

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 2, 2011.

The Council of the City of Strongsville met in the Caucus Room at the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road, on ***Monday, May 2, 2011 at 7:30 p.m.***

Present: Council Members: Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Raymond L. Haseley, Mark A. Roth and J. Scott Maloney. 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, Human Resources Director Stephen F. Kilo, Recreation and Senior Services Director Bryan V. Bogre, Communications and Technology Director John Bedford, Police Chief Charles Goss and Fire Chief Jeffrey D. Branic.

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering Committee: Chairman Haseley noted that Planning Commission met on April 28 and gave favorable recommendation to Ordinance No. 2011-055. This Ordinance proposes to amend Sections 1258.03(a)(2) and (c)(3) and enact new Section 1242.07(b)(8) of the Strongsville Codified Ordinances in order to establish regulations for crematories. It was recommended the Ordinance be placed on second reading this evening and a public hearing set for June 6. Mr. Haseley recommended suspension and adoption for Resolution No. 2011-068, which authorizes the Mayor to advertise for bids for the Pearl Road Pavement Reconstruction Project.

Finance Committee: Chairman Dooner recommended suspension and adoption this evening for Ordinance No. 2011-069, making appropriations for the annual expenses and other expenditures of the City for the year 2011 and repealing Ordinance No. 2011-052. He noted that this appropriations ordinance reflects the reduction of expenditures in the budget by \$614,000. Mr. Dooner recommended suspension and adoption for Resolution No. 2011-070, which authorizes and approves the consolidation of the City's Special Assessment Bond Retirement Fund No. 332 into the General Bond Retirement Fund No. 331.

Public Service and Conservation Committee: Chairman Roth recommended suspension and adoption for Ordinance No. 2011-071, which authorizes the sale at public auction of a certain obsolete and surplus vehicle no longer needed for any municipal purpose. The vehicle is a 1987 Ford 1-Ton dump truck. Ordinance No. 2011-072, authorizes the disposal of Department of Public Service equipment (Cold Patch/Hot Box Trailer; Forklift; and 1971 Aluminum Flatbed Trailer) no longer needed for any municipal purpose. Mr. Roth asked Service Director Walker if the forklift and cold patch/hot box trailer couldn't be sold. Mr. Walker replied that the hot box trailer is probably about fifteen years old and the trailer is cracked. Mr. Roth recommended suspension and adoption for the Ordinance. Suspension and adoption was also the recommendation for Resolution No. 2011-073, which authorizes the advertising of bids for uniform rental service for use by the Service Department.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Ordinance No. 2011-074, which authorizes an application for financial assistance under the Drug Abuse Resistance Education ("DARE") Law Enforcement Grants Program. Mr. DeMio stated he would return to his committee for discussion of speed limit signage on state routes after the conclusion of the Economic Development and Technology Committee.

Economic Development and Technology Committee: Chairman Daymut announced that invitations for the next Business Network breakfast meeting have gone out. The breakfast meeting will be Thursday, May 19 at 7 a.m. at the Event Center in the recreation complex. Medical Mutual of Ohio will sponsor the meeting and the speaker will be from the Cleveland Indians. Also, Mr. Daymut announced that the survey did go out. Mayor Perciak interjected that thirteen responses have already come in on-line. The Mayor also stated that seventy reservations have already been made for the Business Network breakfast. He stated we are all proud that people want to come here to our breakfast meetings at the recreation complex to understand what our business community is all about. The Mayor also stated we are going a little step further with this next Business Network breakfast; we are giving some of our local bakers an opportunity to showcase their products at the breakfast tables. This is another way of involving the local businesses on the retail bases at our industrial development breakfasts. Mr. Daymut stated he appreciates all the Mayor does for us.

Public Safety and Health Committee (cont'd): Chairman DeMio stated Councilman Maloney brought a matter to his attention regarding speed limit signage on state routes. Mr. Maloney stated in today's Plain Dealer Road Rant column, a motorist claimed that he was driving on Route 82 east of the highway and he was ticketed by one of our officers for speeding. The motorist complained that there was not a speed limit sign posted along that section of the road. Mr. Maloney stated after reading the article, he sent an email to Mr. DeMio and Mr. Daymut and a couple others inquiring what the City's obligation is on a state route regarding the posting of speed limit signs. Chief Goss responded that, first of all, there are signs. He stated that corridor is adequately marked; there is one sign a couple hundred feet of clearing the highway ramps, by the hotel, and there is another one farther down. He stated that, although it is adequately marked, usually on a state route there are three kinds of signs – regulatory signs, those that are enforceable, and advisory signs and warning signs. He stated the signs posted along that corridor are advisory signs, because that is the statutory speed limit on all arterial streets in the state. The Chief stated that people should know that on a street like that, the speed limit no matter where you're at, is 35 mph; however, it is marked, they took another look at it and he believes it is adequately marked. Chief Goss stated we put up warning signs and advisory signs and the City usually maintains them; if it is a state route and it calls for regulatory signage, then we usually have to go through ODOT.

Mr. DeMio stated he believes there is a need to convene in executive session to discuss legal matters and pending litigation.

Committee of the Whole: Councilman DeMio moved, seconded by Councilman Dooner, to adjourn from open session into executive session [Article XI, Section 9, City Charter] to discuss legal matters and pending litigation. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:38 p.m. with the following members present: Daymut, DeMio, Dooner, Haseley, Maloney and Roth. Administration present: Mayor Perciak, Law Director Kraus and Police Chief Goss. Motion to conclude the executive session at 7:55 p.m. and reconvene in open session was made by Mr. DeMio and seconded by Mr. Roth. All members present voted aye and the motion carried.

Councilman DeMio moved, seconded by Councilman Haseley, to reconvene in executive session to discuss personnel matters. Present were Council members Daymut, DeMio, Dooner, Haseley, Maloney and Roth, and Clerk of Council Leslie Seefried. Administration present: Mayor Perciak and Law Director Kraus. Motion to conclude the executive session at 7:59 p.m. and reconvene in open session was made by Mr. DeMio and seconded by Mr. Roth. All members present voted aye and the motion carried.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 2, 2011 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBER

CALL TO ORDER:

Council President Michael J. Daymut 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: Mark A. Roth III, Patrick J. Coyne, Joseph C. DeMio, Michael J. Daymut, Kenneth M. Dooner, Raymond L. Haseley and J. Scott Maloney. 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; Stephen F. Kilo, Human Resources Director; Bryan V. Bogre, Recreation Director; John Bedford, Communications and Technology Director; Charles Goss, Chief of Police; and Jeffrey D. Branich, Assistant Chief of Fire.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of April 18, 2011 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

Mayor Perciak – We don't have an appointment this evening, Mr. President, or a confirmation, but I think it's time for all of us to celebrate Michael Meldon's success here in the City of Strongsville, one of our Strongsville High School swimmers. So, with your permission, I'd like to go down to the floor, present a plaque and talk a little bit about Michael and his accomplishments.

President Daymut – Thank you, Mayor, we look forward to that.

Presentation of plaque to Michael Meldon, Strongsville High School State Swimming Champion and Plain Dealer Swimmer of the Year

Mayor Perciak – I think Strongsville has a lot to be proud of, and so many wonderful things go on at our high school, but tonight we want to take a little bit of time to recognize Michael Meldon from our Strongsville Swim Team. Also here this evening is his coach, Tom Stacey, and Michael's mother, Suzanne. I think at this point I'd like to go into a little bit as to why we are here with Michael, celebrating with Michael, and congratulating Michael. The City wants to recognize Michael Meldon, a senior at Strongsville High School, for his achievements on the High School Swim Team that was just recently completed in the season. Michael is Strongsville High School's first Boys State Swimming Champion and the Plain Dealer Boys Swimmer of the Year. Congratulations to you.

APPOINTMENTS AND CONFIRMATIONS (cont'd):

(Applause)

Mayor Perciak – Listen to some of the statistical data: He won the Division One State Fifty Yard Freestyle in a time of 20.51 seconds and the One Hundred Yard Freestyle in a time of 40.59 seconds. That is just absolutely stunning. He was involved in all one hundred – his team's points, where Strongsville finished sixth in the final Division One standings for the best finish in program history, under the direction of our head coach, Tom Stacey. At the Cleveland State University District, his 44.7 seconds in the One Hundred Yard Freestyle broke the previous mark of 45.34 seconds set in 1982, some thirty years ago. We had to write all this down because I could have never remembered all the statistical data. And the nice thing about all this, Michael will be attending Ohio State and will be majoring in Biomedical Engineering and is already back training for the Olympic trials. Michael, congratulations to you, God speed you. Mom, thank you very much for giving us this great guy and this great example for all of our students. And I am presenting him with a copy of the article that was found in Tuesday, March 29th's Plain Dealer that says, 'Boys Swimming All Stars – Swimmer of the Year Michael Meldon, Strongsville, Ohio'.

(Applause)

Michael Meldon – I just want to thank, of course my coach, my parents, who have always been very supportive of me, the Rec Center, who gives us lanes and the workout facilities – everybody's been great, and the school and my teammates who have always stood behind me, and I wish them the best and I wish all of Strongsville the best and I'll miss Strongsville High School a lot. Thank you. Thank you, Council. Thank you, Mayor.

(Applause)

President Daymut – Thank you, Mayor. And again, congratulations, Mike. We appreciate that. Anyone who is here for the acknowledgment of Michael, we'd be more than happy to have you stay for Council meetings, but if you have other celebrations to attend, feel free. Thank you. Mayor, I wonder if I might impose on a few minutes of your time during this time.

Mayor Perciak – Sure.

President Daymut – I'd like to announce – and I have a Proclamation here for Municipal Clerks Week, May 1st through May 7th. And I'm sorry, but I'm going to do this briefly, the Proclamation.

(At this time, President Daymut read a Proclamation recognizing the week of May 1 though May 7, 2011 as Municipal Clerks Week and further extending appreciation to Strongsville's Municipal Clerk, Leslie J. Seefried, and Assistant Municipal Clerk, Aimee Pientka, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.)

President Daymut – I have a Proclamation that will be presented to each of you. So, we appreciate everything you do, Leslie and Aimee -- working for one individual is difficult, working for seven could be impossible – in keeping us all on track and to make sure that we are in good stead with our public records; it's a daunting task, to say the least. So thank you, Leslie, we appreciate all your help.

(Applause)

Mr. Daymut – Thank you, Mayor.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Haseley: Thank you, Mr. Daymut. I have no report this evening. The next meeting for the hospital is scheduled for May 25th and I will have a report after that.

Mr. Daymut – Thank you, Mr. Haseley. Any questions for Mr. Haseley?

(None)

SCHOOL BOARD – Mr. Roth: Thank you Mr. Daymut. The only lingering highlight, really, to maybe reiterate is there is a 9.9 continuous levy on for tomorrow – school levy, and now there is a 6.9 four-year renewal levy on for August. So, that's where we're at with that. Tomorrow and for a special election in August. That's all I have, Mr. Daymut.

Mr. Daymut – Thank you Mr. Roth. Any questions for Mr. Roth?

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Coyne: Thank you Mr. Daymut. We have no ordinances or resolutions in my committee this evening, but I will be more than glad to answer any questions.

Mr. Daymut – Thank you, Mr. Coyne. Any questions for Mr. Coyne?

(None)

PUBLIC SERVICE AND CONSERVATION – Mr. Roth: Thank you, Mr. Daymut. We have three pieces of legislation up for a vote – Ordinances 2011-071 and 072 and Resolution 2011-073 that are up for Council's consideration.

And the only other question and point that I have to voice for the people in my ward really is – it kind of goes to Mr. Walker – please tell me it's not true, Joe, that the island on Collier Drive is not being eliminated. We're keeping that, correct?

Mr. Daymut – Mr. Walker.

Mr. Walker – Mr. Roth, no it is true that the island is coming out.

Mr. Roth – Mr. Walker, I'm disappointed to hear that because, first of all, myself and fourteen out of the eighteen residents on that street were not notified, only the people that I guess touched the island. And, you know, I was so happy when finally, after all these years of garbage, when sixteen of my streets that were long overdue to get fixed – I was so thrilled for the people that we're finally going to fix a big batch of them this year. But now, you know, now I'm getting calls, okay, from the residents that are very irate and they're very disappointed. They see certain developments in this city getting eight inches of very expensive concrete replacement with rebar, and then they see themselves in Ward 3 over there getting concrete streets covered with a thin asphalt skim layer that goes untouched for ten years.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION (cont'd):

Mr. Roth (cont'd) -And then they did Village Green that gets – they were thrilled at the beginning because we were doing some foundation work, but then they did Village Green where we lose the curbs, and they get an asphalt street. And now Collier loses their beautiful island that they enjoyed and bought there for, for safety reasons, for aesthetics. It's not right. There's a difference in treatment here. We're losing islands, we're losing curbs, and we're having concrete streets paved over with cheap thin layers of asphalt.

Mr. Daymut – Okay, Mr. Roth, perhaps Mr....

Mr. Roth – Whatever you can do to put that island back in, please...

Mr. Daymut – If you could meet, perhaps after the meeting, Mr. Roth, to see if you can set something up with the residents. Would that be okay, Mayor?

Mr. Roth – Well, I need everyone to understand this. Mayor, we need the island put back in; that was why they bought.

Mayor Perciak – I'm not going to comment on the island right yet, but before we get into the island, just for the record, there isn't a street that we do in this town that's cheap, okay. So just forget that. And number two, Ken, would you want to just very briefly give the specs on what's happening on that street there?

Mr. Mikula – Yes, Mayor. On Collier Drive, which is an asphalt street right now, we are milling off the three inches of asphalt that is bad, we're doing full-depth repairs where needed...

Mayor Perciak – Wait, stop. Would you please repeat that, Mr. Engineer?

Mr. Mikula – We're doing full-depth repairs where needed, we're milling off three inches of asphalt and then we'll be putting three inches of new asphalt over that.

Mayor Perciak – Does that sound cheap to you, Mark?

Mr. Roth – None of it is cheap...

Mayor Perciak – All right. Okay.

Mr. Roth – They were thankful for that.

Mayor Perciak – And it's not skim coat, it's not...

Mr. Roth – Well, let...

Mayor Perciak – It's not a job just we're doing sloppily just to get done to pacify people.

Mr. Roth – Okay, Mayor, there's a big diff...

Mayor Perciak – So let's set the record straight.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION (cont'd):

Mr. Roth – Well there's a big difference between...

Mayor Perciak – Hey, let me tell you, it's not junk.

Mr. Roth -Shag Bark Trail. There's a big difference between eight inches of concrete replacement with rebar and asphalt milled on the top.

Mayor Perciak – You know what, I wasn't here twenty-four years ago when you guys started paving the streets.

Mr. Roth – I'm not blaming you.

Mayor Perciak – Okay.

President Daymut – Gentlemen, gentlemen.

Mr. Roth – I am not blaming you, but there still is a difference here.

President Daymut – Gentlemen.... I appreciate it...

Mr. Roth – There's a two-tiered system in street repair.

President Daymut – Perhaps we can discuss this after the meeting. I think that would be appropriate if we do that. Any questions for Mr. Roth?

(None)

President Daymut – Anything else, Mr. Roth?

Mr. Roth – My final point is just please put the – put it back in. Leave it as you found it.

President Daymut – If you can meet after the meeting, Mr. Walker, with Mr. Roth and see if that can be resolved. Thank you.

Mr. Roth – Okay.

President Daymut – I appreciate it, Mr. Roth. Are there any questions for Mr. Roth?

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Very briefly, the Committee met today and we discussed some issues with state routes and our speed limit signs and, according to our Chief of Police and I believe our Law Director, we're in good standing there, so any confusion we might have heard throughout the last week was not a hundred percent accurate and we appreciate the time that was put into that. The other thing is that we are applying for a DARE grant, education grant; it's on the agenda tonight, I believe it's 2011-074, and we will suspend and adopt that.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SAFETY AND HEALTH (cont'd):

Mr. DeMio (cont'd) - We have other issues for this Committee that will be on the agenda next Council meeting that will be a little bit more interesting than the last couple weeks, so I look forward to that. I'll field questions on this Committee at this point.

Mr. Daymut – Thank you, Mr. DeMio, I look forward to it myself. Are there any questions for Mr. DeMio?

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Thank you Mr. Daymut. We have two items on the agenda this evening. The first one is Ordinance 2011-055 dealing with crematories. We sent this over a month ago to Planning Commission and they gave us a favorable recommendation, so I'm able to set this for a public hearing on June 6th and refer back to the Committee. The second item is Resolution 2011-068, authorizing the Mayor to advertise for bids for the Pearl Road Pavement Reconstruction Project in the City of Strongsville; we definitely want to suspend and adopt that. That concludes my report and I'll answer any questions if there are any.

Mr. Daymut – Thank you, Mr. Haseley. Any questions for Mr. Haseley?

(None)

FINANCE - Mr. Dooner: Thanks, Mr. Daymut. We have before Council this evening Ordinance Number 2011-069, this is an ordinance making appropriations for the annual expenses and other expenditures for the City of Strongsville for the year 2011. In this ordinance we are reducing our expense budget by \$614,000. Recommendation is suspend and adopt that. Then we have Resolution Number 2011-070, this is a resolution authorizing and approving the consolidation of the City's Special Assessment Bond Retirement Fund Number 332 into the General Bond Retirement Fund Number 331, and the recommendation is suspension and adoption of that, as well. And that is all we have.

Mr. Daymut – Thank you Mr. Dooner. Any questions for Mr. Dooner?

(None)

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut: I'll give a brief report on our meeting of Monday, April 25th, here at Council Chambers. We did discuss the Network breakfast meeting which will take place May 19th. Very happy to announce the sponsor of that particular breakfast will be Medical Mutual of Ohio and our speaker will be from the Cleveland Indians, the number one team, at the moment, and we look forward to that. So, for all our business partners, I think it will be a very exciting –

Unidentified Voice – In all of baseball.

Mr. Daymut – In all of baseball. I wasn't sure I'd make it long enough to say that. I remember when, but that's neither here nor there. And we appreciate that, so we look forward to that breakfast meeting. Tech Committee; we received a report from Ed Oliveros on that.

REPORTS OF COUNCIL COMMITTEES (cont'd):

ECONOMIC DEVELOPMENT AND TECHNOLOGY (cont'd):

Mr. Daymut (cont'd) - Our Business Retention and Expansion survey to our technological and industrial partners went out on Friday through email. I'm happy to announce we're already receiving responses back from that. As soon as we get the results from that we will report it, not only to the Council here and the Administration, but to the public. So we look forward to that; that is a barometer of how we are doing in the City and what we need to do to make sure that we retain the businesses that we have and provide for their expansion and attract new ones. The City Rotary Club/Chamber Business Expo will take place in October, the date has not been defined yet. We have our small business seminars that will take place again this year starting in October and going into next year, and they will be held at Midpoint Campus for Lorain Community College. Our Storefront Renovation Program was discussed and, unfortunately, due to cuts in the county, that program is no longer viable or available, so it's something that we did utilize and some of our business partners here did utilize and unfortunately, it does not exist. We received a report back on the Polaris Job Fair. And we also are very proud to announce to the Committee and to the City that -- the Mayor has been working on this project for quite a long time now -- we are starting the Progress/Alameda Business Park sign. The old signs are down, the new ones are now done with the planning stages and hopefully in the next few weeks we'll start the construction and I think you'll see a vast improvement there. And we'd like to thank you, Mayor, for all you did to move that project along. And our next meeting will be Monday, May 23rd, at 7 p.m. here in Council Chambers. That's all I have this evening. Are there any questions for myself?

(No questions)

BUILDING AND UTILITIES – Mr. Maloney: Thank you, Mr. Daymut. I have no ordinances or resolutions appearing before Council this evening, but I do want to take a quick minute and speak to some information I saw in the paper over the weekend related to the House version of the Ohio budget. And there was a section that talked about utilities and consumers. Notably -- and I'm going to follow up to see if there is validity to this because it was kind of surprising -- but they're looking to reduce the funding for the Ohio Consumers Counsel, which is kind of the watchdog group that looks out for all of our interests, by fifty-one percent. So they're planning to cut that in half. They've also got language in there that would prohibit that Counsel from advocating or promoting positions contrary to the development of competitive markets in Ohio, including state policy pertaining to natural gas. It would prohibit them from operating a call center to field consumer complaints coming in and require that the calls be forwarded to the Public Utilities Commission. It would also remove requirements that utilities include the Office of Consumers Counsel contact information on customer bills and notices, which is there today. So it appears that they're trying to work some changes through there to take away -- on the surface it sounds like some of the protections that we've enjoyed for years. And I'm going to follow up with our State Representative Mike Dovilla and State Senator Tom Patton in particular, since Senator Patton has a key role on that relevant committee and find out if there is truth to this, if maybe there is a shade of gray here, but just to get more information. And if I can get that, I will share that with the Mayor and Council to let you know what looks like will happen and what will happen with the (unintelligible). And I'll be happy to take any questions.

Mr. Daymut -- Thank you, and thank you for all your work on that, and if you'd keep us apprised we would all appreciate that. Any questions for Mr. Maloney?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

COMMITTEE OF THE WHOLE – Mr. Daymut: We have no ordinances or resolutions on this evening's agenda.

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

Mayor Perciak – Mr. President, thank you and good evening. Tomorrow is Election Day, just want to remind everybody that the polls will be open at 6:30 a.m. in the morning and will close tomorrow night at 7:30. We have ward races in Wards 2, 3 and 4. Please, if you haven't already voted, please vote tomorrow. Of course, we have our school levy on the ballot for tomorrow. Mark, maybe you can tell me, is that on or withdrawn or...?

Mr. Roth – Last I heard, you have the 9.9 continuous on for tomorrow and there was nothing in black and white about the scenarios that would exist after tomorrow.

Mayor Perciak – Okay. So remember please, tomorrow is Election Day, make certain you take the time to go and vote if you haven't already.

And Sunday is Mother's Day and I'm sure on behalf of my Administration and all of us up here, all of my directors, we wish all of our mothers a very happy Mother's Day on Sunday. Take a few moments, take some time, write a card, send some flowers, buy some candy, cook mom's favorite meal, take her out to dinner, do whatever you have to because I can tell you, to this day I wish my mother were still here; I can still remember all the wonderful things she did for my brothers and myself and it's kind of hard when you get to this stage in life and you think back on all the things a mother gives up for their children. So all of us who have their moms here, please take time to remember your mother in a very special way on Sunday, Mother's Day.

And lastly, I was informed this morning that we are going to hold our annual Memorial Day parade on Monday, May 30th, at 11 a.m. And we usually start at St. Joseph's Church and we march up the center of Pearl Road, but instead of coming – I'm not sure if we're going to the Freedom Trail this year or to the center of town, so we're still working on that with the veterans. So, please mark your calendar for Monday, May 30th, we will have our annual Memorial Day celebration here in Strongsville to honor our war dead. That's the end of my report, Mr. President.

Mr. Daymut – Thank you, Mayor. Are there any questions for Mayor Perciak?

(None)

FINANCE DEPARTMENT - Mr. Dubovec: Thank you, Mr. President. I have two items to report tonight. First of all, the Auditor of State's office is finalizing the City's 2010 audit. They have scheduled the City's post-audit conference to be held on May 20, 2011 at nine o'clock in the Mayor's Conference Room. All members of Council, the Mayor and our Law Director will be receiving an invitation from the Auditor of State's office to attend this post-audit conference to review the findings of the audit.

And secondly I would like to say that funds will be made available for all ordinances and resolutions on this evening's agenda requiring certification of funding. That is the end of my report, Mr. President. Thank you.

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

FINANCE DEPARTMENT (cont'd):

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

(None)

Mr. Daymut - And, for my colleagues, if you'd please mark your calendar, again, May 20th at 9 a.m.; you'll be receiving notification of that, I think it's very important that we make a concerted effort to show up for the results of the audit.

LAW DEPARTMENT – Mr. Kraus: Yes, Mr. President, I would like to report on several items of litigation that have been pending. First, we have a case that's been pending in the United States District Court brought by Daniel Roth against a police officer, Brian Sloan. I am very pleased to report that late this afternoon I received a copy of an order from our Chief United States District Judge here who has dismissed that case in its entirety based upon a summary judgment. We will know within the next thirty days if there is an appeal, but at this point the case has been dismissed.

Secondly, the City had brought a case against Brian and Beth Mathoslah, owners of property at 17361 Drake Road, which property has been declared a public nuisance. I am also pleased to report that the Common Pleas Court, through Judge Kathleen Sutula, last week issued an order that these folks would have up to thirty days to remove that house that's uncompleted and constitutes a nuisance. If they fail to do that, the City, through our Building Department, will have the authority to immediately go in and demolish and raze that structure and charge all costs against the property through an assessment proceeding.

And finally, I would like to report that in the pending case involving the Sewer District's proposed storm water program that the Common Pleas Court issued a partial order regarding the authority of the District to regulate intercommunity drainage, erosion and storm water, but all of the issues concerning the fee that they have proposed against our residents, our churches and our businesses, all those issues regarding the validity, constitutionality and calculation of those proposed storm water fees will be heard by the Court in July. So we will keep Council and the Mayor abreast of further developments in that particular litigation.

And then, finally, I want to report that all ordinances and resolutions pending before City Council this evening are in proper legal form. Thank you, Mr. President.

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

(None)

AUDIENCE PARTICIPATION:

Mr. Daymut – We have reached the portion of our meeting for audience participation. We do have a sign-in sheet, no one has signed in, but please, anyone feel free to address Council. You will have five minutes to share your thoughts with us. Is there anyone in the audience who would like to address Council? Please state your name and address for the record.

AUDIENCE PARTICIPATION (cont'd):

James Tomchak, 14456 Oakland Park Drive, Strongsville – My name is James Tomchak, I live at 14456 Oakland Park Drive, off of Webster Road between Sprague and Whitney. I have about six issues here I'd like to address to Council – I don't know if I got time, five minutes here. But the first three of them are just suggestions to save the City some money. First one I'd like to address is the rubbish collection. City of Middleburg Heights passed out the little blue recycle containers for the homeowners to put their recycling material in there and I noticed that everybody seems to be using it. My daughter lives in Middleburg Heights, they use it quite frequently. City of Strongsville, our disposal company requires you to put everything in a little bag. And this morning when they collected the rubbish on our street and Cartwright Circle there, I counted ten people that had recycle bags out there. Now it doesn't make any sense to drive a garbage truck all around that neighborhood to pick up four little bags or ten little bags of recycle material. So I'm just making a suggestion that maybe the City can get a hold of our rubbish company and pass these here containers out to everybody. Think it's a good idea, Mike?

Mr. Daymut – It is; we'll have to see what the cost is because we have a contract with them.

Mayor Perciak – Good. Continue.

James Tomchak – Well, it didn't look to me like anybody paid for them because I seen them passing them out, they were just throwing them out the truck to everybody's yard. So you know nobody bought them. Okay, most important issue I got is the issue of the being able to park recreational vehicles in your yard. Now your ordinance says that as long as the vehicle is less than thirty-six feet long, twenty foot back from the edge of the sidewalk, parked on a hard surface, it's legal to park it there between April to November. Is that right?

Mr. Daymut – If I remember the ordinance correctly, that is correct.

James Tomchak – Well, I got some photographs here of where I live – I don't know if I can – would you like to see them?

Mr. Daymut – Bring them up, and yeah.

James Tomchak – Okay, the first photograph is my home... (Mr. Tomchak walked away from the microphone and the rest of his comment was not able to be heard until he returned to the microphone.) Now, I also want to say that I'm in the process of trying to sell my home. I have an electric home; everybody knows what an electric home is in Strongsville. I spent eighty-eight hundred dollars last summer to have it converted over to gas, okay. And now I got that issue right there that who's going to buy a home where you have things like that parked in the driveway? I mean, it's not allowed in Middleburg, it's not allowed in Parma Heights, it's not allowed in Parma, why should it be allowed in Strongsville? I have nothing against motor home owners or recreational vehicles, but if you can put them a hundred foot back from the street, it's fine with me. But twenty foot back? Those photographs will show that the motor home is in front of my home. So the definition of a recreational vehicle – well, I couldn't find the vehicle part of it, but the definition of recreation is the refreshing of body and mind, a pleasurable occupation or exercise. That's the definition, look it up in the dictionary (unintelligible), recreation. So you have a vehicle like a motor home, a boat, a motorcycle, RV, whatever, could be the refreshment of body and mind, right? Am I right? So any vehicle that I use for recreation could be legally parked in my driveway, right?

AUDIENCE PARTICIPATION (cont'd):

James Tomchak (cont'd) – Okay, now I'm going to use a hypothetical example. Just say I had a horse trailer and I couldn't keep my horse there, of course, but I could keep my trailer there because that's my recreation? Now how would you – anybody on this Council Chambers – like to get up in the morning, grab your briefcase and your cell phone and look out the window and see a horse trailer in somebody's yard? Would you like it?

Mayor Perciak – Mr. Tomchak, I don't mean to interrupt you, but if you – those questions – you've already given pictures here to the Building Commissioner and he will be happy to meet with you in the back room...

James Tomchak – Okay.

Mayor Perciak - ...to go over all that with you.

James Tomchak – Okay.

Mayor Perciak – And really, Mr. Biondillo can answer a lot of those questions for you and maybe get you some immediate answers. Okay, thank you, Mayor. Can I – I got time for another one?

Mr. Daymut – You have about thirty-five seconds; doing the best you can. Go ahead, quick.

James Tomchak – Well, I'll have to come back next week. I just want to congratulate Mr. Roth on his statement about the poor condition of the roads, and that's not a way to do a highway or fix a road, putting an overlay of blacktop on it. I worked forty years in the construction business for Anthony Allegra and Great Lakes Construction, their paving division, and that's the worst way. And they did that to our street – and you remember that – ten years ago.

Mr. Daymut – I remember it, it was something...

James Tomchak – And take a ride down Oakland Park and look at the road today. What did I tell you, Mike?

Mr. Daymut – I know.

James Tomchak – Thank you for listening.

Mr. Daymut - Okay, thank you, I appreciate it. Anyone else? Please state your name and address for the record.

Matt Ferraro, 8666 Ashwood Drive, Strongsville – My name is Matt Ferraro, I live at 8666 Ashwood Drive. I wanted to thank the Council today for having us here. One thing I noticed was that our street is slated this year – that's Ashwood Drive again – is slated this year to be repaved and I just wanted to get some answers as to when that is slated to be repaved.

Mr. Daymut – I'm not sure.

Matt Ferraro - Engineer has information on this?

Mr. Roth – Mr. Walker...

AUDIENCE PARTICIPATION (cont'd):

Mr. Daymut – Mr. Walker, has any schedule been set?

Mr. Roth – Ashwood?

Mayor Perciak – Wait, everybody hold up, please.

Mr. Mikula – We have a schedule...

Mayor Perciak – There is a schedule.

Mr. Mikula - ...that's a part of our concrete street repair program this year. What is your concern? You just want to know when it fits in on the schedule?

Matt Ferraro – I just wondered when it...

Mr. Mikula – Later on in the year.

Matt Ferraro – Later in the year, as in December, or?

Mr. Mikula – As in towards the fall or December.

Matt Ferraro – Well, we've had this issue in the past with our street being slated later in the year and it's never gotten done. Right now I have pictures, I can pass them this way or I can give...

Mayor Perciak – Please, we know. We know exactly what's going on. You can give the pictures to the City Engineer.

Matt Ferraro – I will.

Mayor Perciak - But, Ken, is this an asphalt or is this the concrete?

Mr. Mikula – It's a concrete street and there is going to be extensive repairs done to this street.

Matt Ferraro – Now – right now the fastest we can go is five, ten miles an hour on our street. I've had to get the struts in my car replaced, the shocks, that wasn't cheap. Right now we have plenty of – the street's hardly even there anymore – we have plenty of holes that the City has cold patched on top of already loose rock, which does nothing. And, I mean, I would ask any – I don't know if anybody in the Council has driven on Ashwood Drive, Cricket Lane, Jonathan; it's getting really bad and it's been a problem that's been brought up year after year and it hasn't been fixed as it was promised. I don't know if, President, Mr. Mayor, if you've driven down that street.

Mayor Perciak – You know, Matt, everything costs money and we've got to find the money to do it. So, yeah, it's not that easy. In the good old days, ladies and gentlemen, in all fairness, remember what they used to do when they did streets? They assessed it to the homeowner. We're trying not to do that, we're trying to live within our means and provide these services to the residents. If there isn't money, we can't find the money.

Matt Ferraro – Well, there's money to do all the side streets around Westwood that aren't...

AUDIENCE PARTICIPATION (cont'd):

Mayor Perciak – We're fixing as many...

Matt Ferraro - ...nearly as bad as...

Mayor Perciak – We're fixing approximately forty streets this year.

Matt Ferraro – I understand that. It's – the issue is that our street is not driveable anymore and if we wait any longer it will ruin everybody's car that tries to – it's embarrassing to the people that live in Strongsville. I mean, I'm proud that I live here and when you see pictures of Strongsville you see beautiful streets, beautiful everything, and I agree with that for the most part, but this is our street right now. This, this – I mean, there is nothing left of our street. Again, the cold patch does nothing. It makes things worse, the rocks all over the place. I mean, this is not a street anymore. I mean...

Mr. DeMio – If you want to – just bring them up, it's no problem.

Mr. Daymut – Bring them up.

(Unintelligible comments from audience members)

Mayor Perciak – We've been there, I've been there. That's why the street is getting done this year, Ma'am.

Unidentified Voice from audience – Yeah, but (unintelligible).

(Gavel sounds)

President Daymut – Okay, please. Please. I'm sorry, go ahead.

Matt Ferraro – If it's slated to December or anywhere around December, we don't know when it's going to be, who's to say that the weather is not going to be an issue, money is not going to be an issue by the time we get to that point, if we run out of money in that fund, who's to say that any of those things – or other streets have taken precedence now. It's been on the slate before in past years and it's gotten to that point – November, December, and it's hasn't gotten done. So...

Mr. Daymut – I appreciate it, Matt. Mr. Mikula, it's my understanding this street is on the schedule?

Mr. Mikula – This street is on the schedule.

Mr. Daymut – Okay.

Mr. Mikula – This Council did budget for this project...

Mr. Daymut – That's correct, the money is there.

Mr. Mikula – It's a part of the streets list, it's already on there. You do have a point, we can't predict the weather, okay.

AUDIENCE PARTICIPATION (cont'd):

Matt Ferraro – Slate it earlier though, that's...

Mr. Mikula – Should have said I could predict the weather?

Mr. DeMio – No.

Matt Ferraro – No, you could have slated us...

Mr. Roth – No, he said you could slate it up earlier.

Mr. Daymut – Okay, Matt, I appreciate....Okay.

Mr. Mikula – Your street is slated to be done this year.

Mr. Daymut – Thank you, Mr. Mikula. Okay, the only thing I can tell you, Matt – and you bring up a good point because I had the streets in my ward, the same situation, you know – dollars only go so far, we're only able to do so much work.

Matt Ferraro – What street do you live on?

Mr. Daymut – I can invite you to drive down many streets that are, unfortunately...

Matt Ferraro – What street do you live on?

Mr. Daymut – And we're doing the best we can as Council and as Administration to – the money has been budgeted...

Matt Ferraro – But, but his...

Mr. Daymut – We have gone out to bid for this and the streets will be done as soon as they possibly can, and if there is – and none of us can predict what can – you know, you see what happened down South with tornadoes and everything – what'll happen. Under normal circumstances, your street will be not only addressed but it will be fixed.

Matt Ferraro – I don't have faith in that.

Mr. Daymut – And that I understand, but that's the best I can – the best I can tell you right now.

Matt Ferraro – Is there any way we can get this slated earlier in the year? Because I've driven down many streets in Strongsville and I haven't seen one worse than...

Mayor Perciak – Matt, the only thing we're going to do, we're going talk to Mr. Fabrizi, the paving contractor, and we'll see if there's a crew that he has available that can address your street, take this out of some order. But I can't commit to what he's doing because under our City ordinances and the way we have to do things, everything has to go out on a bid and it's been bid and Fabrizi Construction Company or Contracting Company is the lowest bidder, so we have to work within their timeline and we'll do everything we can to get to them, but that's all I can promise you.

AUDIENCE PARTICIPATION (cont'd):

Matt Ferraro – Is there any way that I can get information on that or a call or...?

Mayor Perciak – You can contact the – Ken Mikula from our Engineer's office will contact them and see what they can do and then he'll get back to you or to whomever and then you can be the spokesman for your neighborhood.

Matt Ferraro – I can follow up.

Mr. Daymut – Thank you, Mayor. If you'd give him a call, perhaps later in the week.

Mayor Perciak – We'll do that, we'll see if they're willing to do it.

Matt Ferraro – Okay.

Mayor Perciak – I mean, they're going to get paid the same amount of money whether they do it first or do it last, so we'll see.

Mr. Roth – Mr. Daymut. Mr. Daymut.

Mr. Daymut – Excuse me. Mr. Roth.

Mr. Roth – The key points, though, is we should be doing -- we've sworn – we've got a sworn duty to do the worse streets first. I challenge anybody to come close on this. The worst street should be first. Second of all, if you get to October 15th or November 15th, then the weather not only hinders your progress on a very difficult job and maybe stops it, but it cheapens it. I've seen streets before that have gotten done aft – around Halloween, they fell apart; the life of that street is reduced dramatically; it falls apart after two years. This is a very bad street, it's waited ten years to get fixed, it's validated to get fixed, it's far less to fix this street than concrete replacement. We got money for that, we got money for this.

Mr. Daymut – Okay, Mr. Roth, thank you. So...

(Applause)

Mr. Mikula – If I could just address that. Mr. Roth, this is a concrete street that is being replaced.

Mr. Roth – Right now it's covered with a lot of cheap asphalt.

(Unintelligible comments from audience members)

Mr. Mikula – And it's going to be replaced.

(Unintelligible comments from audience members)

Mr. Roth – It needs more time then to do that, Ken.

(Unintelligible comments from audience members)

AUDIENCE PARTICIPATION (cont'd):

Mr. Daymut – Okay, please.

(Gavel sounds)

Mr. Daymut – And I appreciate it; if you'd like to address Council, please come to the microphone. Is there anything else, Matt?

Matt Ferraro – That's it.

Mr. Daymut – And I appreciate you coming up, I really do...

Matt Ferraro – I'll follow up with the City Engineer.

Mr. Daymut - ...and hopefully you'll be able to get this done in a more timely manner. They'll do what they can.

Matt Ferraro – Thank you.

Mr. Daymut – Is there anybody else wishing to address Council? Please state your name and address.

Denise Witherspoon, 8648 Ashwood Drive, Strongsville – My name is Denise Witherspoon; I live at 8648 Ashwood Drive. And I want you to know that the residents on that street have been there since – fifty percent of them have been there since their houses were built there. I think that every one of them has showed their dedication to the City by paying their taxes and lived in the City for over forty years, and I think it's very disrespectful the way that street, because it's at the older end of Strongsville, regardless of what you say, and these people have been treated. We've all had to do repairs to our cars, repairs to our lawn mowers because there is so much gravel in our street, and every time we turn around this City is spending money to send out people to cold patch, which within five days is gone off that street. We would rather see you grade the street and put it to dirt than drive our cars down that street any longer. It's not fair. We are good people and we all have paid our taxes. There are many houses in this city that don't pay taxes and they drive down glass. It's very unfair to us. We keep our yards up, we take care of our properties. Thank you, Mr. Roth, for everything you've done for us.

Mr. Roth – I'm going to miss all of you, I really am.

Denise Witherspoon – And we will miss you.

(Applause)

Mr. Daymut – Okay, is there anybody else that would like to address Council? Sir.

Dick Thornton, 20461 Collier Drive, Strongsville – Hello, my name is Dick Thornton, I live at 20461 Collier Drive. I'm calling – I'm talking tonight in regards to the island on Collier Drive. Just like to know how we got to the point where the island is going to be removed. I had the opportunity to see the drawings before they went out to bid and there was nothing in the plans or specs about removing that island. Apparently, it was an afterthought after the project was let. I just wonder if anybody can answer how that came about.

AUDIENCE PARTICIPATION (cont'd):

Mayor Perciak – Mr. President. Dick, would you please meet with Mr. Walker and he'll go off to the other room with you and he'll explain what's going on there, okay?

Unidentified voice from audience – We want to know how it happened...(Unintelligible).

(Gavel sounds)

President Daymut – Okay. And I appreciate it, but I'd like to keep some decorum about the meeting, so I'd appreciate if everyone – you'll have a chance to come up here to the microphone, but I really don't appreciate...

Dick Thornton – But I do get my five minutes?

President Daymut - ...having back and forth in the audience, so. You know, that is a question and I said – and I understand Mr. Roth's concern that you really need to meet with the residents; Mr. Roth I think is your representative and he's more...

Mr. Roth – Well, just come to my light.

Mr. Daymut – No, but I'm saying that he has more than brought it to the Council's attention and we need some more information on it too, and see if anything can be done; would take a meeting with Mr. Walker.

Dick Thornton – My concern would be that if we wait that the work will be done and then they'll say there's nothing that can be done.

Mr. Daymut – And that's understandable, that's the reason I appreciate your coming up this evening to bring up the matter so that we can address it before it happens, not after.

Dick Thornton – So that part of the job can be suspended until we do have discussion?

Mr. Daymut – I can't – and that could very well happen. I can tell you from personal experience, I had the same situation in my ward, you know, where they took out an island and, to be honest with you – and I know you may not want to hear this, but it was really in the best interests of the residents and the safety of the area. So, I can't say that to be true for yours and I understand your –

Dick Thornton – You're right about that.

Mr. Daymut – When was it; was it Litto Drive, what, three or four years ago? About three years ago. Okay, so. And understand, so it's not done with malice, if you...

Dick Thornton – Well, I wasn't implying that it was. If it was a drainage issue, I see they've uncovered a catch basin, it could have drained just fine into that basin. As far as the cost issue goes, on the short funds that we have in the City, it certainly would have been cheaper to leave it there than to take it out.

AUDIENCE PARTICIPATION (cont'd):

Mr. Daymut – Okay. And I thank you very much. If you have a few free minutes you might be around; Mr. Walker, if you'd be willing to meet with the residents here and, Mr. Roth, as soon as we conclude our business here, if you'd be able to attend that meeting.

Mr. Roth – I went – you know, I'm going to res – I want – I'm begging the Service Department and the Mayor to keep that island intact. People bought those homes for many reasons and one of them was having a nice, beautiful, safe, gorgeous island to proceed on their street by. And there's – you know, we've left islands in this City, in all four corners of the City, and it is cheaper to just leave it alone, and the people want it – the majority of the people want it, that's the huge point. And I don't know anything about this, I've been kept in the dark, so I want a report on the final decision, on why we came to that decision.

Mr. Daymut – Okay, that's fine. Yes, sir.

Dick Thornton – Also, we were notified about a concrete driveway on 82 being installed, which is probably six or seven houses down from us, but we weren't notified about an island that is on our street, two houses away from. I don't think that's right.

Mr. Daymut – Thank you.

Dick Thornton – Thank you. Yes, sir.

Tom Firment, 20437 Collier Drive, Strongsville – Name's Tom Firment, 20437 Collier. I'll be brief. But I will tell you this, if you're not aware, our cul-de-sac there was built in the early nineties, mid-nineties. The other streets were not, they were built in the sixties. You've got blacktop for those streets, and I'm not knocking the streets, but we bought our house because the island separated us, the old, from the new, all right? That island also slows the cars down before they come in – we've got twenty-nine kids on our street, little kids. So I just want to let Council know, we've got two different eras there on that street and that little island – you've heard of squatters rights back in the day? I'll tell you what, squatter's rights still holds true today in Strongsville. If I'm not mistaken, that island was supposed to be taken care of by the City; it's City property, correct?

Mr. Daymut – (Unintelligible).

Tom Firment – City's never trimmed a bush, City's never come and cut the grass. Mr. Thornton, who was just up here, does the bulk of it, or a few of the residents. So, for the City to come in and tear it out, I think it's totally unfair. We did get the newspaper, Sun Messenger, it said you're going to re-asphalt Holiday and Collier; fine. We got a letter that said they're going to do the same; fine. Nothing was stated that they're going to tear out the island. And again, a reiteration on Dick's behalf; saving money. Mr. Walker was out, we had a big discussion last Tuesday morning, he said they're going to tear out the old sidewalks, they're going to tear out the tree lawns, elongate them up the street and have one set street. What does that do to our property values for those ones that bought those newer homes? You know? It's no longer Collier Estates, it's just Collier Drive. So there's more issues than just tearing out the island. Safety issues, property values, the drainage system, so I just want everybody to consider that.

AUDIENCE PARTICIPATION (cont'd):

Tom Firment (cont'd) - I mean, that's why my wife and I, we bought there; we thought, wow, we can't afford Waterford Crossing, like some of the Browns players and attorneys, but we thought, wow, you know what, you know, for what the money was that we paid for the house we can live in an area very nicely just like those, but it's our own little area with our own little sidewalk to walk – we walk our kids to Muraski Elementary every morning and that's why we like the little island there. So it does a lot more than just beautify, it separates and a lot of older people on the older section of Collier and Atlantic actually talk down about us, believe it or not. Yes, not just one couple, there have been several.

Mr. Daymut – I don't think that's true.

Tom Firment - So I just want everybody to keep that in mind.

Mr. Daymut – Okay, thank you, Tom, I appreciate it.

Tom Firment – Thank you very much.

Mr. Daymut – Thank you. Is there anyone else?

(No comments)

Mr. Daymut - Okay. Ordinances and Resolutions.

Bill Vassil – Hey, hey, hey, slow down.

Mr. DeMio – You almost had him.

Mr. Daymut – You've got to be quicker, Mr. Vassil.

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil, 18271 Fox Hollow Drive. Mr. President, would you ask the Law Director what's happening with the little entranceway from Lowe's through Wal-Mart and Home Depot?

President Daymut – Mr. Vassil, Mr. Kraus.

Mr. Kraus – Well, Mr. President, Mr. Vassil, you're talking about the ring road that's supposed to go in, right?

Bill Vassil – Yeah, yeah.

Mr. Kraus – Yes, we're waiting for a decision from our Eighth District Court of Appeals. That case was briefed, it was well argued by both the City and Lewansky/Lowe's, as well as being argued by the other side, Home Depot, and we're hoping that within the next thirty to ninety days it will receive an opinion from the Court of Appeals. So, it is on hold and stayed, as you know, until then.

AUDIENCE PARTICIPATION (cont'd):

Bill Vassil – Okay, thanks. Also, I've lived in Strongsville roughly thirty-seven years and my street is one of the lovely streets in Strongsville that does not have rebar, does not have wire mesh, and it is deteriorating, and I've been asking for years to tear it up and do it right and I'm just as – I just want it just like we're doing every place else. I mean, I need it, too. We have more cars on that than any of these streets we're talking about. Thank you.

Mr. Daymut – Thank you, Mr. Vassil. Now, is there anyone else?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2011-055 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING SECTIONS 1258.03(a)(2) AND (c)(3) AND ENACTING NEW SECTION 1242.07(b)(8) OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR CREMATORIES, AND DECLARING AN EMERGENCY. *1st reading: 04-04-11. Favorable recommendation by Planning Commission 04-28-11.*

Second reading. Referred to Planning, Zoning and Engineering Committee. Public Hearing set for June 6, 2011.

Resolution No. 2011-068 by Mayor Perciak and Mr. Haseley. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PEARL ROAD PAVEMENT RECONSTRUCTION PROJECT IN THE CITY OF STRONGSVILLE.

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

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

Roll Call: All ayes. Motion carries.

Resolution No. 2010-068 ADOPTED.

Ordinance No. 2011-069 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2011 AND REPEALING ORDINANCE NUMBER 2011-052.

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

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

Roll Call: Ayes: Dooner, Haseley, Maloney, Coyne, DeMio.

Nays: Roth.

Motion carries.

Ordinance No. 2010-069 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2011-070 by Mayor Perciak and Mr. Dooner. A RESOLUTION AUTHORIZING AND APPROVING THE CONSOLIDATION OF THE CITY'S SPECIAL ASSESSMENT BOND RETIREMENT FUND NO. 332 INTO THE GENERAL BOND RETIREMENT FUND NO. 331.

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

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

Roll Call: All ayes. Motion carries.

Resolution No. 2010-070 ADOPTED.

** **Ordinance No. 2011-072** by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE DISPOSAL OF DEPARTMENT OF PUBLIC SERVICE EQUIPMENT NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-072 ADOPTED.

** **Resolution No. 2011-073** by Mr. Roth. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR UNIFORM RENTAL SERVICE FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.

Motion for suspension by Mr. Roth.

Mr. Roth – Are we on 72, did we skip 72?

Mr. DeMio – That's what I said, 72. That's okay. So could we...

Ms. Seefried – Sorry.

Mr. Daymut – Not without amending the agenda.

Ms. Seefried – I'll re-read it.

Mr. DeMio – Okay, can we... Mr. Law Director, can we vote on 73 then?

Mr. Maloney – She actually – I counted...

Mr. DeMio – Read 72.

Mr. Maloney – I was just commenting to Mr. Haseley, she read 72 and skipped 71.

Mr. Kraus – Mr. President, let's go back and make sure; did we read 71? Because I don't think we did.

ORDINANCES AND RESOLUTIONS (cont'd):

Mr. Maloney – No.

Mr. Daymut – No.

Mr. Maloney – She read 72.

Mr. Daymut – Yes, 72.

Mr. Kraus – Mr. President, I would respectfully suggest, let's go back and do 71.

Mr. Daymut – Okay.

Ordinance No. 2011-071 by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF A CERTAIN OBSOLETE AND SURPLUS VEHICLE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-071 ADOPTED.

(The Clerk began reading Resolution No. 2011-073)

Mr. Roth – 72.

Mr. DeMio – 72.

Mr. Kraus – 72.

Mr. DeMio – We have to do 72.

Ms. Seefried – But we already voted on 72.

Mr. Kraus – We already...

Ms. Seefried – It was read and voted on.

Mr. Kraus – I thought we already voted on 72.

Mr. Daymut – We did, but can we take (unintelligible) out of order?

Ms. Seefried – It was read...

(Unintelligible comments from several members)

Mr. Kraus – It's all right. We did it, we voted on it.

ORDINANCES AND RESOLUTIONS (cont'd):

President Daymut – Continue, Leslie.

**** Ordinance No. 2011-072 was inadvertently read out of order by the Clerk, and was voted on, after suspension of the rules, at that time. The Clerk then read Resolution No. 2011-073; however no action was taken by Council on that Resolution. When it was brought to the attention of the Clerk that she had skipped Ordinance No. 2011-071, she then read that ordinance and Council then suspended the rules and voted on 2011-071. The Clerk then resumed with the reading of Resolution No. 2011-073, since Ordinance No. 2011-072 had already been read and voted on.**

Resolution No. 2011-073 by Mr. Roth. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR UNIFORM RENTAL SERVICE FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.

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

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

Roll Call: All ayes. Motion carries.

Resolution No. 2010-073 ADOPTED.

Ordinance No. 2011-074 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR FINANCIAL ASSISTANCE UNDER THE DRUG ABUSE RESISTANCE EDUCATION (“DARE”) LAW ENFORCEMENT GRANTS PROGRAM, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-074 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Daymut – Is there any miscellaneous business?

Mr. Roth – Just want to make sure I get some response back on Mr. and Mrs. Jones that spoke at the last Council meeting, please.

Mr. Daymut – Okay, thank you, Mr. Roth. Anything else?

(No comments)

ADJOURNMENT:

There being no further business to come before this Council, Council President Daymut adjourned the meeting at 9:00 p.m.

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

May 16, 2011
Date of Approval