that, I can follow up and get you that date.

Mayor Perciak – Mr. President, Mr. Roth. Mr. Mikula can give Mr. Monolly from Digioia a call and he'll be able to get that.

Mr. Mikula – Yes.

Mr. Roth – Thank you, gentlemen. That's it.

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

(None)

**COMMITTEE OF THE WHOLE – Mr. Gallagher:** There is no legislation before Committee-of-the-Whole this evening.

(None)

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

Mayor Perciak – Thank you, Mr. President, just a few announcements as to activities that are going to be going on here in town.

First of all, the Rib Burn-Off; as most of you can see, we are beginning to prepare for that on our Commons and that will be held June 25<sup>th</sup>, June 26<sup>th</sup> and June 27<sup>th</sup>. On June 25<sup>th</sup> we will start at four o'clock in the afternoon and wind up about eleven in the evening. Same thing on the 26<sup>th</sup>. And then on the 27<sup>th</sup>, we are going to start at noon, which is Saturday, and wind the night up about 11 p.m. A lot of changes this year; come and visit, I think you'll enjoy all the inflatables for the children; it's a true family evening. Anyone wishing tickets can either contact City Hall or any member of the Strongsville City Club.

Also, on July 4<sup>th</sup> the City of Strongsville once again will be sponsoring our annual fireworks at Foltz Parkway, providing it doesn't rain. And I just want to thank the fifty or so local businessmen and women who have agreed to sponsor this event. Without their financial assistance, we could not provide the Fourth of July fireworks for all our residents and the residents in the nearby communities. So, when you see some of our local businessmen in town and some of our special residents that sent us a check, we thank them for contributing so that all of us again can enjoy the fireworks on the Fourth of July. I especially would like to thank the Strongsville Chamber of Commerce and the Strongsville City Club for being our principal sponsor of that event.

That is 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):**

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

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

(None)

**LAW DEPARTMENT – Mr. Kraus:** Yes, Mr. President. I would like to report that our Ohio Supreme Court last week in a 5-2 decision entitled Lima v. State of Ohio, and there were some companion cases arising from other municipalities, has upheld the constitutionality of the state statute that forbids local municipalities like the City of Strongsville from enacting local residency laws with respect to its employees. And this decision overrides and really overrules in its effect any local charter provisions or ordinances by municipalities that are on the books now in the State of Ohio with respect to residency laws. This is another situation where the home rule local authority of municipalities has been further eroded by our state legislature and our Ohio courts. And it would appear at this point that almost any area where the State of Ohio, through its legislature, chooses to intervene by enactment of legislation or be held to overrule and override whatever we try to do here in Strongsville and other municipalities throughout the State of Ohio.

I would also like to report that our legislative deadline for the July 6<sup>th</sup> Council Meeting will be Wednesday, June 24<sup>th</sup>.

And, finally, all ordinances and resolutions before City Council this evening are in proper legal form.

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

Mr. DeMio – Extremely briefly.

Mr. Gallagher – Mr. DeMio.

Mr. DeMio – Does the Lima case apply to the distance in which our charter refers to in the forces, you know, the safety forces that was on the charter for years?

Mayor Perciak – Civil Service, correct.

Mr. Kraus – Right. Mr. President, Councilman DeMio. We are carefully studying this decision, but it would appear that the decision and the state statute that it upheld would be applicable and would override charter provisions that deal – like Strongsville's does – with the particular distance. Ours in our charter is a twenty-five mile, you'll recall; at some point we expanded from eighteen miles to twenty-five miles. So the answer is that it would appear on the face of the decision that it would have the effect of invalidating local provisions, whether by ordinance or by charter, that deal with those types of distance requirements. But, as I've indicated to City Council and the Mayor, we are carefully studying the decision. There was a dissenting opinion by only two justices, Chief Justice Moyer and Justice Lanzinger of the Court.

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

Mr. DeMio – Thank you.

Mr. Gallagher – Any other questions for Mr. Kraus?

(None)

**AUDIENCE PARTICIPATION:**

Mr. Gallagher – This is the segment of the evening where we have audience participation. We encourage those in the audience, if you wish, to approach the podium, give us your name and address, and you have five minutes to discuss whatever issues you would like to talk to Council with. There is no one signed in, although that doesn't preclude you from not coming up. So, if there is anyone in the audience. Mr. Vassil, welcome.

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil, 18271 Fox Hollow Drive. Traveling the City, corner of Sprague and Route 42, we've got two telephone poles like this, and they were putting more wires on it. Now, one of these days it's either going to fall or somebody's going to get hurt. Now, we fixed the one on Shurmer, I understand, I didn't even look. But anyway, these poles are – they look terrible when people come into the City, they see these poles leaning over like this. You go down there, you'll see, right in front of our Strongsville sign.

Mayor Perciak – I would hope they put in all the flowers around it.

Bill Vassil – Well they look good, she does a good job with that. Also, Whitney and Webster Road. I mean, I hit those bumps, and I've got brand new shocks, and that car goes like this. That needs to be scraped down and – yeah, I told you about this last year, Joe, you remember, I told you -- it really...

Mayor Perciak – Where at?

Bill Vassil – Whitney and Webster, right by the ballpark. We did the paving and nothing was done on either side.

Mayor Perciak – I drive this way.

Bill Vassil – You got a good car, you don't feel it.

Mayor Perciak – I drive a Ford.

Bill Vassil – Yeah, made in Mexico.

Mr. Daymut – Aww.

Bill Vassil – No, I know. The big Ford isn't made in Mexico, but the others are. That's all I had, just those two things.

**AUDIENCE PARTICIPATION (cont'd):**

Mr. Gallagher – Thank you, Mr. Vassil. Is there anyone else in the audience wishing to speak with Council this evening?

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2009-104** 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. 2009-084.

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: Dooner, Gallagher, Haseley, Daymut, Coyne, DeMio.**

**Nays: Roth.**

**Motion carries.**

**Ordinance No. 2009-104 ADOPTED.**

Mr. Batke – Mr. Chairman, if I might. I'm sorry...

Mr. Gallagher – Mr. Batke.

Mr. Batke - ...for my tardiness, but just a point of clarification. This particular amendment to the appropriation ordinance in fact reduces our expenditures in the General Fund by \$752,500. So, just wanted to mention that because it kind of offsets some of the income tax revenue that we have not received this year. Thank you.

Mr. Gallagher – Thank you, Mr. Batke.

**Ordinance No. 2009-105** by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR LAWN/LANDSCAPE MAINTENANCE SERVICES FOR CERTAIN NUISANCE ABATED AND FORECLOSED PROPERTIES WITHIN THE CITY OF STRONGSVILLE, 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. 2009-105 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont'd):**

**Resolution No. 2009-106** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE PEARL ROAD IMPROVEMENT PROJECT IN 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. 2009-106 ADOPTED.**

**Ordinance No. 2009-107** by Mayor Perciak and All Members of Council. AN ORDINANCE APPROPRIATING A PERMANENT STORM SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT IN PROPERTY LOCATED AT 17518 PEARL ROAD, STRONGSVILLE, OHIO, (BEING PART OF PERMANENT PARCEL NO. 393-37-043); DIRECTING THE LAW DIRECTOR TO PROCEED WITH THE EXPEDITED ACQUISITION OF SUCH PROPERTY INTERESTS FOR THE CITY'S WIDENING, REPAIR AND IMPROVEMENT OF ROUTE 42 (PEARL ROAD) FROM AND BETWEEN 1000 FEET SOUTH OF DRAKE ROAD TO SHURMER ROAD; AND DECLARING AN EMERGENCY. [Zatik]

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. 2009-107 ADOPTED.**

**Ordinance No. 2009-108** by Mayor Perciak and All Members of Council. AN ORDINANCE APPROPRIATING PERMANENT STORM SEWER EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS IN PROPERTY LOCATED AT 17472 PEARL ROAD, STRONGSVILLE, OHIO, (BEING PART OF PERMANENT PARCEL NO. 393-37-006); DIRECTING THE LAW DIRECTOR TO PROCEED WITH THE EXPEDITED ACQUISITION OF SUCH PROPERTY INTERESTS FOR THE CITY'S WIDENING, REPAIR AND IMPROVEMENT OF ROUTE 42 (PEARL ROAD) FROM AND BETWEEN 1000 FEET SOUTH OF DRAKE ROAD TO SHURMER ROAD; AND DECLARING AN EMERGENCY. [Warner]

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. 2009-108 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont'd):**

**Ordinance No. 2009-109** by Mayor Perciak and All Members of Council. AN ORDINANCE APPROPRIATING A FEE SIMPLE INTEREST, A PERMANENT STORM SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT IN PROPERTY LOCATED AT 16812 AND 16888 PEARL ROAD, STRONGSVILLE, OHIO, (BEING PART OF PERMANENT PARCEL NOS. 393-34-002 AND 393-34-014); DIRECTING THE LAW DIRECTOR TO PROCEED WITH THE EXPEDITED ACQUISITION OF SUCH PROPERTY INTERESTS FOR THE CITY'S WIDENING, REPAIR AND IMPROVEMENT OF ROUTE 42 (PEARL ROAD) FROM AND BETWEEN 1000 FEET SOUTH OF DRAKE ROAD TO SHURMER ROAD; AND DECLARING AN EMERGENCY. [Skufca]

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. 2009-109 ADOPTED.**

**Ordinance No. 2009-110** 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 16541 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Midsummer's)

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. 2009-110 ADOPTED.**

**Ordinance No. 2009-111** 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 WATER AND JUNCTION CHAMBER PURPOSES, AND TEMPORARY WORK EASEMENTS FOR REAL PROPERTY LOCATED AT 17572 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Conrad's)

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: Dooner, Gallagher, Haseley, Daymut, Coyne, DeMio.**

**Nays: Roth.**

**Motion carries.**

**Ordinance No. 2009-111 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont'd):**

**Ordinance No. 2009-112** by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED ON PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Eyesman)

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. 2009-112 ADOPTED.**

**Ordinance No. 2009-113** by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST, A PERMANENT EASEMENT FOR STORM SEWER AND CULVERT PURPOSES, AND TEMPORARY WORK EASEMENTS FOR REAL PROPERTY LOCATED AT 16601 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (I, I & I Properties)

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. 2009-113 ADOPTED.**

**Ordinance No. 2009-114** 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 CULVERT PURPOSES, AND TEMPORARY WORK EASEMENTS FOR REAL PROPERTY LOCATED AT 16808 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. (Michaud)

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. 2009-114 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

**Application for Liquor Permit** – NEW-C1-C2 To: ***Shree Shiva Shambhu, Inc., 1<sup>st</sup> Fl, Front Unit, 14692 Pearl Rd.,*** Strongsville, OH 44136. (Responses must be postmarked no later than 06/29/2009).

There were no objections from Council on the aforementioned application.

**MISCELLANEOUS BUSINESS:**

None.

**ADJOURNMENT:**

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:26 p.m.

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

July 6, 2009  
Date Approved