

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JANUARY 19, 2010.

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on ***Tuesday, January 19, 2010 at 7:15 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 Joseph K. Dubovec, Service Director Joseph M. Walker, City Engineer Ken Mikula, Building Commissioner Anthony J. Biondillo, Economic Development Manager Brent Painter, Recreation Director Stephen F. Kilo, Communications and Technology Director John Bedford, Human Resources Director Anthony Urankar, Police Chief Charles Goss and Fire Chief Robert Moody.

Council President Pro Tem DeMio advised that Council President Gallagher and Councilman Roth were engaged in discussion in another room and would join the caucus later.

The following Committees met to review legislation on the agenda:

Finance Committee: Chairman Dooner recommended adoption 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. He recommended suspension and adoption for Ordinance No.2010-004, authorizing and ratifying the Mayor entering into a contract for a comprehensive health benefits plan for employees for the year 2010 without public bidding. This contract extends the current health benefits plan for one year. Law Director Kraus advised that a unanimous affirmative vote is needed for adoption of this ordinance.

Planning, Zoning and Engineering: Chairman Coyne recommended that Ordinance No. 2009-242, a proposed rezoning of property on Pearl Road for a Sheetz gas station and convenience store, be placed on second reading and set for a public hearing on March 1, 2010. The Ordinance received a favorable recommendation from Planning Commission on January 14. Mr. Coyne also recommended second reading for Ordinance No. 2010-001, amending SCO Section 1250.03 to establish a new zoning map. A public hearing will be set for March 1, 2010. This Ordinance also received favorable recommendation from Planning Commission on January 14.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for the following Ordinances: No. 2010-005, amending Section 2 of Ordinance No. 2008-263, concerning the appropriation of funds in connection with the contract for professional services between Geo-Sci Inc. and the City as relates to construction observation and materials testing for the police facility renovation and addition project. No. 2010-006, amending SCO Sections 474.06 and 474.07 relating to certain regulations for riding bicycles within the City. No. 2010-007, amending SCO Section 452.13 regarding excessive snowfall conditions.

Public Service and Conservation Committee: Chairman Haseley recommended suspension and adoption for the following Ordinances: No. 2010-008, approving and authorizing entering into a contract for installation of a temporary traffic signal at Boston and Prospect Roads as a result of the Pearl Road Widening Project, without public bidding. A unanimous affirmative vote is necessary for adoption of this Ordinance. No. 2010-009, ratifying and approving participation in ODOT contracts for the purchase of sodium chloride (rock salt) for use by the Service Department during the 2009-2010 winter season. No. 2010-010, authorizing entering into a contract for the purchase and delivery of ready mix concrete for use by the Service Department.

Economic Development and Technology Committee: Chairman Daymut announced the next committee meeting would take place on Monday, January 25, at 7 p.m. at the Communications Center. He reported that the invitations for the Business Network Breakfast are being finalized and will soon be mailed. Costco is sponsoring the Breakfast; the speaker is George Stadlander, Executive Vice President and Chief Managed Care Officer of Medical Mutual and the topic will be Health Care Reform and the impact on our local businesses. Mayor Perciak feels the topic is a very timely one.

Mr. Daymut stated he has received a fair amount of calls concerning the storm water program with the Northeast Ohio Regional Sewer District. Mr. Daymut feels that at some future date, depending on what happens with the litigation, Council needs to take some position on that or perhaps meet with some of the residents that have contacted him. Mayor Perciak asked the Law Director to update Council on this subject. Mr. Kraus stated he was at a meeting on January 7 where the District took action on the program. He said there were about a dozen speakers; most of them were favorable to the adoption of the program and the regulations. On the same date that they approved it, they did what they indicated they were going to do, which is to file a declaratory judgment action in Common Pleas Court, seeking either the Court's approval as-is of the program based upon the original judgment entry of the Court in the 1970s or, in the alternative, seeking additional Court modification of the original Order of the Sewer District to make it very clear that it would include both regulation of waste water and storm water. He states we anticipate it is likely that one way or another, the Courts will have to approve the jurisdictional or legal authority or basis, but what they are not looking at is how carefully we scrutinize storm water and drainage plans before we make approvals. There are implications for commercial projects coming into these communities, the establishment of various projects. Forty million dollars is anticipated to be raised for all the communities in this area of the District. They have not received the details that involve this legislation and this program for storm water. He states the economic development issues, the business issues, are issues and it does not appear that they were addressing. Therefore, we are looking forward to having an opportunity, once we are served with a lawsuit, as all communities are going to be, to set forth the City's position. I know the Mayors and Managers have discussed the matter and so it is something that we are watching very closely, step by step. Mayor Perciak added that at least we have a forum which we'll be able to go to, at least we will have a forum through the process to file an answer and list what we believe are our objections. He commented that whether the Court will listen to them or not, he doesn't know. Mr. Daymut stated he would hope that to be true because in his tenure here he knows how proactive Strongsville has been. Over the years, every subdivision – twenty-two of them at one time – under construction have detention areas, as does our mall, any retail that goes in. He states since Mayor Perciak's tenure, we have taken the bull by the horns and cured the flooding problems we've had here in the correct way – with the EPA and the Army Corps of Engineers approvals. Mr. Daymut sees no reason why this should negatively impact our residents and our business partners when we have been doing what they should have been doing, if they were going to do it.

Mr. Kraus remarked that Mr. Daymut really hit the nail on the head; one of the problems that was articulated by some of the mayors and law directors at the meeting was that some communities, like Strongsville, have taken the bull by the horns and made substantial improvements to eliminate storm water flooding and with respect to even raising money for storm water projects. This program has not taken into consideration the actions of individual owners. They really don't seem to recognize managing their storm water issues. Mr. DeMio stated we have tens of thousands, probably hundreds of thousands of dollars into this -- he hopes Mr. Kraus will mention that to them; there is no way, no matter what they do, we can recoup all the energy and the right things that have happened over the last seven or eight years. Mayor Perciak interjected that now, in the middle of winter, a new culvert is being installed in Westwood. He stated we are being as proactive as we can in all these situations. Mr. DeMio asked whether a hearing date has been set. Mr. Kraus responded in the negative and stated neither Strongsville nor many of the other cities have even been served with the lawsuit.

Committee of the Whole: President Gallagher recommended first reading for Ordinance No. 2010-011, prohibiting nepotism in employment by the City. He stated Resolution No. 2010-112, authorizing the Assistant Law Director, the Law Department and the Mayor to enter into a settlement agreement to resolve pending tax litigation, would be discussed in executive session.

Councilman DeMio moved, seconded by Councilman Coyne, to adjourn from open session into executive session [Article XI, Section 9, City Charter] to discuss pending litigation and legal matters. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:31 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher, Haseley and Roth. Mayor Perciak and Law Director Kraus were also present. Motion was made by Mr. DeMio and seconded by Mr. Gallagher to conclude the executive session and reconvene in open session. All members present voted aye and the motion carried. The executive session concluded at 7:56 p.m.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JANUARY 19, 2010 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; Joseph K. Dubovec, Finance Director; Joseph M. Walker, Service Director; Anthony J. Biondillo, Building Commissioner; Ken Mikula, City Engineer; Brent Painter, Economic Development Manager; Stephen F. Kilo, Recreation Director; John Bedford, Communications and Technology Director; Anthony Urankar, Human Resources Director; Charles Goss, Chief of Police; and Robert Moody, Chief of Fire.

Mr. Gallagher – If there is anyone in the audience here with concern to Ordinance 2009-242, that would be the Sheetz parcel, we will not be voting on that this evening. We will be setting that for a public hearing March 1, at which time we will be taking any testimony from any residents that may be interested to comment on that parcel. You are certainly welcome to stay and speak this evening if you wish at our public forum time during our agenda, but the time really to speak would be March 1. So that is just for those that were here in interest to that alone.

COMMENTS ON MINUTES:

The Minutes of the Organizational and Regular Council Meeting held on January 4, 2010 were approved as submitted.

Motion made by Mr. DeMio and seconded by Mr. Coyne to amend the agenda to include two additional appointments by the Mayor under Appointments and Confirmations. All members present voted aye and the motion carried.

APPOINTMENTS AND CONFIRMATIONS:

- Mayor's re-appointment of Kenneth D. Evans to a four (4) year term as a member of the City's Board of Zoning Appeals, effective retroactive to January 17, 2010 and expiring January 16, 2014.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's re-appointment of Kenneth D. Evans as a member of the Board of Zoning Appeals. All members present voted aye and the motion carried.

- Mayor's re-appointment of Mary Jane Walker to a four (4) year term as a member of the City's Planning Commission, effective January 20, 2010 and expiring January 19, 2014.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's re-appointment of Mary Jane Walker as a member of the Planning Commission. All members present voted aye and the motion carried.

- Mayor's re-appointment of Jeanne Georgeadis to a four (4) year term as a member of the City's Civil Service Commission, effective February 2, 2010 and expiring February 1, 2014.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's re-appointment of Jeanne Georgeadis as a member of the Civil Service Commission. All members present voted aye and the motion carried.

- Mayor's re-appointment of Charles F. Hawk to a four (4) year term as a member of the City's Civil Service Commission, effective February 2, 2010 and expiring February 1, 2014.

Motion by Mr. DeMio, second by Mr. Coyne, to confirm the Mayor's re-appointment of Charles F. Hawk as a member of the Civil Service Commission. All members present voted aye and the motion carried.

At this time, Mayor Perciak administered the Oath of Office to Kenneth D. Evans as a member of the City's Board of Zoning Appeals.

Mayor Perciak – Congratulations, Ken.

Ken. Evans – Thank you.

(Applause)

Mr. Gallagher – Congratulations, Mr. Evans.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher: There is no report this evening. There will be a meeting in February; I will be in attendance. I will answer any questions, if I can.

(No questions)

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. I guess as far as the school board, are we going to have a meeting with them this month?

Mr. Gallagher – I made a call to the superintendent again today, he was out of the district. I would anticipate he'll be calling me tomorrow or sometime this week. I'd like to do it sooner than later and I'm hoping early February.

Mr. Roth – Okay. And then I'd just like to beg your indulgence for a minute on this other point.

Mr. Gallagher – The floor is yours.

Mr. Roth – Okay. For twenty-five years, I have served this community. I serve my ward with all my heart and soul. I served with the Lord's words in my heart, Colossians 3:23: Do everything heartily, or don't do it at all. I honor all my commitments and I'll be there always for Ward 3, but I'm announcing that twenty-two months from now I am going to be retiring as Councilman of Ward 3 because of the serious condition of my grandson; it's developing into a real serious condition and a real permanent condition. My children need me, my grandson needs me and I realize in life that there are higher callings, even more than public service, and, believe me, I respect public service with all my heart, given half my life to this community. The higher calling, of course, is to help my family. And to honor all my commitments to my day job at NASA and to the community, I will be doing my job as normal, but wrapping everything up, just like the Incan calendar, twenty two months from now, January 1, 2012, everything comes to a head and I'll be leaving then. And, also because of my love for my ward, you know, with all the garbage that's been thrown at me in twenty-four years, I mean, all the disrespect, all the gaveling, all the misquoting in the papers, all the vicious letters week after week after week – and believe me, you know, just amazing how not only is it a bald-faced lie that appeared in this week's paper, but the papers captioned it as if it was true. You know, being the only councilman that voted against the income tax, the opposite is printed. I do deal with that and I have dealt with that, you know -- the rebuttal's in the mail -- but my family can't. You know, Mr. Coyne mentioned when he got sworn-in, you know, him and Jackie and the kids have gone through a lot. Believe me, I've been attacked in the papers for twenty years, I've been misquoted for twenty years, I've been outvoted six to one for twenty years. My children have suffered, my family has suffered, but they're willing to suffer. But now, suddenly a condition has evolved with my grandson that the higher calling is to go serve, in twenty-two months, them. And out of my love for my ward, you know, through all the garbage, eighty-two percent of them have always supported me. That's a miracle. With all the lies before them, eighty-two percent of them vote for me all the time. I can't love them enough. Because I love them that much, I want to give ample time to all the decent people in my ward that might want to pray about this and take over for me. Okay. So, you've got eleven months, Ward 3, to pray about it, think about it, and file next January; I'm just announcing my retirement tonight. Thank you so much for a minute here. I'm done.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Gallagher – Thank you, Mark. Any questions for Mr. Roth?

(None)

Mr. Gallagher – And from – Mark let us know this evening just before the meeting of his intentions. And from the bottom of my heart and the Council's heart, we know the heart of Mark Roth. You know, we all don't always fully agree, we can agree to disagree, and there is no question as to the goodness and the intent of Mr. Roth; there never was, never will be. Whoever steps up in those shoes, you've got some pretty big shoes to fill. And legends are made, and Mark certainly is one and will continue to be one and someone I'll never forget as long as I live. He's a good man and he's a good person. And that's all we have.

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: There is no legislation this evening. I will answer any questions, if I may.

(No questions)

PUBLIC SERVICE AND CONSERVATION – Mr. Haseley: Thank you, Mr. Gallagher. We have three pieces of legislation this evening: Ordinance 2010-008 is for installation of a temporary traffic signal at Boston and Prospect to handle the overflow traffic once we start widening Pearl Road, recommendation is to suspend and adopt; Ordinance 2010-009 is to purchase sodium chloride, better known as rock salt, for use of our Service Department. God knows we will need that before this year is over, suspend and adopt that; and 2010-010 is for purchase and delivery of ready-mix concrete, again for use of the Service Department, and recommendation is to suspend and adopt. That concludes my report and 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. There are three pieces of legislation tonight: 2010-005, 2010-006 and 2010-007, all of which are up for suspension and adoption. This Council met, agreed to vote on these tonight. I would like the Chief to just do an overview regarding the ordinance regarding the bike safety issue. If the Mayor would allow him to grace us, Mike, I'd defer the difference of time to the Chief, if it's okay with the Mayor.

Mayor Perciak – Please.

Chief Goss – Mr. President, Mr. DeMio. The amendment that we make tonight in the ordinance is intended to bring our ordinance up to date with the state statute, which was changed recently. And, in essence, it allows adult bike riders to use the roadway, rather than the sidewalk, and, in essence, be treated as a vehicle and a vehicle operator, as opposed to a rider of a bicycle on a sidewalk. We reserve the right to have youngsters age eleven and under remain on the sidewalk, where we think it's safest for them until they become of age to be able to operate as the operator of a vehicle. So that's the bottom line in the ordinance change for bicycles on tonight's agenda.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. DeMio – Thank you, Chief. Thank you, Mayor. I will field questions on this committee, or any other issues that apply to this committee if there are some.

Mr. Gallagher – Questions for Mr. DeMio?

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Coyne: Thank you, Mr. Gallagher. The Planning, Zoning and Engineering Committee met this evening. We have Ordinance 2009-242, that is the ordinance amending the – certain real estate parcels in the City of Strongsville related to Sheetz. Sheetz representatives were at the Planning Commission last Thursday. While they were there, the Mayor grilled them on issues that they needed to update and revamp, and this is pertaining to a meeting that Mr. Roth called with his constituents and, at that meeting, a number of things were brought up. Number one, the illumination level that residents there complained about, they talked about using a lower sodium-like lighting. Also, they brought up about having extensive mounding. And they're going to be back at Planning Commission and they updated us on that. That Ordinance is going to be placed on second reading and we're going to have a public hearing on that March 1, 2010. So I would ask any member of Council, because I know this is going to be a – this very much affects Mr. Daymut's and Mr. Roth's wards significantly, and the three councilmen-at-large, I mean, we're all important, but it affects Mr. Roth and Mr. Daymut, so if they have any questions or their constituents have any questions, they can contact me and I'll be more than glad to answer them for you. And I know there are a lot of other issues regarding this Ordinance, so if there is anything I can answer at this time or try to be helpful, but I've received a lot of calls, as have many other members of Council, on this issue. It's been a real significant issue here, so I'm sure at our public hearing on March 1st we're going to have a number of residents attending expressing their opinions. We then have Ordinance 2010-001 and that is just amending the section of Codified Ordinances establishing a new zoning map. We're going to place that on second reading and have a public hearing on March 1, 2010. Are there any other questions or concerns?

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth - Thank you, Mr. Coyne, for bringing that up. Yeah, I got so many calls from my ward, that's why I called a street caucus in here. And, you know, a lot of people, they live in fear, they don't want to go to the microphone or anything like that, so that's why I'll speak up for them and always will. You know, the overwhelming majority, ninety percent of them, are really praying that this Sheetz is stopped in that location. As I said before, we hope they make a million dollars a day, but in a busy commercial location like 82 and Prospect. There are nine residences that have bedrooms that would face the red and orange neon for the rest of their lives, after living in a park-like setting off of Big Creek Parkway and having just a party center that's busy only two days a week across their house, that's why they purchased their homes. You know, twenty-four/seven, the chaos of a Sheetz – You know, they're just begging for all of Council to put themselves in their position, would you want to live next door to that? Even my kids at Liberty University, and, you know, you go to Medina, Route 18, everywhere you see a Sheetz, it's in a very busy major interstate commercial area, not a park-like setting, residential area. And that's what makes this situation unique, and the people are crying out for a no vote. Thank you, Mr. Coyne, for bringing that up and offering to help there. That's all, Mr. Gallagher.

REPORTS OF COUNCIL COMMITTEES (cont'd):

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

(None)

FINANCE - Mr. Dooner: Thank you, Mr. Gallagher. Finance Committee met this evening. We have Ordinance 2009-234, this is the general salary ordinance reclassifying the positions of jailer-coordinator and jailer; we are going to vote on adopting that this evening. And we also have before us Ordinance 2010-004, this is regarding ratifying the Mayor to enter into a contract for health benefits for one year for 2010. 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. I would like to announce that we will have a committee meeting next Monday, January 25, at 7 p.m. here in the Communications Center. And I'd also like to announce that our breakfast meeting will now take place on Thursday, February 11, at 7 a.m. at the Rec Center. I'd like to give a special thanks to Costco, who is the sponsor of that particular breakfast. And if at all possible, please clear your calendars to attend that meeting because our featured speaker will be George Stradtlander, Executive V.P. and Chief Managed Care Officer for Medical Mutual of Ohio, and the topic will be Healthcare Reform's Impact on our Local Businesses, which is a very important topic that will face our businessmen. We don't know if it will happen very soon; at least we will get some insight into that. And 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. Gallagher: There is no legislation this evening in Building and Utilities.

COMMITTEE OF THE WHOLE – Mr. Gallagher: We have Ordinance 2010-011, we will place that on first reading, and that is an ordinance to prohibit nepotism here in the City; we will read that. Resolution 2010-012 is a resolution to settle pending tax litigation; recommendation is suspension and adoption. If you have any questions, I will answer those.

(No questions)

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

Mayor Perciak – Thank you, Mr. President. Just one item to address this evening and that is the widening of Route 42, Pearl Road south from Shurmer to about a thousand feet south of Drake. We have met with the Engineering Department, police, fire and all the necessary departments have met with the contractor, we have met with all the different utilities, and the final report is being put together.

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

Mayor Perciak (cont'd) - And so, Mr. Gallagher and Mr. Haseley, as soon as we have that report finalized, Mr. Mikula and his staff will ask to meet with both of you and members of the administration so that you can choose a forum of your choice to meet with the business community affected by this widening, because I know you both have been receiving calls, you both have been asking a lot of questions, but we're just nailing down all the – we are trying to get an effective timeline from the utilities and from the contractor, Mr. Fabrizi. So, as simple as it sounds, it isn't, and utilities today, public utilities, they give you a range of time, they don't necessarily give you a specific time, and we're trying to take that range and bring it a little bit closer. And along with that, with the Pearl Road widening, we're going to be seeing some additional stop signs being placed in some of the subdivisions in our communities, you're going to be seeing a red light placed at Prospect and Boston Roads; all of this is being done to slow traffic and to keep traffic on the main roads and to keep it out of our subdivisions. So, please bear along with us as we go through this transition and I'm sure the Council President or Mr. Haseley will be calling a meeting with the business community there on Pearl Road to advise them as this continues to progress. That's all I have this evening, Mr. President.

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

(None)

FINANCE DEPARTMENT - Mr. Dubovec: Thank you, Mr. President. Funds will be available for all ordinances and resolutions on this evening's agenda requiring certification.

Mr. Gallagher – Thank you, Mr. Dubovec. Any questions for Mr. Dubovec?

(None)

LAW DEPARTMENT – Mr. Kraus: Mr. President, all resolutions and ordinances before the City Council this evening are in proper legal form.

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

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – This is the segment of our agenda where we have audience participation. Those in the audience wishing to comment to Council this evening, we welcome your comments. If you would step to the microphone, we need your name and address for our record. On the list, I have only one person right now, Jeff Cirner.

Jeff Cirner, 387 Marlee Court., Brunswick Hills, Ohio – Thank you, Mr. President. I appreciate you folks having the attention for me this evening. My name is Jeff Cirner and I am speaking on behalf of a 501(c)(3) organization called RhizoKids, and basically what we're looking for is support from the community as well as the Council and businesses in the City of Strongsville. We are having a fundraiser on April 23rd at Michaud's.

AUDIENCE PARTICIPATION (cont'd):

Jeff Cirner (cont'd) - The reason I am part of RhizoKids is both my children have a life-threatening genetic disorder; it's called Rhizomelic Chondrodysplasia Punctata, and with that disorder it is something where they said my son would only live to be about two or three, he is now seven years old, and it's something – Like I said, we are having a fundraiser April 23rd and we are just looking for some support from the City, the Council and the businesses. It is just a very rare genetic disorder, there are only a handful of kids in the world alive with this disorder, and I have two children with it.

Mr. DeMio – Michael. May I?

Mr. Gallagher – Sure.

Mr. DeMio – Can you just give us a little idea of the amount, the time, with the tickets?

Jeff Cirner – Oh, sure. The fundraiser, like I said, is going to be April 23rd at Michaud's and tickets are thirty-five dollars per person. It's going to be a reverse raffle. We have a ton of – You know, this is our third fundraiser that we've had. This is actually my wife, Mindy Cirner.

Mindy Cirner – I have flyers, if you would like me to pass them out; if that's okay.

Mr. Gallagher – Sure.

Mr. DeMio – Sure, let's take them; we'd love it.

Jeff Cirner – Like I said, this is our third fundraiser and, you know, the past couple of years we had it outside the community, but this is something where we've outgrown our previous place of fundraising, so we – you know, we're doing it at Michaud's this year.

Unidentified Voice – (Unintelligible)

Jeff Cirner – Well, with the disorder, my kids – my son, like I said, is seven, my daughter is four; they cannot walk, talk or crawl. They both get fed through a tube, they both have a number of seizures, they both have low muscle tone, but also muscle contractures; they both wear contacts because they had cataracts. I mean, there are just so many different things that are involved. Unfortunately, throughout the world, like I said, there are only a handful of children alive and we've kind of formed an alliance or a group with people all across the world with this disorder because there are so few. And the thing is, is we've actually lost four children in a two-week span from ages of two to four. So, it's just a very rare disorder and the thing is, is we don't get all the support like some of the larger things as far as cancer, AIDS, you know, MS; so this is something where we're raising money and only the people that have children with this disorder are raising the money, so that's why we're looking for the support.

Mr. Gallagher – Very good. Actually, your wife is talking to the lady from The Post and we have a lady, Amanda, from The Sun back there.

Jeff Cirner – Perfect. Thank you.

Mr. DeMio – Thank you.

AUDIENCE PARTICIPATION (cont'd):

Mr. Gallagher – Thank you. Is there anyone else in the audience wishing to address Council? You didn't have to sign in, but... Anyone at all? Mr. Vassil.

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil, 18271 Fox Hollow Drive. Did everybody read The Plain Dealer Business section on Sunday?

Mr. Gallagher – Regarding?

Bill Vassil – Illuminating Company. Our discounts.

Mayor Perciak – Oh, on the all-electric homes.

Bill Vassil – Oh yeah.

Mayor Perciak – Yes.

Bill Vassil – Yeah. Those people are a bunch of liars, plain and simple.

Mayor Perciak – Really?

Bill Vassil – Oh yeah. Well, you saw them here complaining about taxes last week or the week before. I think it's a rotten shame. There are a lot of us that are senior citizens on fixed incomes and now our electric bills go from a hundred and seventy or a hundred and eighty dollars to four hundred. I don't think that's fair at all. Not at all. The PUCO should all be fired for giving them this. They told us when we purchased our houses, you'll have a discount forever. They lied. And they probably lied to the PUCO. Every time the nuclear plant goes down and there are repairs to be made, who pays for them? We do. They don't spend any money. Do they come out here and fix all the lights? Nooo. When you force them to. We have poles leaning, do they come out and fix them? Very seldom. We got one down on Shurmer, though, they did take care of that one. It's not fair. It's not fair to us older people, especially being on a fixed income. I don't know what can be done, I have no idea. Maybe the newspapers can get involved. I'm going to call the PD tomorrow and have a meeting with the gentleman that wrote the article and see what we can do. I don't know how many of you have an all-electric house. Anybody? I guess me, huh?

(Service Director Walker indicated he has an all-electric house)

Bill Vassil – Oh, that a boy, Joe. It's better than gas. But it won't be. Not much longer. It'll be higher than gas, and that's not fair. Costs us too much to convert. I had a choice, an all-electric home or a propane home and I chose the old...

Mayor Perciak – I remember those days.

Bill Vassil – Oh yes, I remember those days, too, and I chose the electric and I never wanted to switch, we're very happy with electric. But, you know, there's only so many pennies in the pot and when you're out of pennies, you know, you're done. So that means time to go to an apartment or something where it doesn't cost us as much to pay for utilities and etcetera, etcetera, etcetera, so.

AUDIENCE PARTICIPATION (cont'd):

Bill Vassil (cont'd) - I don't know if there is anything that can be done, I don't know if we can pull strings down in Columbus to have the PUCO reconsider, I don't know. It sure would be helpful.

Mayor Perciak – Bill, truthfully, we can pass a resolution up here, I can speak to State Senator Tom Patton and State Rep Matt Patten and voice your displeasure to them, but they will listen to what we, as elected officials, have to say, but they will listen far more attentively to the residents who have all-electric homes and who are being affected by this.

Bill Vassil – Well, Tom lives in the development, so I'll get with him.

Mayor Perciak – But I don't know if Tom's got...

Bill Vassil – I don't know, he lives at the other end, he may have gas, he may have switched over; who knows?

Mayor Perciak – But you really need...

Bill Vassil – I will, I'll call them.

Mayor Perciak – Please. Thank you.

Bill Vassil – Right.

Mr. Gallagher – Thanks, Mr. Vassil. Is there anyone else in the audience wishing to address Council this evening?

(No comments)

ORDINANCES AND RESOLUTIONS:

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. *1st rdg: 11-16-09. 2nd rdg: 12-07-09. 3rd rdg: 12-21-09. 4th rdg: 01-04-10.*

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-234 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-242 by Mayor Perciak and 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 AT 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-005) AND FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006). (The Polivchak Company, Owner. Stephen W. Funk, Attorney for Sheetz, Inc., Agent. Proposed Sheetz convenience store) 1st rdg: 12-07-09. Tabled by PC 12-22-09. Favorable Recommendation by PC 01-14-10.

***Second reading. Referred to Planning, Zoning and Engineering Committee.
Public Hearing set for March 1, 2010.***

Ordinance No. 2010-001 by Mayor Perciak and Mr. Coyne. AN ORDINANCE AMENDING SECTION 1250.03 OF TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY TO ESTABLISH A NEW ZONING MAP. 1st rdg: 01-04-10. Favorable Recommendation by PC 1-14-10.

***Second reading. Referred to Planning, Zoning and Engineering Committee.
Public Hearing set for March 1, 2010.***

Ordinance No. 2010-004 by Mayor Perciak and All Member of Council. AN ORDINANCE AUTHORIZING AND RATIFYING THE MAYOR ENTERING INTO A CONTRACT FOR A COMPREHENSIVE HEALTH BENEFITS PLAN FOR CITY EMPLOYEES FOR THE YEAR 2010, 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.

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-004 ADOPTED.

Ordinance No. 2010-005 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2008-263 CONCERNING THE APPROPRIATION OF FUNDS IN CONNECTION WITH THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN GEO-SCI INCORPORATED AND THE CITY OF STRONGSVILLE AS RELATES TO CONSTRUCTION OBSERVATION AND MATERIALS TESTING FOR THE STRONGSVILLE POLICE FACILITY RENOVATION AND ADDITION 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. 2010-005 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2010-006 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 474.06 AND 474.07 OF TITLE TEN OF PART FOUR-TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE RELATING TO CERTAIN REGULATIONS FOR RIDING BICYCLES WITHIN THE CITY, 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. 2010-006 ADOPTED.

Ordinance No. 2010-007 by Mayor Perciak. AN ORDINANCE AMENDING SECTION 452.13 OF TITLE EIGHT OF PART FOUR-TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING EXCESSIVE SNOWFALL CONDITIONS, 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. 2010-007 ADOPTED.

Ordinance No. 2010-008 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR INSTALLATION OF A TEMPORARY TRAFFIC SIGNAL AT BOSTON AND PROSPECT ROADS AS A RESULT OF THE PEARL ROAD WIDENING PROJECT IN THE CITY OF STRONGSVILLE, 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.

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-008 ADOPTED.

Ordinance No. 2010-009 by Mr. Haseley. AN ORDINANCE RATIFYING AND APPROVING PARTICIPATION IN OHIO DEPARTMENT OF TRANSPORTATION CONTRACTS FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR USE BY THE SERVICE DEPARTMENT OF THE CITY DURING THE 2009-2010 WINTER SEASON; 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.

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. 2010-009 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2010-010 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND DELIVERY OF READY MIX CONCRETE FOR USE BY THE SERVICE DEPARTMENT OF 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. 2010-010 ADOPTED.

Ordinance No. 2010-011 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING SECTION 266.21 OF CHAPTER 266 OF TITLE SIX OF PART TWO-ADMINISTRATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO PROHIBIT NEPOTISM IN EMPLOYMENT BY THE CITY, AND DECLARING AN EMERGENCY.

First reading. Referred to Committee of the Whole.

Resolution No. 2010-012 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE ASSISTANT LAW DIRECTOR, THE LAW DEPARTMENT AND MAYOR TO ENTER INTO A SETTLEMENT AGREEMENT TO RESOLVE PENDING TAX LITIGATION; AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Resolution No. 2010-012 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 8:42 p.m.

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

February 1, 2010
Date of Approval