

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON NOVEMBER 16, 2009**

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on **Monday, November 16, 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, Assistant Building Commissioner Keith Foulkes, 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:

Planning, Zoning and Engineering: Chairman Coyne recommended that Ordinance No.2009-224, authorizing grants of easements for storm sewer drainage system and culvert purposes in connection with the Bowman Drive Culvert Replacement Project, be placed on second reading and referred to Planning Commission. He noted that both Ordinance No. 2009-225, amending SCO Section 1252.32(k) (3) in connection with requirements for corner lot setbacks in single-family detached and cluster development, and Ordinance No. 2009-226, a proposed rezoning of PPNs 395-22-001, 002, 003 and 004 from R1-100 to R1-75, received a favorable recommendation by Planning Commission on November 5; he recommended that both be placed on second reading and a public hearing be set for December 21.

Public Service and Conservation Committee: Chairman Haseley recommended suspension and adoption for Ordinance No. 2009-232, authorizing the Mayor to enter into an agreement for the sale and transfer of a used and obsolete vehicle to the Grafton Township Fire Department, and waiving competitive bidding.

Council Member Roth requested more information on this and asked the Service Director what the Blue Book value on this vehicle is. Service Director Walker responded that the Grafton Township Fire Department approached the City, knowing that the City gets rid of obsolete police cars. Mr. Walker stated this particular vehicle was turned over to us to go to the Greater Cleveland Auto Auction. He stated Grafton Township Fire Department is paying the City \$2300 for the vehicle. The amount was arrived at by reviewing the last comparable vehicle that we auctioned and averaging the price. Mr. Roth noted the vehicle in question is a 2007 Crown Victoria. Mr. Walker explained that we don't get anything near the Blue Book value on auctioned vehicles. Mr. Roth stated the vehicle is only 18 months old. Mr. Walker stated the auction average for the last eight vehicles that were comparable to this vehicle in year and mileage was \$2300. Additionally, police vehicles typically have specialized equipment installed on them that, when the vehicle is no longer in use and goes to auction, all the equipment is removed and so the interiors have all been impacted by the removal of specialized equipment.

Finance Committee: Chairman Dooner recommended suspension and adoption for Ordinance No. 2009-233, authorizing and directing the Mayor and Finance Director to enter into agreement(s) to purchase various insurance coverages, without public bidding. Mr. Dooner explained we are using the same company we have been using.

Finance Director Batke interjected that even though our values have increased on a lot of our property and we've added some things, this company has still been able to keep the price comparable to the price we paid last year. Councilman Roth noted that the insurance market is soft and stated he would like to see us put this out for bid. Law Director Kraus commented that there aren't that many that really do municipal insurance. Mr. Batke added that agencies, city governments are a whole specialized area; we have gone down this road before in previous years. Mr. Batke stated he is not saying Mr. Roth's idea is not a good idea, but if we do that now and these folks have to come back and put everything together, he could almost guarantee those prices would increase. President Gallagher noted that we have an option for next year too, at the same price, basically. Mr. Roth stated he would like to see us put it out for bid next year, just to see if there might be some competition where we might save money. Mr. Gallagher stated we can look at this next year, but for the cost, he feels it would be crazy to roll the dice in this atmosphere. Mr. Batke agreed. Mayor Perciak commented that the best and least expensive way to purchase insurance is to work with the broker, who works with dozens of different companies to ensure the best rates and best coverage. The public bid process would be less efficient, as the Administration would have to sort through many bids from insurance companies for the best rates and coverage. Mr. Kraus interjected that from a claims management standpoint, their people that we deal with do an A-plus job in working with the Administration and acceding to the idioms that we may have on some of the claims of losses, so it is not just from a standpoint of the pricing up front, it is also the service that they provide. Mr. Dooner added that the broker should be going out for bids on our behalf, as well. Mayor Perciak stated they do. Mr. Roth stated he is unhappy to have this legislation put before him for a vote by Council this evening under suspension of the rules; he does not want to put the City at risk, so he will vote in favor of it, but he would like to see it go out for bid next year. President Gallagher agreed to consider the possibility of putting it out for bid next year. Mayor Perciak offered to arrange a meeting between the City's broker and Mr. Roth so Mr. Roth could review the broker's process of finding coverage for the City. Mr. Roth also commented that he feels Council should have ample time for review of important pieces of legislation such as this, instead of having to suspend the rules and adopt the legislation on its first reading. He reiterated his request to put this item out for bid next year, as he feels there are a lot of companies out there who would love to have our business.

Mr. Dooner recommended first reading for Ordinance No. 2009-234, amending the General Salary Ordinance to re-classify and amend the positions of Jailer Coordinator and Jailer in the Police Department. Suspension and adoption was the recommendation for Resolution No. 2009-235, establishing Fund No. 664, to be known as the Worker's Compensation Reserve Fund, and for Resolution No. 2009-236, the tax rate resolution for the City for tax year 2009.

Mr. Roth asked for an explanation of Resolution No. 2009-235. Mr. Dubovec indicated that the fund's purpose is to provide a central cost center to account for the City's participation in the Ohio Bureau of Workers Compensation Retrospective Rating Program. He explained this is a self-insurance program that will enable the City's active management of each claim from inception up to ten years.

Mr. Dooner asked when we would be seeing the 2010 budget. Mayor Perciak replied probably by the end of this month. Mr. Batke suggested that Council set a date in mid-December for the Administration to present the budget.

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Council President Gallagher noted that Ordinance No. 2009-155 is up for public hearing this evening and asked if any Council members had questions about the ordinance. Mr. Roth asked the Administration to briefly go over the changes to the sign ordinance, and asked why we are amending the ordinance. Law Director Kraus replied that the Building Department, the Law Department and the City Planner spent many, many months looking at our existing regulations because the cities of Broadview Heights and North Olmsted were taken to federal court in recent years because their sign ordinances permitted signs that were not content legal – they were regulating the content of the signs as much as anything else, and the law basically says that you can regulate the size, placement and aesthetics of a sign, but you can't get into what somebody wants to put on the sign by way of content, whether it be political content, commercial content or noncommercial content. He stated there have been a lot of changes in these ordinances to make them content neutral. Along the way, the Law Department worked with the Building Department to clean up some of the things in the ordinances that just simply do not reflect what our current practices have been. Thirdly, at the Mayor's and Building Commissioner's suggestion, the ordinances give the Building Commissioner somewhat more expression in some areas so we can move things along for developments coming in without bogging them down by having to gain approval from various boards and commissions with respect to signs; some signs still require Architectural Review Board and other approvals. As a result, these ordinances have been substantially modified and have been approved by the City Planner, the Building Commissioner and the Law Department. Mayor Perciak interjected that these new regulations will also make it easier for businesses to gain approval for existing signs. Mr. Roth asked whether we have tampered with dimensions and heights. Mr. Kraus stated there might have been some minor adjustments. Mayor Perciak stated there might be some signs that can be processed more quickly by the Building Commissioner, such as refacing of existing signs. Mr. Roth asked if there is a final draft of the new regulations. The Law Director advised him that the ordinance up for public hearing this evening is in final form and has been approved by the Planning Commission.

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Mayor Perciak requested that the Finance Committee Chairman call a Finance Committee meeting next week for a review of the budget. Mr. Dooner scheduled the Finance Committee meeting for Tuesday, November 24, at 4:30 p.m. in the Mayor's Conference Room at the Service Center.

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Economic Development and Technology Committee: Chairman Daymut stated there has been a great response to the business start-up guide and we continue to receive comments from the public, and as far away as California, so we are getting well known for our innovative approach of addressing our business community. He stated he had the opportunity to go to the ribbon cutting at Midpoint Campus on Thursday and they have volunteered to provide meeting space for some of our other organizations in town, and to assist in any other way they can. They are more than willing to address any of the needs the Council may have through its constituents for programming, etc. Mr. Daymut stated his committee would meet next on Monday, November 23, at 7 p.m. in the Communications Center.

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**MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON NOVEMBER 16, 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; Keith Foulkes, Assistant Building Commissioner; Ken Mikula, City Engineer; 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 November 2, 2009 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS:**

None.

**PUBLIC HEARING:**

**Ordinance No. 2009-155.** AN ORDINANCE REPEALING EXISTING CHAPTER 1272 AND ENACTING A NEW CHAPTER 1272 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING SIGN REGULATIONS; REPEALING EXISTING CHAPTER 1264 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE CONCERNING PLANNED RECREATION DEVELOPMENT AREAS IN ITS ENTIRETY; AMENDING EXISTING SECTION 822.06 OF TITLE TWO OF PART EIGHT OF THE BUSINESS REGULATION AND TAXATION CODE; AMENDING SECTION 1210.08 OF TITLE TWO OF PART TWELVE OF THE CODIFIED ORDINANCES; AMENDING SECTIONS 1252.02, 1258.02, 1258.03, 1258.04, 1258.05, 1258.06, 1258.11, 1258.27, 1260.02, 1260.09, 1262.02, 1262.03, 1262.04, 1262.05, 1262.12 AND 1268.10 OF CHAPTERS 1252, 1258, 1260, 1262 AND 1268 RESPECTIVELY OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE REGARDING SIGN REQUIREMENTS. *1<sup>st</sup> rdg: 09/08/09. Favorable recommendation by Planning Commission on 09/24/09. 2<sup>nd</sup> rdg: 10/05/09.*

**PUBLIC HEARING – Ordinance No. 2009-155 (cont'd):**

Council President Gallagher opened the Public Hearing on Ordinance No. 2009-155 and invited anyone wishing to speak **IN FAVOR** of the Ordinance to approach the podium and address Council at this time.

*No comments*

Mr. Gallagher then invited anyone wishing to speak **IN OPPOSITION** to the Ordinance to approach the podium and address Council.

*No comments.*

Hearing no comments in regard to Ordinance No. 2009-155, Council President Gallagher declared the Public Hearing on Ordinance No. 2009-155 closed.

**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth:** Thank you, Mr. Gallagher. Our last meeting for the hospital was cancelled and it was rescheduled for a morning shot, which those with jobs were unable to attend. I have just been notified that there is a new meeting on December 16<sup>th</sup> that doesn't show on my calendar, but I will be in attendance, so a report will be forthcoming after that newly scheduled meeting.

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

(None)

**SCHOOL BOARD – Mr. Roth:** There is a meeting later this week, so I will be in attendance there and a report will follow that meeting.

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

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:** There is no legislation this evening, but I will answer any questions, indeed, if you have any regarding recreation.

(No questions)

**PUBLIC SERVICE AND CONSERVATION – Mr. Haseley:** Thank you Mr. Gallagher. Ordinance Number 2009-232 is to authorize the Mayor to enter into an agreement for the sale and transfer of a used and obsolete vehicle to the Grafton Township Fire Department; recommendation is to suspend and adopt and we do need a hundred percent on this. I will answer any questions if there are any.

Mr. Gallagher – Questions for Mr. Haseley?

(None)

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

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** For a change, we have nothing on the docket for this committee. I will field questions otherwise, if there are any questions regarding this committee or any director within.

Mr. Gallagher – Questions for Mr. DeMio?

(None)

**PLANNING, ZONING AND ENGINEERING – Mr. Coyne:** The Planning, Zoning and Engineering Committee met this evening. Ordinance 2009-224 we are going to place on second reading and refer to Planning Commission. Ordinance 2009-225 we are going to place on second reading and have a public hearing on that Ordinance on December 21, 2009. And Ordinance 2009-226 we are also going to place on second reading and have a public hearing on December 21, 2009. If there are any questions, I will be more than glad to answer them this evening.

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

Mr. Roth – No questions, Mr. Gallagher, but just a comment.

Mr. Gallagher – Mr. Roth.

Mr. Roth – I'm getting a lot of calls from my people in Ward 3 and especially from the Big Creek Parkway area, and a lot of anxiety building and a lot of fear and a lot of discontent that they're hearing about a possible Sheetz. I am all for Sheetz and I voted for Sheetz going in on 82 and Prospect – very busy corner, make a million dollars there, have a ball. But the red and orange neon signs on Whitney, which is a residential street adjacent to a quiet, dark parkway – ehh, wrong. The people of Big Creek Parkway do not want to see this secondary location on Whitney Road. That's all.

Mr. Gallagher – Thank you, Mr. Roth, best place for that would be Planning, though.

Mr. Roth – Isn't that what we're in?

Mr. Gallagher – To go to Planning, if indeed they do.

Mr. Roth – Yeah, I'm sure we're going to be discussing it there.

Mr. Gallagher – Don't want to dissuade anybody from coming to the City of Strongsville.

Mr. Roth – Free country, they can come.

**FINANCE - Mr. Dooner:** Thank you, Mr. Gallagher. We have Ordinance Number 2009-233, this is an ordinance authorizing and directing the Mayor and Director of Finance to enter into an agreement to purchase various insurance coverages, our recommendation is to suspend and adopt. Ordinance 2009-234 we are going to recommend to put on first reading. Resolution 2009-235 is to establish a fund known as the Workers Compensation Reserve Fund, the recommendation is to suspend and adopt. And lastly, 2009-236, recommendation is to suspend and adopt a Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. That is all I have, Mr. Gallagher.

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

(None)

Mr. Gallagher – A reminder on 233, we need everybody on that.

**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. Our next meeting will be Monday, November 23, at 7 pm. here at 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. No legislation at this time in this committee, but just a couple items within this committee. Mayor, I hear from two weeks ago, you immediately told me that there was a resolution to the Bailey/Westwood Farms situation; could you please let me know what has been done and put a little status report in my mailbox? I never did get that, so I never found out what the resolution is and what is the timeframe for the resolution, so you can let me know that, or Mr. Biondillo.

Mayor Perciak – We will give you something in writing. Mr. President, Mr. Roth, it's been done pretty much as to code and the work has been completed and Mrs. Bailey appears to be quite satisfied, so we will be happy to update you on that. And if she isn't, she hasn't contacted me to the contrary.

Mr. Roth – All right. Could you just let me know?

Mayor Perciak – Sure.

Mr. Mikula – If I could. What was done, Mr. Roth, is the landscaper pulled the trees out of the mound and brought a backhoe in there and moved the mound back and established the swale in the easement where it should have been. And so the mound has been moved, the trees have been put back in and the swale is in, so the issue should be over.

Mr. Roth – That's great and it's peachy, I'm loving it. I wouldn't bring it up if somebody just would have told me that in the last couple weeks. So, sorry I had to bring it up, but now I know. Thank you very much. And just want to bring up one more time, this situation has come before Council three or four times, it's been very emotional and it's been very disturbing; you know, we've had the situation fester for over five years. Hidden Meadows, five or six homes, five or six families are suffering; we need to rectify that situation over there. It's between the Cains and the people of Hidden Meadows Drive. That high intensity light, stadium light on a pole is blazing away, I needed sunglasses, it seemed like you could fry eggs off the side of the house with those high intensity lights blazing on the back of those five homes. There is no shield, it is disturbing the peace, we've got to rectify it. I think Mr. Biondillo cited them, but I don't know if there has been an actual citation or if there has been a fine enforced or not, but we need to rectify the situation. Many of the homes, the residents are here; if the Police Department or the Mayor or anybody wants to talk to them after the meeting, feel free, but time is really up on this one. High intensity lights, no shields, reports of cameras facing bedrooms, we've got the whole gamut going on here and it needs to cease. It's voiced, I'm done.

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

(None)

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

**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. President; just one announcement this evening, and that is Santa Claus is coming to town on Friday, November 27; we will have our official tree lighting ceremony on the Commons; all are invited to come. We wish all the little ones can get there; the Fire Chief, Bob Moody, has assured me if Santa cannot come on the sleigh, a fire truck will be available for Santa to come. And I am sure the Fire Chief would not want to disappoint all the hundreds of children that are there, so we want to make certain that Santa has a way of arriving on the Commons safely. So, again, it's a fun evening, we have the lighting of the Commons and all the trees and the posts and everything else in town; come see all of our new displays that are there. I want to thank the business community and the residents who have donated the dollars again this year to help make that possible. All of the lighting, all of the trees, everything that appears on the Commons or on the telephone poles is all a result of donations from the community, so I want to extend a deep thank you to them on behalf of all of us here from the City. That is the end of my report.

Mr. Gallagher – Thank you, Mayor.

**FINANCE DEPARTMENT - Mr. Batke:** Thank you, Mr. President. Funds will be made available for every single ordinance and resolution – I mean every single one on this evening's agenda requiring certification of funding and up for adoption. Thank you.

Mr. Gallagher – Thank you, Mr. Batke. We have Mr. Batke for one more month, then he will be retiring.

Mr. Haseley – Can we record that statement, please?

Mr. Batke – Oh yes.

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

Mr. DeMio – Michael – are you done with Mr. Batke?

Mr. Gallagher – Go ahead, we're done.

Mr. DeMio – After some brief discussions with Council and the Law Department, I am going to move to amend the agenda to add 2009-155, which was a public hearing, had two readings – one September 9, one October 5, and all of Council is satisfied, as is... So moved.

Mr. Coyne – Second.

***Motion by Mr. DeMio, second by Mr. Coyne, to amend the agenda by adding Ordinance No. 2009-155 to the agenda under Item No. 11, Ordinances and Resolutions, for a vote by Council. All members present voted aye and the motion carried.***

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

**LAW DEPARTMENT – Mr. Kraus:** Yes, Mr. President, just a couple announcements. Some weeks ago this Council entered a conditional objection to an application for transfer of a liquor permit at 16625 Royalton Road under the name of EZ Energy USA, Inc., and since then our Building Department has indicated that all violations have been corrected and that they approve of the granting of the permit without objection and, therefore, we have instructed the Clerk of Council to so indicate to the Ohio Department of Commerce, Division of Liquor Control.

I would also like to request, in view of the Thanksgiving holiday, that if at all possible our requests for legislation be transmitted to the Law Department by next Tuesday, the 24<sup>th</sup>. I received one this evening already from Mr. Daymut, and so if members of Council or directors could accommodate us, it would make life easier, in view of the Thanksgiving Day holiday.

And finally, all resolutions and ordinances before 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 our agenda where we have audience participation. If there is anyone in the audience wishing to speak with Council this evening, please approach the podium. We don't have anyone signed in, but we welcome anyone in the audience to come on up; we need your name and your address for the record; you have five minutes. And I see Mr. Vassil quickly moving to the podium.

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Well, you yelled at me last time for not coming up, so.

Mr. Gallagher – I like when you come first because you are impossible to follow.

Bill Vassil – That's right. On Veteran's Day this year, we opened a monument at the VFW. It is not finished yet, but will be, there are still a lot of bricks to have names put on. Councilman Haseley and Councilman Daymut both spoke and a certain representative that somebody here doesn't like, but what can I say. It was nice, it is beautiful, it will even get better when they finish it. Hopefully, everybody in the city will go by and take a look at it; it is really nice, they did a great job. Thank you.

Mr. Gallagher – How much are the bricks?

Bill Vassil – I think they were forty.

Mr. Gallagher – Forty for the bricks; and they contact who?

Bill Vassil – VFW. My stadium block cost a hundred some, or three hundred and some dollars.

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

Mr. Haseley – Mr. President, I just want to add one thing and I think Mr. Daymut will go along with me. It was a very humbling experience; in fact, it watered up my eyes and brought a couple of the vets to tears, and it's a shame that everybody couldn't partake in that. And I agree with Mr. Vassil that at your leisure you should drive by there, especially when they get it finished and they light it up at night, it's really very impressive and everybody at the VFW can be very proud.

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

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2009-224** by Mr. Coyne. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT GRANTS OF EASEMENT FOR STORM SEWER DRAINAGE SYSTEM PURPOSES FROM MICHAEL J. ELLMAN AND JEANETTE ELLMAN AND A GRANT OF EASEMENT FROM BRYAN T. AND MICHELLE A. CHILD FOR STORM SEWER SYSTEM (CULVERT) PURPOSES, IN CONNECTION WITH THE BOWMAN DRIVE CULVERT REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY. *1<sup>st</sup> rdg: 11-02-09.*

***Second reading. Referred to Planning Commission.***

**Ordinance No. 2009-225** by Mayor Perciak and Mr. Coyne. AN ORDINANCE AMENDING SECTION 1252.32(k)(3) OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH REQUIREMENTS FOR CORNER LOT SETBACKS IN SINGLE-FAMILY DETACHED AND CLUSTER DEVELOPMENT (R1-75 AND R1-100 DISTRICTS). *1<sup>st</sup> rdg: 11-02-09. Favorable recommendation by Planning Commission 11/05/09.*

***Second reading. Referred to Planning, Zoning and Engineering Committee.  
Public Hearing set for December 21, 2009.***

**Ordinance No. 2009-226** by Mr. Coyne. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED SOUTH OF WHITNEY ROAD, OPPOSITE GROVESIDE DRIVE (PPNS 395-22-001, 395-22-002, 395-22-003 AND 395-22-004) IN THE CITY OF STRONGSVILLE FROM R1-100 (ONE FAMILY 100) CLASSIFICATION TO R1-75 (ONE FAMILY 75) CLASSIFICATION. [Milor Investments, III LLC, Owner. Proposed Use: Single Family] *1<sup>st</sup> rdg: 11-02-09. Favorable recommendation by Planning Commission 11/05/09.*

***Second reading. Referred to Planning, Zoning and Engineering Committee.  
Public Hearing set for December 21, 2009.***

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

**Ordinance No. 2009-232** by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE SALE AND TRANSFER OF A USED AND OBSOLETE VEHICLE TO THE GRAFTON TOWNSHIP FIRE DEPARTMENT, AND WAIVING COMPETITIVE BIDDING.

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. 2009-232 ADOPTED.**

**Ordinance No. 2009-233** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AGREEMENT(S) TO PURCHASE VARIOUS INSURANCE COVERAGES, WITHOUT PUBLIC BIDDING, 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 – Discussion?

Mr. Roth – Yes, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – I just would like to see, as I stated in caucus, us test the public waters and put this out for bid before next year's termination.

Mr. Gallagher – We'll bring them in April or May and we'll get together with you on that.

Mr. Roth – That would be great. That's all.

**Roll Call: All ayes. Motion carries.**

**Ordinance No. 2009-233 ADOPTED.**

**Ordinance No. 2009-234** by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE TO RE-CLASSIFY AND AMEND THE POSITIONS OF JAILER COORDINATOR (SECTION 5-151) AND JAILER (SECTION 5-153) IN THE POLICE DEPARTMENT; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

***First reading. Referred to Finance Committee.***

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

**Resolution No. 2009-235** by Mayor Perciak and Mr. Dooner. A RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS THE WORKER'S COMPENSATION RESERVE FUND, NO. 664.

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. 2009-235 ADOPTED.**

**Resolution No. 2009-236** by All Members of Council. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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. 2009-236 ADOPTED.**

**Ordinance No. 2009-155** by Mayor Perciak and All Members of Council. AN ORDINANCE REPEALING EXISTING CHAPTER 1272 AND ENACTING A NEW CHAPTER 1272 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING SIGN REGULATIONS; REPEALING EXISTING CHAPTER 1264 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE CONCERNING PLANNED RECREATION DEVELOPMENT AREAS IN ITS ENTIRETY; AMENDING EXISTING SECTION 822.06 OF TITLE TWO OF PART EIGHT OF THE BUSINESS REGULATION AND TAXATION CODE; AMENDING SECTION 1210.08 OF TITLE TWO OF PART TWELVE OF THE CODIFIED ORDINANCES; AMENDING SECTIONS 1252.02, 1258.02, 1258.03, 1258.04, 1258.05, 1258.06, 1258.11, 1258.27, 1260.02, 1260.09, 1262.02, 1262.03, 1262.04, 1262.05, 1262.12 AND 1268.10 OF CHAPTERS 1252, 1258, 1260, 1262 AND 1268 RESPECTIVELY OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE REGARDING SIGN REQUIREMENTS. *1<sup>st</sup> rdg: 09/08/09. Favorable recommendation by Planning Commission on 09/24/09. 2<sup>nd</sup> rdg: 10/05/09. Public Hearing 11-16-09.*

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

**Roll Call: All ayes. Motion carries.**

**Ordinance No. 2009-155 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

None.

**MISCELLANEOUS BUSINESS:**

None.

**ADJOURNMENT:**

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

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

December 7, 2009  
Date of Approval