

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON OCTOBER 19, 2009

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on ***Monday, October 19, 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, Supervisor of Budget and Management Joseph K. Dubovec, 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 Fire Chief Robert Moody.

The following Committees met to review legislation on the agenda:

Finance Committee: Chairman Dooner recommended that Ordinance No. 2009-209, making appropriations for the current expenses and other expenditures of the City for the year 2009 and repealing Ordinance No. 2009-179, be amended by substitution with a revised version of the ordinance. The proposed amendments to the ordinance were distributed to Council with their packets. Mr. Dooner recommended that the amended ordinance then be suspended and adopted as amended. Mr. Dooner also recommended that Ordinance No. 2009-215, providing for the issuance and sale of bonds for street improvements, be placed on first reading.

Planning, Zoning and Engineering: Chairman Coyne recommended suspension and adoption for Ordinance No. 2009-216, to advertise for bids for the Pearl Road Widening Project subject to receiving authorization to advertise by ODOT. He recommended suspension and adoption for Ordinance No. 2009-217, authorizing the Mayor to accept Block Grant funding from the U. S. Department of Energy in connection with the traffic signal portion of the Pearl Road Widening Project.

Public Service and Conservation Committee: Chairman Haseley stated both of the ordinances in his committee this evening are dealing with purchase agreements for temporary work easements in connection with the Pearl Road Widening Project; he recommended suspension and adoption for both Ordinance 2009-218 and Ordinance 2009-219. Law Director Kraus advised that the only remaining property to acquire in connection with the Pearl Road Widening Project, that being the United States Post Office. Councilman DeMio asked how the traffic light at the Post Office and Pearl Road would be coordinated with the other lights in the area; he asked if they would have a freestanding light switch as they have now. Engineer Mikula replied that all the lights in that corridor are going to be on a closed loop system and will all be coordinated.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Resolution No. 2009-220, the purchase of furniture for the police facility through state contract. This item was included in the 2009 budget.

Committee-of-the-Whole: President Gallagher recommended suspension and adoption for Resolution No. 2009-221, urging the U.S. Congress to extend the First-Time Homebuyer Tax Credit through 2010. Mr. Gallagher commented that many young people are beginning their higher education through the community college and, therefore, he is recommending suspension and adoption for Resolution No. 2009-222, supporting the Cuyahoga Community College Issue 4 Replacement Levy on the November ballot.

The Mayor asked Building Commissioner Biondillo to provide details of the Advisory issued by Columbia Gas of Ohio regarding its riser safety replacement program. Mr. Biondillo stated the program would start in November, with an expected completion date of June of 2010. The program includes approximately 7500 residences, at no cost to the homeowner. Customers will be given advance information about when their riser will be replaced and contact information for the contractor. Columbia Gas will need access to the customer's home or building to restore gas service once the work is complete. Columbia Gas will check for leaks and safe operation of gas-burning appliances. Contractor personnel carry photo ID badges identifying them as contractors for Columbia Gas. Columbia Gas personnel will also carry photo ID. Columbia Gas will replace tree lawns, shrubs or landscaping, if necessary.

Councilman Daymut commented that some risers had been replaced within the last year or two and asked whether Columbia Gas is planning to replace those again. Commissioner Biondillo stated those would not be replaced. He asked if anyone knows what happened with the PUCO; it is his understanding there was much debate about the PUCO initializing this program here, but it is his understanding that somehow this is going to be back-charged on your gas bill. Mr. Haseley stated the customer would not be charged for the riser replacement. Mr. Daymut asked what happened with the PUCO's recommendation that they absorb the cost of the gas line from the house to the street. Mr. Biondillo stated that is not a part of this program; however, the PUCO did rule it is their responsibility from the shut off valve at the main to the meter.

Economic Development and Technology Committee: Chairman Daymut stated the Committee's next meeting is Monday, October 26, at 7 p.m. He advised Communication and Technology Director Bedford about the possibility of a technology meeting about a half-hour prior to the regular committee meeting and would confirm that with Mr. Bedford later this week. Mr. Daymut stated the Committee has scheduled a morning meeting with GLIDE at the Lorain Community College on October 29; anyone interested in attending is welcome, transportation will be provided. He stated GLIDE has an excellent program for business start-ups. They have agreed to let the Committee tour the facility.

Mayor Perciak requested an executive session to discuss collective bargaining and personnel matters.

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 collective bargaining and 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, Finance Director Batke and Human Resources Director Urankar. Motion was made by Mr. Gallagher and seconded by Mr. DeMio to conclude the Executive Session and reconvene in open session. All members present voted aye and the motion carried. The executive session concluded at 7:53 p.m.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON OCTOBER 19, 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; Steve Kilo, Recreation Director; John Bedford, Communication and Technology Director; Anthony Urankar, Human Resources Director; Charles Goss, Chief of Police; and Robert Moody, Chief of Fire.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of October 5, 2009 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

None.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth: Thank you, Mr. Gallagher. I have a meeting October 28 in the evening, I will be in attendance. I think I have maybe a proxy, a substitute; they are calling a special extra meeting on the 26th in the morning, so, obviously, I can't make that, so I think Mr. Daymut is going to be probably our choice to substitute for that meeting.

Mr. Daymut – Just give me the time, Mr. Roth, when you find out when it is, Mr. Gallagher; I would be more than happy to attend on behalf of Council.

Mr. Roth – All right. Thank you. That's all, Mr. Gallagher.

Mr. Gallagher – Thanks, Mark. Questions for Mr. Roth?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. There is a meeting later this week, I will be in attendance and, until that meeting occurs, there will be a report forthcoming after that.

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

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: There is no legislation before Rec this evening, but I will take any questions that you may have.

(No questions)

PUBLIC SERVICE AND CONSERVATION – Mr. Haseley: Thank you Mr. Gallagher. There are two ordinances under this committee. The first one is 2009-218, it's a purchase agreement for fee simple and temporary work easement for real property on the Pearl Road widening, recommendation is to suspend and adopt, Ordinance 2009-219 is a grant of easement for storm sewer system purposes and temporary easement agreement, again, on the Pear; Road widening, and the recommendation is to suspend and adopt. I will answer any questions if there are any.

Mr. Gallagher – Questions for Mr. Haseley?

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you, Mr. Gallagher. Our committee was called to order today and we agreed to pass – to suspend and adopt 2009-220; basically, it is furniture for the renovation of the police station and I believe it is a state cost –

Mayor Perciak – State bid.

Mr. DeMio – State bid, excuse me, furniture. So we are good, and that's it. I should say we did talk about some traffic issues today during the committee and then shortly before this meeting, so I know our Engineer is going to work hard to resolve those issues and I appreciate it. Mayor, I would appreciate if you poke him a little bit and maybe he could help us out, and I appreciate that. So.

Mayor Perciak – He does a great job for us.

Mr. DeMio – Yeah, I'll be able to think about that when I'm turning left, Mayor, on Pearl Road. And Westwood, excuse me, for those in the audience. So otherwise, I will close the meeting, unless other people have any questions, other Council members.

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 Committee met this evening, we're going to suspend and adopt Resolution 2009-216 to advertise for bids for the Pearl Road Widening Project, -- we need to get authorization by the Ohio Department of Transportation; and Ordinance 2009-217, an Ordinance accepting Block Grant funding from the U.S. Department of Energy in connection with the traffic signal portion of the Pearl Road Widening -- that's \$180,000, we're going to suspend and adopt that this evening. If there are any questions, I'll be more than glad to answer them at this time.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

FINANCE - Mr. Dooner: Thank you, Mr. Gallagher. The Finance Committee met this evening and we have two Ordinances before Council. We have 2009-209, this is an Ordinance making appropriations for current expense, we are going to make a motion to amend by substitution, we will then make a motion to suspend and a motion to adopt as amended. Then we have Ordinance 2009-215, this is an Ordinance providing for the issuance and sale of bonds for the Pearl Road widening, and we are going to put that on first reading. That is all we have, Mr. Gallagher.

Mr. Gallagher – Thank you, Mr. Dooner. 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 – we will begin the Technology meeting next Monday, October 26, at 6:30 and at 7 p.m., we will have our Economic Development meeting.

I would like to also announce for my colleagues here that GLIDE from Lorain Community College has agreed to host our committee members on Thursday, October 29, in the morning, and if you are at all available, we would appreciate your attendance out there. Transportation will be provided, thanks to the Mayor; thank you very much, Mayor, we appreciate that. That's all I have, 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. There are no ordinances on tonight's agenda. But I would just like to thank Mr. Walker and Mr. Biondillo and Mr. Mikula for their quick response to the Marks Road problems, contacting Columbia Station there as far as the ridges at the end of the aprons people were experiencing. And a family – and I gave your name to – Mr. Walker, I provided their name to you, they wanted me to publicly thank you for the attention the crew did on Fairtree with the sewers. And if you can, as soon as possible, I would just like a status report on the Bailey situation sometime soon, Westwood Farms.

Mayor Perciak – (Unintelligible)

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Roth – Okay, well if you can let me know what happens, that would be great.

Mayor Perciak – (Unintelligible)

Mr. Roth – Gotcha. Thank you, Mayor. That's it, Mr. Gallagher.

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

(None)

Mr. Gallagher – Under this; Mr. Biondillo, what we discussed in our caucus, could you take us quickly through what we anticipate happening with the gas company?

Mr. Biondillo – Yes. Starting in November, if it hasn't already – some homeowners have been notified already, Columbia Gas has started a program retrofitting your gas pipe coming from underground into the gas meter. Columbia Gas is taking this on at no cost to the homeowner. They will be changing out a portion of the line feeding the meter that is done – they've had some issues with gas leaks over the years -- so they are going to roll that out to approximately 7500 homes. The project is to be completed by June. They are going to do some excavation, hand digging with a shovel, near the gas meter and, once completed, will restore any landscaping that was removed or displaced for that excavation. Any shrubbery or anything else that is damaged as a result of that, they will stand by and replace it. The homeowners will first be notified with a letter, then will have a door hanger placed on their home. During the winter months, Columbia Gas will not shut off service until they have received verification from the homeowner that they are aware of when they plan on doing this. The whole project takes approximately two to four hours and they will not turn the gas back on until they actually get into the home and check the appliances and relight any pilot lights for your furnaces or hot water tanks.

Mr. Gallagher – Any cost?

Mr. Biondillo – No cost to the homeowner.

Mr. Gallagher – Thank you.

COMMITTEE OF THE WHOLE – Mr. Gallagher: We have two items this evening, Resolution 2009-221 is a Resolution by this Council urging the United States Congress to extend the First-Time Homebuyers Tax Credit Act through 2010, and since we submitted this it looks pretty good that that is going to happen. I'm going to ask the Mayor during his report to maybe touch on that and give us what he knows about that. During your report, or do you want to do that now, Mayor?

Mayor Perciak – Sorry, I didn't hear what you said.

Mr. Gallagher – The tax credit extension, as far as what you know about that.

Mayor Perciak – (Unintelligible)

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Gallagher – And the recommendation is suspension and adoption. Resolution 2009-222 is a Resolution supporting Cuyahoga Community College on the ballot this year. It is a replacement levy. With many of the seniors now from the past couple of years, and it looks like into the future, not being able to afford four year institutions, more importantly now Tri-C is becoming the place where our young adults are going to go to start their education and hopefully end up at four year institutions, and we think it's important to support them on this. I will take any questions.

(None)

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

Mayor Perciak – Yes, thank you Mr. President. To pick up where you left off on the Resolution that Council is sponsoring. It is very important that everybody join us back home and everybody who is listening to this broadcast this evening to write your Congressmen and encourage them to extend the First-Time Homebuyer Tax Credit. As the law currently reads, it's available to first-time homebuyers or people who have not owned a home within three years, and they will receive, if they buy a new home and receive the necessary approvals from their banks and qualify for the loan, they will receive an \$8,000 credit on their federal taxes. As most of you know, there is an abundance of homes up for sale and the Council here has recommended to our Congressmen that that tax credit, which is due to expire November 30, be extended through 2010. We ask you, as I have asked everybody at the Rotary meeting on Friday and the groups, different groups I speak with or talk to, that please write your Congressman, call your Congressman's office to encourage your Congress person to vote in favor and to extend this tax credit. It is absolutely vital to our economy, so please do so if you have the opportunity. It will help all of us here in Strongsville and it will just make our community a whole lot stronger when we get some of these vacant houses filled with families again.

And then secondly, I have one other item, Mr. President. Each year Medical Mutual of Ohio recognizes an Outstanding Senior Volunteer, and this year the Outstanding Senior Volunteer is our own Ken Mehalko. He received an honorable mention. And most of you know Ken has worked with our Glitz for many, many years here in Strongsville, he runs our Community Band, he is a part of Rotary. So if you see Ken, extend your congratulations to him; really a dynamic individual who right now is overcoming some health issues and he really needs to know that you care, and here is a man that has worked very, very tirelessly for our community. So when you see him, congratulate him, wish him well. And we congratulate him and we thank him for all he has done and continues to do for the community of Strongsville.

That ends my report, Mr. President.

Mr. Gallagher – Thank you, Mayor. Questions for Mayor Perciak?

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

Mr. Gallagher – Thank you, Mr. Batke. Boy, as they approach retirement, they just – they get spry, don't they? Reminds me of me last year.

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

Mr. Haseley – I'll bet you his lasts longer than yours did.

Mr. Gallagher – That one hurt. Thank you, Mr. Batke. Questions for Mr. Batke?

Mr. DeMio – Mike, wait a second. I can't believe Ray Haseley said something. What did you say? He said... Wow.

Mr. Gallagher – It was a shot.

Mr. DeMio – It was pretty good, too, Ray. I gotta write that down.

Mr. Gallagher – It was a shot. See there, Mr. Batke, you bring out the best in all of us.

Mr. Batke – It's always (unintelligible).

Mr. Gallagher – We already miss you. We already miss you.

Mr. Batke – Do you really?

Mr. Gallagher – Not really, but.

Mr. Batke – Not really. Only four more meetings, but who's counting?

Mr. Gallagher – There you go. I think the answer to that is Mrs. Batke, nervously.

LAW DEPARTMENT – Mr. Kraus: Yes, I would merely certify that all – report and certify that all ordinances and resolutions before City Council this evening are in proper legal form. Thank you.

Mr. Gallagher – Thank you Mr. Kraus. Any questions for Mr. Kraus?

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – This is the portion of the evening where we have Audience Participation. If you have not signed in, you are more than welcome to come up and give your name and address for our record and if you have anything to say to Council, we would be appreciative of you letting us know what's going on in your little world. Patrick, we have you up first.

Patrick Gale, 8396 Barton Drive, Strongsville – My name is Patrick Gale; I live at 8396 Barton in the City of Strongsville. I come here tonight on behalf of the St. Francis of Assisi Council 10792 of the Knights of Columbus, located here in the City of Strongsville, to invite all the public officials and the citizens of the City of Strongsville to come participate in our annual Pajama Drive for the Make a Difference Day project. Since the beginning of the pajama program, we have given away over 470,000 pairs of new pajamas and over 184,000 new pairs of books. In the two years that we have done our drive, we have collected over 200 pairs of pajamas and new books and collected cash worth over hundreds of dollars. So that is Saturday, October 24, from 9 until 2 at the Atrium in the Strongsville Recreation Center. Thank you.

Mr. Gallagher – Thank you, Patrick. Is there anyone else? Mr. Vassil

AUDIENCE PARTICIPATION (cont'd):

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil, 18271 Fox Hollow Drive. Since we're on the traffic light deal, I have another traffic light that bugs me; Howe and Shurmer.

Unidentified Voice – Really.

Bill Vassil – Yeah, it bugs me. Because you sit there and you wait to come out of Shurmer and there isn't any cars coming. I see people go through that light all the time. And it's time that we either fix the little things in the trip wires that we have in the street so that if there are no cars coming, trip it and let the one or two or three cars that sit there for three minutes or two and a half minutes, whatever it is, it would be very helpful to move traffic.

Mayor Perciak – Mr. Walker or Mr. Mikula?

Mr. Walker – The traffic loops at that intersection are working properly. We have Howe Road maximized because the more traffic that comes out of Shurmer, the worse – the lower the level of service is on Howe. So they are working, Bill, but it is – but Howe Road is definitely maximized and you do wait the maximum amount of time before you get to come out of Shurmer.

Bill Vassil – Well, like I said, if the trip wires were adjusted to cover when there are no cars coming, we could move the traffic off of Shurmer. I mean...

Mr. Walker – Well, they are, it's just that we had to maximize Howe because if we didn't, there are times when...

Bill Vassil – I don't really care about Brunswick, it doesn't make any difference to me.

Mr. Walker – I know. But we spent a lot of time, we've looked at that intersection several times; we've had Perram Electric, our outside source, take a look at that. You do wait the maximum amount of time.

Bill Vassil – Oh, definitely it's the maximum.

Mr. Walker – Yeah. The problem is, if we did not do that during rush hour on Howe, we'd have a disaster on Howe, so it's the lesser of two evils.

Bill Vassil – And one other thing. It would be an ideal place to put a right-hand turning lane. I mean, you got it on the other side so that the people can make their left-hand turn; you went over and gave them a place to go around, now why don't we do it the other way, too?

Unidentified Voice – (Unintelligible)

Bill Vassil - Oh yeah, you can take away some of that property. I mean, that house is just sitting there vacant.

Mr. Walker – Is that a legal opinion?

Mr. Gallagher – Well, I'm not going to put up with...

AUDIENCE PARTICIPATION (cont'd):

Bill Vassil – Eminent domain.

Mr. Gallagher – I'm going to let you deal with Mr. Roth on that one.

Mr. Roth – For the right price.

Bill Vassil – Well, seriously...

Mr. DeMio – He didn't say a word today, leave him alone.

Bill Vassil – You want to move traffic, that would be helpful.

Mr. Gallagher – Anyone else?

Mayor Perciak – It's something we can look at, Bill, but if we – I mean, it's not that it's not working, it's just that we've had to maximize Howe; otherwise, you know, there's times when Howe would be a disaster.

Bill Vassil – It's a disaster no matter what you do.

Mayor Perciak – It would be a bigger disaster.

Bill Vassil – Big time disaster.

Mr. Gallagher – Is there anyone else in the audience?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2009-209 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. 2009-179. 1st rdg: 10-05-09.

Motion made by Mr. DeMio to amend the Ordinance by substitution with a revised version of the original. Second by Mr. Coyne. All members present voted aye and the motion carried.

Motion by Mr. DeMio to suspend, as amended, 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 by Mr. DeMio to adopt as amended; second by Mr. Coyne.

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

Nays: Roth.

Motion carries.

Ordinance No. 2009-209 ADOPTED, as amended.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-215 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$7,000,000 FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF IMPROVING: PEARL ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, PAVING, CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS, REPLACING AND CONSTRUCTING CULVERTS, INSTALLING WATERLINES, VALVES, SERVICE CONNECTIONS, STORM SEWERS, CATCH BASINS, MANHOLES, CURB RAMPS AND TRAFFIC CONTROL DEVICES, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS THEREIN, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO; HOWE ROAD BETWEEN CERTAIN TERMINI BY RESURFACING, RECONSTRUCTING SIDEWALKS, CURBS AND CATCH BASINS, INSTALLING CURB RAMPS, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO; AND SUCH OTHER STREETS AS SET FORTH IN PLANS HEREAFTER APPROVED BY COUNCIL; AND DECLARING AN EMERGENCY.

First reading. Referred to Finance Committee.

Resolution No. 2009-216 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PEARL ROAD WIDENING PROJECT (CUY.-42-0.90) SUBJECT TO RECEIVING AUTHORIZATION TO ADVERTISE BY THE OHIO DEPARTMENT OF TRANSPORTATION AND COMPLIANCE WITH ALL LEGAL REQUIREMENTS.

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. 2009-216 ADOPTED.

Ordinance No. 2009-217 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT BLOCK GRANT FUNDING FROM THE U.S. DEPARTMENT OF ENERGY IN CONNECTION WITH THE TRAFFIC SIGNAL PORTION OF 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: All ayes. Motion carries.

Ordinance No. 2009-217 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-218 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT FOR A FEE SIMPLE INTEREST AND A TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED AT 19118 DRAKE ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, AND DECLARING AN EMERGENCY. [Squirek]

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. 2009-218 ADOPTED.

Ordinance No. 2009-219 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 AGREEMENT FROM PAUL WARNER AND PAULINE WARNER, TRUSTEES OF THE WARNER FAMILY TRUST UAD NOVEMBER 19, 1998, 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: All ayes. Motion carries.

Ordinance No. 2009-219 ADOPTED.

Ordinance No. 2009-220 by Mayor Perciak and Mr. DeMio. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF CERTAIN SEATING PRODUCTS AND EQUIPMENT FOR THE POLICE FACILITY RENOVATION AND ADDITION, AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY. [Warren-Chaney Office Furniture, 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: All ayes. Motion carries.

Ordinance No. 2009-220 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2009-221 by Mayor Perciak and All Members of Council. A RESOLUTION URGING THE UNITED STATES CONGRESS TO EXTEND THE FIRST-TIME HOMEBUYER TAX CREDIT THROUGH 2010.

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. 2009-221 ADOPTED.

Resolution No. 2009-222 by Mr. Gallagher. A RESOLUTION SUPPORTING THE CUYAHOGA COMMUNITY COLLEGE ISSUE 4 REPLACEMENT LEVY ON THE NOVEMBER BALLOT.

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. 2009-222 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

Application for Liquor Permit – TRFO-C1-C2 To: EZ Energy USA, Inc., dba AM PM 2407, 16625 Royalton Road, Strongsville, OH 44136. From: Standard Oil Co., dba BP Food Mart 04940, 16625 Royalton Rd., Strongsville, OH 44136. (Responses must be postmarked no later than 11/02/2009).

Mr. Gallagher – There is a conditional objection by Building; there is no objection by Police. All responses must be postmarked by November 2.

Mr. Kraus – Mr. Chairman.

Mr. Gallagher – Mr. Law Director.

Mr. Kraus – Yes. I would appreciate it if Council would take a vote on that objection, a roll call on that. Even though it's conditional, based on the fact that if the Building Commissioner later certifies that the violations are corrected, then the objection would be withdrawn.

Motion by Mr. DeMio, second by Mr. Coyne, to file a conditional objection on the aforementioned application, based on the report of the Building Department. All members present voted aye and the motion carried.

MISCELLANEOUS BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before this Council, Council President Gallagher adjourned the meeting at 8:29 p.m.

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

November 2, 2009
Date of Approval