

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JUNE 6, 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, June 6, 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, Economic Development Manager Brent Painter, 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. Branich.

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering Committee: Chairman Haseley recommended adoption for Ordinance No. 2010-096, concerning community-based residential care facilities, which received a favorable recommendation, as amended, by Planning Commission on May 26. Mr. Haseley commended the Law Department and especially Law Director Kraus for a job well done in reworking this Ordinance to its final version. Chairman Haseley recommended suspension and adoption for Ordinance No. 2011-087, which authorizes the Mayor to enter into a contract with Fabrizi Trucking and Paving Company in the amount of \$348,708.00 for improvements to Pearl Road in connection with the Pearl Road Pavement Reconstruction Project. Mr. Haseley recommended suspension and adoption for Ordinance No. 2011-088 and Resolution No. 2011-089, which accepts for recordation the plat of Cedar Creek Subdivision and declares the intent to accept for dedication certain streets within said subdivision, respectively. He also recommended suspension and adoption for Ordinance No. 2011-090, which authorizes the Mayor to accept a grant of easement for pump station and sanitary sewer system purposes in connection with Cedar Creek Subdivision. Councilman Roth asked what the reason is for a pump station. City Engineer Mikula responded that the sanitary sewage cannot get to where it needs to go by gravity, so it has to be pumped. Mr. Roth asked if the City is going to be responsible for maintaining the pump station. Mayor Perciak replied in the affirmative. Mr. Roth asked how elaborate the system is. Mr. Mikula stated it is a normal pump station, it's not that large. Mr. Maloney asked how many pumps like that do we have throughout the community. Mr. Mikula stated he believes we have fourteen. Chairman Haseley recommended suspension and adoption for Ordinance No. 2011-091, which authorizes the issuance and approval of Change Order No. 1 for an adjustment (an increase of \$60,637.86) in the contract price between the City and Digioia-Suburban Excavating, LLC. in connection with the Drake Road East Sanitary Sewer Extension Project. The increase is for additional labor, materials and equipment incurred by the contractor for storm sewer work on Greenbrier Drive required to connect with the proposed sanitary sewer, unrecorded storm sewer encountered on Drake Road, replacement of a portion of a box culvert on Drake Road and additional work performed on the three-sided culvert on Drake Road due to conflict with the proposed sanitary sewer.

Public Safety and Health Committee: Chairman DeMio recommended second reading for Ordinance No. 2011-082, authorizing the Mayor to enter into a contract for the purchase of a new 2011 Harley-Davidson police motorcycle and for trade-in of a 2003 Harley-Davidson motorcycle and to have the sale price applied to the purchase price, without public bidding for such sale. This Ordinance requires the unanimous affirmative vote of all members of Council for adoption.

Public Safety and Health Committee (cont'd): Mr. DeMio stated Councilman Maloney has a question regarding sirens. Councilman Maloney explained that he had received phone calls from several residents during the recent bouts of severe weather in our area about the use of air sirens and asked that he bring this matter up at the next meeting. The Mayor replied that what we plan on doing -- Chief Branic brought this topic up to him and he believes the Chief is correct, we are going to have sirens, hopefully, put in strategic places for all of our outdoor sports/recreation areas so that in the event anyone is using any of our outdoor facilities and should the weather be bad, the sirens will go off. He stated Communications and Technology Director Bedford is working on that along with Chief Branic and as soon as we have some definitive solutions, we will get back to the Council. He stated we have no idea what the cost of that will be and we will have to put out a request for proposals and Council will have to authorize the expenditure. Councilman Roth interjected that he has brought this subject up many times throughout the years. The Mayor indicated we are not going to do it citywide, but in strategic outdoor areas. Councilman Roth stated that's great, it is a start. Councilman Haseley interjected that years ago we tested sirens for tornado warnings and that type of thing that were supposed to have a two-mile range and past one mile you could barely hear it; if you were inside your house at a mile and a half and two miles you would not have heard them. He stated these things have probably improved dramatically by now. He added he is anxious to look into it again and, if possible, get a demo like we did years ago. The Mayor stated he feels we have the very best working on this now with Mr. Bedford and Chiefs Branic and Goss; we are going to analyze this correctly. Mayor Perciak added that the sirens are probably all power driven somehow and now with all of the generators we now have in place in all of our facilities that makes a world of difference.

Finance Committee: Chairman Dooner recommended suspension and adoption for Resolution No. 2011-085, adopting alternative tax budget information for the city for the fiscal year 2012, and for Resolution No. 2011-086, which authorizes and directs the Finance Director to certify to the Cuyahoga County Auditor unpaid costs and expenses incurred by the City to abate a nuisance at 17361 Drake Road per court order for levy and collection according to law.

Mr. Dooner stated he received a couple of calls from residents on Forestwood about high grass at a house that is in foreclosure. He asked Building Commissioner Biondillo if that property has been cleaned up. Mr. Biondillo replied he will have to check the address; the Building Department has an ongoing list, and city employees do the grass cutting. Mr. Dooner stated he passed that information along to the residents who contacted him, but he accidentally forwarded the address to Service Director Walker. Mr. Dooner stated Mr. Walker forwarded the address to the Building Department. Mr. Biondillo stated he would check the address and let Mr. Dooner know the status of the property.

Public Service and Conservation Committee: Chairman Roth recommended suspension and adoption for Ordinance No. 2011-92, which authorizes the Mayor to enter into a contract with Cintas Corporation for uniform rental service for use by the City's Service Department.

Economic Development and Technology Committee: Chairman Daymut stated he would give the report from the meeting of May 23rd on the floor this evening. He stated responses to the surveys are continuing to come in and the committee is very happy with that.

President Daymut noted that there is a public hearing this evening on Ordinance No. 2011-055, dealing with establishing regulations for crematories.

President Daymut asked whether Council had anything to discuss or share with the Administration. Mr. Daymut stated he and Councilman Roth have been receiving calls about the Albion Road closure. Callers want to know when the road will be opened. Mayor Perciak replied that we are not sure about the engineering yet, whether we are going to do it in-house or outside; if it exceeds twenty-five thousand dollars we have to put out a request for proposals and then we would have to put the project out for bid, so we are awhile away.

President Daymut asked whether any members of the Administration had anything to discuss or share with Council this evening. Mayor Perciak announced that we are working desperately to bring Pearl Road to a successful close, so whenever we have the opportunity to pour concrete, even if it is on a Saturday or a weekend, we are doing that because we are somewhat behind the original timeframe due to the wet spring weather. This weekend again there may be pouring activity on Pearl Road, as we hope to bring those final two east lanes to completion. So, weather permitting and if everything falls into line, we may be pouring concrete over the weekend. The Mayor stated we are not telling anybody to avoid that area, if they want to go to the stores or shops along Pearl Road they are able, but they should be prepared to wait and have some patience while that road is being completed. A brief discussion ensued about the progress with the project and traffic issues along that stretch of Pearl Road.

Councilman DeMio asked when the old Page One Realty building will come down. Mayor Perciak replied hopefully tomorrow. Mr. DeMio wondered when the fence behind the building would be repaired. He also wondered who would next occupy that building. The Mayor replied he is not sure under what entity, but he understands Mr. Stoyanoff is the owner of that building in some form or another. He stated no application has been made with us for anything at this point. Mr. DeMio asked if Mancini's north is staying. The Mayor replied to his knowledge, yes. Mr. Painter added that there is some Brownfield remediation that might need to be done on the site, but the building has to be taken down first. Mr. DeMio stated from what he understands the Brownfield is significantly less than they once thought. The Mayor commented that that is no surprise. Mr. Painter stated he does not want to speculate on that yet, they will let us know.

Committee of the Whole: President Daymut stated there is a need for Council to meet in executive session for personnel matters. Councilman DeMio moved, seconded by Councilman Dooner, to adjourn from open session into executive session [Article XI, Section 9, City Charter] to discuss personnel matters. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:48 p.m. with the following members present: Daymut, DeMio, Dooner, Haseley, Maloney and Roth. Motion to conclude the executive session at 7:54 p.m. and reconvene in open session was made by Mr. DeMio and seconded by Mr. Dooner. All members present voted aye and the motion carried.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JUNE 6, 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, 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; Brent Painter, Economic Development Manager; 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. Branic, Chief of Fire.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of May 16, 2011 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

None.

PUBLIC HEARING:

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. 2nd reading: 05-02-11.*

Council President Daymut opened the Public Hearing on Ordinance No. 2011-055 and invited anyone wishing to speak **IN FAVOR** of the Ordinance to approach the podium and address Council at this time.

No comments.

PUBLIC HEARING – Ordinance No. 2011-055 (cont'd):

President Daymut invited anyone wishing to speak **IN OPPOSITION** to the Ordinance to approach the podium and address Council.

No comments.

Hearing no comments in regard to Ordinance No. 2011-055, Council President Daymut declared the Public Hearing on said Ordinance closed.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Haseley: Thank you, Mr. Daymut. I attended the last board meeting, but the biggest highlight I can say is there was a great discussion over sharing information with Parma Community Hospital and Elyria, lasted for about forty minutes; they're going to try this for a year and see if something can be worked out. And this was really the highlight of the whole evening, so that would conclude my report.

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

(None)

SCHOOL BOARD – Mr. Roth: Thank you Mr. Daymut. The next meeting is June 16th; I plan on being in attendance.

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

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Daymut: We have no ordinances or resolutions on this evening's agenda. Are there any questions for myself?

(None)

PUBLIC SERVICE AND CONSERVATION – Mr. Roth: Thank you, Mr. Daymut. Just have Ordinance 2011-092 up for a vote.

I have a few outstanding action requests, such as the Witherspoon flooding on Ashwood and the six big chuckholes at the end, the western edge of Jonathan.

But hopefully, I think we should get together as an Administration and Council to voice our opinion to higher authorities about the sales – these chemical K2 sales to our youth, which is a travesty. No one is doing anything illegal under the law, but I feel the sales of these chemicals, we need to draw attention to this and nip it; try to get attention to this and make a change here because it's a travesty, in my opinion. Like I said, it's not breaking any laws at this time, that's why it's continuing, but it's wreaking havoc with our youth.

Mayor Perciak – Mr. President, Mr. Roth.

President Daymut – Mayor.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION (cont'd):

Mayor Perciak – I will be in Columbus tomorrow on that very subject – that and sweepstakes cafes and gaming, everything that's related to it, so I will be testifying tomorrow in Columbus. I have a prepared testimony, so our voice will be heard in Columbus in front of the Ohio House of Representatives.

Mr. Roth – Oh, I didn't know that, Mayor.

Mayor Perciak – That's okay.

Mr. Roth – I didn't mean to... Thank you.

Mayor Perciak – This just happened in the last two days.

Mr. Roth – Yeah. Because I'm getting a lot of calls from...

Mayor Perciak – We agree. We're going to do everything we can, but we have to do it right.

Mr. Roth – Gotcha. All right, that's it.

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

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Michael, thank you. Tonight we have an Ordinance on the agenda, 2011-082; we will not be voting on that, we would like to see another council person before we go forward on the Ordinance because we do need seven to vote on that Ordinance. So for that issue, we're closed. But today in caucus under this committee we did talk about different type of siren issues and, as usual, the Communications Department with the Administration is ahead of the game in trying to find exactly what the best fit would be for our recreation areas and how to help. And Mr. Maloney brought that to the attention a few weeks back and Mr. Roth, as we know, has been talking about that for quite some time. So this is a very unique time with a lot of weather here and there, it's been pretty bad, and it's good to see that the new councilman is on the same page as the senior councilman, so that's a nice thing, and the Mayor and his staff is on the page with us. So I just wanted to state that for the record because many residents over the years have voiced their concern, but we do not – and I just want to repeat this – do not want to put up a siren that is not going to work properly, and that's the biggest issue this Administration, the Communications Department and this Council wants to ensure before anything happens. Is that fair enough, Mayor?

Mayor Perciak – Maybe if you want, you can ask Mr. Bedford to make a few comments on that.

Mr. DeMio – Mr. Bedford, we'd be honored for you to say something, which is a refreshing change from every day.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SAFETY AND HEALTH (cont'd):

Mr. Bedford – We are taking a look at what can be done to be effective and to provide the necessary type of outside coverage for especially the sports areas and working with our new Fire Chief and Mayor, we hope to have something developed here very quickly that will be very effective and will do the job. So it should be coming shortly.

Mr. DeMio – Well as usual, Mayor and Mr. Bedford and Chief, we thank you for your time on this issue ahead of our discussion, so that's nice. I will field any other questions for this committee if there are any.

Mr. Daymut – Thank you, Joe.

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Thank you Mr. Daymut. First on tonight's agenda is Ordinance 2010-096; this is the ordinance that our Law Director has spent a great deal of time on, dealing with the Codified Ordinances of the City concerning community-based residential care facilities; recommendation is to adopt. Ordinance 2011-087 authorizes the Mayor to enter into a contract for improvements to Pearl Road in the City of Strongsville in connection with the Pearl Road Pavement Reconstruction Project, which is from Shurmer to Route 82. As soon as the last two lanes are poured, hopefully by this weekend or on this weekend, I think we'll be able to get started soon afterwards on taking care of the rest of the road. It doesn't need much, but it does need work. Suspend and adopt. Ordinance 2011-088 accepts for recording purposes only the plat of Cedar Creek Subdivision; recommendation is to suspend and adopt. Resolution 2011-089 accepts for dedication certain streets within Cedar Creek Subdivision; recommendation is to suspend and adopt. Ordinance 2011-090 is for constructing, reconstructing, maintaining, operating and repairing a sanitary sewer system with a pump station and appurtenances in connection with the Cedar Creek Subdivision; that, too, is to suspend and adopt. Lastly, 2011-091 authorizes and directs the Mayor to issue and approve a change order for Digioia-Suburban for the Drake Road East Sanitary Sewer Project and that, too, the recommendation is to suspend and adopt. That concludes my report; I'll answer any questions if there are any.

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

(None)

FINANCE - Mr. Dooner: Thank you, Mr. Daymut. Before us this evening we have Resolution 2011-085, this is a Resolution adopting alternative tax budget information for the City of Strongsville for the fiscal year 2012; recommendation is suspension and adoption. And then we also have Resolution 2011-086, this is authorizing the Director of Finance to certify to the Auditor of Cuyahoga County unpaid costs and expenses incurred by the City of Strongsville to abate a nuisance at 17361 Drake Road; this is also recommendation suspension and adoption. That's all we have, Mr. Daymut.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut: We have no ordinances or resolutions on this evening's agenda. I'll give a brief report from our meeting of Monday, May 23rd: At that meeting we did review the business network breakfast meeting from May 19th and again I'd like to thank Medical Mutual for sponsoring that particular breakfast and one of our more successful ones; Bob DiBiasio from the Indians was an excellent speaker. Our next breakfast will be September 15th and we are in the process of gathering a sponsor and speaker for that one. We are also receiving nominations for innovation awards, which will be presented at our September breakfast meeting. We received an update from our tech committee from Ed Oliveros concerning Great Lakes Energy Task Force. I'd like to announce that our Business Retention and Expansion survey is going very well, we continue to receive the results in from our business partners and we will continue to do that until sometime in the end of June, beginning of July and will report the findings as soon as they are made available to us. The City/Rotary/Business/Chamber Expo will take place October 27th at the Rec Center; we are now in the process or will be accepting resignations. A small business seminar is planned for the end of the year and beginning of next year, it will be discussed at the next meeting. We plan on a tour of Polaris in October. And we are very happy to report that the Progress/Alameda Business Park signs are up; Mayor, thank you very much, that was a much needed project for that particular area and at the same time they continue to work on the Strongsville signs on I-71 and as soon as we get ODOT's permission we will proceed with that project. And that is all; our next meeting will be Monday, June 27th, at 7 p.m. here in the Council Chambers. Are there any questions for myself?

(None)

BUILDING AND UTILITIES – Mr. Maloney: Thank you, Mr. Daymut. I also have no ordinances or resolutions appearing this evening, but I do have just a couple quick items to update on that I have been following. Residents may or may not have read that on June 2nd the Northeast Ohio Regional Sewer District Board approved higher sewer rates. They go into effect on January 1st of 2012 and, I mean, most people are aware that the driver of a lot of those increases comes from that federal government three billion dollar consent decree that the Sewer District signed with the EPA several years ago requiring extensive improvements to reduce untreated sewage that gets dumped into our waterways. There are increases that we'll all experience on those rates, but a couple things I want to share that I thought were kind of good news items for residents who can take advantage of them: There were a few components to the plan; first of all, there is a change to the homestead program discounts, they're increasing the discount from thirty-three to forty percent for homeowners aged sixty-five or older. So the thing I found surprising, though, is that only about half the people who qualify for that discount have applied for it. So if there are residents out there who believe they may qualify for that and they'll meet the new income guidelines, they can call (216) 881-8247 to ask for an application. Another component that was added to the plan is a new program called the Wastewater Affordability Program, which also offers a forty percent discount to homeowners of any age as long as the household income is under a certain required threshold. So, again, they can call that same number if they feel that they will comply with the requirement and get some discounts on their sewer bills. And then the third piece is a program called the Crisis Voucher Program, which assists customers who have had extraordinary medical expenses, lost jobs or have experienced a financial hardship such as a divorce. And under that program they can apply for a twelve-month payment plan to allow them to spread out their sewer bills, rather than having to pay them in one lump sum each quarter. So I thought those few things were worth sharing with the residents who may be watching or read the minutes.

REPORTS OF COUNCIL COMMITTEES (cont'd):

BUILDING AND UTILITIES (cont'd):

Mr. Maloney (cont'd) – The second item is related to the all-electric home discount. In late May the Public Utilities Commission of Ohio approved the plan that was presented by FirstEnergy to phase out those discounts. They've extended the date for that phase-out out to 2018, which is a little bit of an improvement, but, unfortunately, those homeowners will still be eventually facing a complete phase-out of those discounts, so – And the other piece of that that I wanted to mention because it may come as a surprise here in the very near future is that there were a lot of homeowners that don't heat with electricity but have a hot water tank or some other appliance that uses electricity that had had a discounted rate; those discounts, from what I understand, will be eliminated within thirty days of that ruling, which is by the end of this month. So some residents may see a slight uptake in their monthly electric bill and then not necessarily know why, so I wanted to share that those residents who may or may not have known they had a discount will go away and that affects 159,000 customers of FirstEnergy throughout the area, so we may well have some of those here in Strongsville.

The third thing is I had mentioned a couple meetings ago that a lot of residents had asked me about this fracking that everybody – we're reading about and hearing about so much, and I talked to the staff of Representative Dovilla's office and, also, with the Ohio Department of Natural Resource website. While it's not necessarily good news for other parts of the state, but here in Cuyahoga County we don't have any of the shale that they're drilling into using that process to ultimately extract that natural gas, so we should never have this come up as an issue or a request from these drilling companies to want to use that technique or that process within the City of Strongsville borders. So I thought that was good news I wanted to share as well. And that concludes my report; I'll be happy to answer any questions.

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

(None)

Mr. Daymut – Thank you, Mr. Maloney, a lot of good information was passed there.

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 – Thank you, Mr. President. No report this evening.

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

(None)

FINANCE DEPARTMENT - Mr. Dubovec: Thank you, Mr. President. All I have is that funds will be made available for all ordinances and resolutions on this evening's agenda requiring certification of funding. Thank you.

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

(None)

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

LAW DEPARTMENT – Mr. Kraus: Yes, Mr. President, just two brief litigation updates. Our department is pleased to report that the matter that had been pending in Common Pleas Court known as Carla Lucas, Plaintiff, and other plaintiffs against the City, Southwest Hospital and other named defendants has been dismissed in its entirety by the Court. I would also like to report that a case that had previously been dismissed by our United States District Court against the City filed by Daniel Roth has been appealed by the plaintiff. So the City will be defending that appeal in the Sixth Circuit Court of Appeals.

I would also like to report that all ordinances and resolutions before City Council this evening are in proper legal form. Thank you.

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

(None)

AUDIENCE PARTICIPATION:

Mr. Daymut – We now come to that portion of our meeting for audience participation. We do have a sign-in sheet; comments will be limited to five minutes from the audience that will participate. We will go by the sign-in sheet that we have received; the first one is Terrence Ryan. Will you please state your name and address when you come to the microphone and address Council.

Unidentified Voice – Madam Clerk.

Mr. Daymut - I'm sorry. Yes, your name.

Franklin Hickman – Mr. Ryan asked that I start this off. My name is Franklin Hickman; I am the attorney who represented the – represents the Cuyahoga Boards of Developmental Disabilities and Alcohol, Drug Abuse and Mental Health Services.

Mr. Daymut – Excuse me, Franklin; would you give your address, please?

Franklin Hickman, 3280 Warrington Road, Shaker Heights – 3280 Warrington Road, Shaker Heights.

Mr. Daymut – Thank you.

Franklin Hickman – I'm an import today.

Mr. Daymut – We welcome you.

Franklin Hickman – Mr. Ryan and Mr. Denihan are going to express their appreciation personally, but I wanted to start by saying that we were here in September with a number of issues and – relating to the community residential ordinance, and Mr. Kraus and Mr. Kolick and my colleague and I met numerous times and resolved these issues, I believe, with compromise on all sides, but in a spirit of trying to solve the problem rather than posturing for trying to win, basically, and I think the result shows how effective that process was, so we appreciate the efforts of the Law Department and your consideration of this very difficult and very important issue.

AUDIENCE PARTICIPATION (cont'd):

Mr. Daymut – Thank you, Mr. Hickman. We do appreciate that we know was a lot of work on everybody's part, and we do appreciate all the participation from the outside agencies and I think it's resulted in the best possible product that we can produce here in the City of Strongsville. Okay, Terrence; and, again, just state your name and address for the record.

Unidentified Voice – My home address or my work address?

Mr. Daymut – Work address is fine.

Dr. Terrence Ryan, 1275 Lakeside Avenue, Cleveland: Dr. Terrence Ryan, Superintendent, Cuyahoga County Board of Developmental Disabilities, 1275 Lakeside Avenue. Mr. President, Members of Council, Mr. Mayor, Mr. Kraus. I thought it was important that I made the effort to come here this evening and thank you personally for the work that you've done on this ordinance. It's been a lot of hard work; your Law Director and his associate have worked very collaboratively with us to try to resolve the issues and, again, we feel very, very positive about the resolution, but also about the collaboration and also about the future in terms of working with Strongsville on any issues that may come forward in the future relative to people with developmental disabilities. Strongsville has always been a great place for people to live. I myself have a daughter and son-in-law who live here, we have many people with developmental disabilities that live here in the community; Strongsville is a great community. I do sincerely appreciate and want to convey from my Board our thanks for the work that you have put into this to resolve this issue. Thank you very much.

Mr. Daymut – Thank you, Mr. Ryan, we appreciate it. William Denihan.

William Denihan, 11307 Harborview Drive, Cleveland – Mr. President, Mr. Mayor, Honorable Members of Strongsville Council; my name is William Denihan, I live at 11307 Harborview in Cleveland, Ohio. I am the CEO of the Alcohol, Drug Addiction and Mental Health Board for this county. We serve forty-five thousand residents in the county that have mental illness and alcohol and substance abuse addiction. I just wanted to rise to tell you how appreciative we are of everyone's due diligence on what could have been a very difficult issue. You did your due diligence, you said you would do what you did, and I think it's important for those of us that started off in this business that when it ends up right we stand up and say thank you on behalf of the residents. We really appreciate the leadership you displayed here in Strongsville; it could have been a very controversial issue. We expressed it, you did the right thing, we thank you, appreciate it. Mr. President, Mr. Mayor and members of Council, I would be remiss if I did not mention another thing. One of the things that we provide in the Mental Health Board and Alcohol and Drug Addiction is what we call crisis intervention training for police officers. To date, over the last five years we have trained about three hundred Cleveland street officers and about two hundred suburban officers on how to work with the mentally ill in our community. It wasn't sold as the right thing to do; ironically, it was sold as a workers compensation issue on how to diffuse it and not put officers in a dangerous situation and actually reduce their injuries on the job. We offer it to you for free; I don't know if Strongsville has taken it yet, but I would ask you to do that. I talk from some experience; during the eighties I was your Highway Safety Director and head of the Highway Patrol and in the nineties I was Cleveland's Safety Director and Chief of Police on a couple of occasions, and I've got to tell you this training really does work.

AUDIENCE PARTICIPATION (cont'd):

William Denihan (cont'd) - Given that we're going through some extraordinary circumstances in our country and reduction of mental health funds, services will be reduced significantly and Cuyahoga County is unfortunately going to lose a number of that funding, but this training will continue as it's going to be needed more than ever. So if the Chief of Police and the Mayor has occasion to consider this, we would be honored to add your application and ensure that you're trained, and it is for free. So with that, thank you and thank you for your attention.

Mr. Daymut – Thank you very much. And, again, thank you for all working together for the best possible product. And we're always willing to take advantage of anything for free, so I'm sure you'll be getting a call very shortly. Thank you very much.

Unidentified Voice – (Unintelligible) thank you.

Mr. Daymut – And we appreciate all you've done for us over the years, we appreciate it. That ends our sign-in list; is there anyone else who would like to address Council this evening?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2010-096 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 1240.08(c)(4) J, K, L AND (c)(5)A, REPEALING SECTION 1242.07(b)(5) AND RENUMBERING THE SECTIONS THEREAFTER, AMENDING SECTIONS 1252.02 AND 1254.03(a), AND ENACTING NEW SECTION 1252.37 OF TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY CONCERNING COMMUNITY-BASED RESIDENTIAL CARE FACILITIES, AS AMENDED. *1st reading 06-21-10. Favorable recommendation by Planning Commission 06-24-10. 2nd reading 07-06-10. Public Hearing 09-07-10. Amended by substitution 05-16-11. 3rd reading 05-16-11; referred to Planning Commission as amended. Favorable recommendation by Planning Commission 05-26-11.*

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2010-096 ADOPTED.

Ordinance No. 2011-082 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW 2011 HARLEY-DAVIDSON POLICE MOTORCYCLE FOR USE BY THE CITY'S POLICE DEPARTMENT, AND FOR TRADE-IN OF A 2003 HARLEY-DAVIDSON MOTORCYCLE, AND TO HAVE THE SALE PRICE APPLIED TO THE PURCHASE PRICE, WITHOUT PUBLIC BIDDING FOR SUCH SALE, AND DECLARING AN EMERGENCY. *1st reading 05-16-11.*

Second reading. Referred to Public Safety and Health Committee.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2011-085 by Mayor Perciak and Mr. Dooner. A RESOLUTION ADOPTING ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF STRONGSVILLE, OHIO FOR THE FISCAL YEAR 2012, 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.

Resolution No. 2011-085 ADOPTED.

Resolution No. 2011-086 by Mr. Dooner. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY UNPAID COSTS AND EXPENSES INCURRED BY THE CITY TO ABATE A NUISANCE AT 17361 DRAKE ROAD PER COURT ORDER, FOR LEVY AND COLLECTION ACCORDING TO LAW, 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.

Resolution No. 2011-086 ADOPTED.

Ordinance No. 2011-087 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR IMPROVEMENTS TO PEARL ROAD IN THE CITY OF STRONGSVILLE, IN CONNECTION WITH THE PEARL ROAD PAVEMENT RECONSTRUCTION PROJECT, 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. 2011-087 ADOPTED.

Ordinance No. 2011-088 by Mayor Perciak and Mr. Haseley. AN ORDINANCE ACCEPTING FOR RECORDING PURPOSES ONLY THE PLAT OF CEDAR CREEK SUBDIVISION, IN THE CITY OF STRONGSVILLE, 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. 2011-088 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2011-089 by Mayor Perciak and Mr. Haseley. A RESOLUTION DECLARING THE INTENT OF THE COUNCIL OF THE CITY OF STRONGSVILLE TO ACCEPT FOR DEDICATION CERTAIN STREETS WITHIN CEDAR CREEK SUBDIVISION, IN THE CITY OF STRONGSVILLE, 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.

Resolution No. 2011-089 ADOPTED.

Ordinance No. 2011-090 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, OPERATING AND REPAIRING A SANITARY SEWER SYSTEM WITH A PUMP STATION AND APPURTENANCES FROM TRIPLE PROPERTIES, LLC. IN CONNECTION WITH CEDAR CREEK SUBDIVISION, 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. 2011-090 ADOPTED.

Ordinance No. 2011-091 by Mr. Haseley. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN ADJUSTMENT IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND DIGIOA-SUBURBAN EXCAVATING, LLC, IN CONNECTION WITH THE DRAKE ROAD EAST SANITARY SEWER EXTENSION PROJECT, 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. 2011-091 ADOPTED.

Ordinance No. 2011-092 by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR UNIFORM RENTAL SERVICE FOR USE BY THE CITY'S SERVICE DEPARTMENT, 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. 2011-092 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Daymut – Is there any miscellaneous business?

(No comments)

Mr. Daymut – I'd like to make one quick announcement. We had scheduled an executive session for personnel matters for Wednesday at 7 p.m. in the Mayor's Conference Room; that meeting time has been changed now to 5 p.m. and it will be posted accordingly.

ADJOURNMENT:

There being no further business to come before this Council, President Daymut adjourned the meeting at 8:34 p.m.

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

June 20, 2011
Date of Approval