

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JULY 05, 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 ***Tuesday, July 05, 2011 at 7:30 p.m.***

Present: Council Members: Michael J. Daymut, Kenneth M. Dooner\*\* Joseph C. DeMio, Raymond L. Haseley, J. Scott Maloney, Mark A. Roth III, and John D. Southworth, Jr. Also Present: Clerk of Council Leslie J. Seefried. Administration: Mayor Thomas P. Perciak, Assistant Law Director Daniel J. Kolick, 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.

\*\*Councilman Dooner arrived at 7:41 p.m.

The following Committees met to review legislation on the agenda:

Public Safety and Health Committee: Chairman DeMio stated that the recommendation for Ordinance 2011-082, an ordinance for the purchase of a new 2011 Harley Davidson Police motorcycle for use by the police department, is adoption. There has to be a unanimous vote for it to pass. The recommendation for Ordinance 2011-099, an ordinance authorizing an application for financial assistance with the U.S. Department of Justice Office of a grant for bulletproof vests, was suspension and adoption. Police Chief Charles Goss stated these have to be replaced by contract every five years.

Planning, Zoning and Engineering Committee: Chairman Haseley stated Ordinance 2011-093, amending various sections of the Planning and Zoning Code of the Codified Ordinances, received a favorable recommendation from the Planning Commission. This will be placed on second reading, set for a public hearing on September 6<sup>th</sup>, and referred back to the Committee. Chairman Haseley recommended suspension and adoption for Ordinance 2011-100, an ordinance to enter into a contract for professional engineering inspection services for various road improvement projects in the city. Mr. Haseley stated that CT Consultants, Inc. is already working for us in a couple of large areas in the city. Mr. Haseley also stated this is without public bidding because we have to get going on this; therefore, all seven votes of Council are needed. Mayor Perciak stated coinciding with Pearl Rd., Phase 1, this is going to take us from Shurmer Road to Royalton Rd. for all the concrete work and everything else. Mayor Perciak stated while Fabrizi was the lowest bidder, CT Consultants is the existing contractor and already knows what we are doing. Mr. Haseley recommended suspension and adoption for Resolution 2011-101, allowing advertising for bids for the Sanitary Sewer Rehabilitation Program for 2011. Mr. Haseley stated this is for the Hunting Meadows area. Mr. Mikula stated throughout history we have been getting a lot of sanitary sewer flooding up in the basements in the Stillbrooke area. A lot of this has to do with the infiltration through the cracks in sewer pipes and the joints. Mr. Mikula stated they will be sealing those off on about 150 or so homes on this project. Mr. DeMio asked when we have a developer come in and they cut the street and implement the sewer, do we have a policy that they seal the blacktop that's in there or do we seal it? Mayor Perciak stated it all depends what the development agreement calls for. Mayor Perciak stated we had the same problem with CVS, they put a temporary in, removed it, and then poured concrete. Mayor Perciak stated they were out today riding around the city and looking at the streets like Collier and a few of the others, what needs to be done there.

He asked Councilman Roth if he has seen the circle at Collier. Mr. Roth replied that he has. The Mayor stated it is all concrete and it is really looking nice now. Mr. Roth agreed that it looks great. The Mayor said we are now just getting ready to finish some of the drives and the asphalt. Mr. Roth remarked that that was a nice compromise.

Finance Committee: Council member Maloney reported for Chairman Dooner. Mr. Maloney stated the recommendation is first reading for Resolution No. 2011-102, which authorizes the City's Finance Director to certify to the Cuyahoga County Auditor unpaid property maintenance nuisance abatements for levy and collection according to law.

Economic Development and Technology Committee: Chairman Daymut stated his committee met last Monday, June 27<sup>th</sup>, and that he would give the report on the floor this evening.

Committee of the Whole: President Daymut recommended suspension and adoption for Ordinance No. 2011-103 which authorizes the Mayor and Law Director to employ special legal counsel to assist in representing the City and other municipalities as lead trial counsel under a joint representation agreement in pending litigation involving the Northeast Ohio Regional Sewer District in the storm water management case.

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President Daymut asked whether Council had anything to discuss or share with the Administration. Mr. DeMio asked the Mayor what his thoughts were on allowing local restaurants to do a promotional event once a year, such as an Oktoberfest or a clambake, etc., where the business owner would hire police officers to work at the event. The Mayor said we would have to be careful with something like this for a lot of reasons; we get lots of requests from businesses at the mall for such events and we deny them. He said we don't want carnival rides there, it is a mall, it is a business environment, not a recreational environment, and the minute you start deviating from what is our ordinances and our policies, this is where we get into some issues; we need to study it more. Mr. DeMio agreed that he does not want carnivals, but just events for limited purposes specifically for restaurants. Assistant Law Director Kolick added that we still have problems when we get involved in that and that is why we need to look at it more; if you start opening it up to private concerns, then after the restaurants someone else will want to do it and we can't discriminate – you start opening it up for one use, you have to open it up for other uses, too. We are not permitted to discriminate as to what uses we can permit and which ones we can't. There are a lot of issues to consider. Mr. DeMio stated he is not talking about doing it on city land or in the middle of Pearl and 82, he is talking about doing it maybe in the parking lot of the restaurant – we would have to fine tune it – that is attached or directly related to the facility. He said it seems like the restaurants want to do something special and if we can do something to accommodate them, great, and if we can't, at least we looked into it. Mayor Perciak stated a one-time use or something might be something we can consider, we will have to look into it further. The Mayor said he thinks what they're looking for is, for example, the Italian Village or J. Bella's may want to do an Italian Night, or, like Mr. DeMio said, an Oktoberfest – they want to do something outside, pitch a tent in their parking lot. He stated what we have to look at is police and safety and police and fire, there are a whole lot of things that we've got to look at. Mr. DeMio said they want to create a little bit of excitement and hopefully generate some more funds for the restaurants. The Mayor stated it would be their responsibility for insurance and everything. The Mayor asked Mr. Kolick to look into it and see what we need to do.

Mr. Daymut asked Mr. Mikula where we sit with Albion Road. He said he is getting an awful lot of calls about it. Mr. Mikula replied that we did get a proposal that was below the threshold of \$25,000, so we don't have to go out on bid on those to do the engineering, so we are going to finalize that contract and that agreement and get going on that. The Mayor added that we just got that; we had three proposals. Mr. Mikula said we got three proposals and reviewed them all, and we had one bid. Mr. Daymut asked as soon as we get a better handle, what is happening with it? The Mayor said it's not that simple and asked Mr. Walker to explain briefly what is really going on there with that road. Mr. Walker stated we have been watching that for quite awhile; the way that road is slumped off and the amount of right of way that we have on the side where it's slumped off, we don't have enough room to work there. If the road stays in its current position, we would have to get into the Metroparks to do the work. He said we are looking at shifting the road over to the other side, the far side of the right of way, and hopefully have enough room within the existing right of way to do structurally what we have to do. He said it's a little tricky, but he thinks we will be able to do that. Mayor Perciak asked Mr. Mikula to explain the erosion that we are having there. Mr. Mikula stated he thinks the whole road is failing not only because of the water running off of it, but the steepness of the slope. He said we took some borings the last time we took a look at this and the repair costs were extensive; we are just having another look at it with a new engineer. There will probably be some realignment of the road involved; there will probably be some wall of some kind. The Mayor said at one time previously, there was a bid that was so high -- approximately \$350,000 Mr. Mikula noted -- just to repair that little spot. Mr. Daymut asked if there is any liability on the Metroparks' side. He stated that was not the original way that Albion went, was connected into Handle before the Turnpike came in, so he is not sure who even owns the land. Mr. Mikula stated we know where the right of way is, we know where the road is, and if we have to be outside of the right of way we'll have to work with the Metroparks for an easement to work in. Mr. Daymut stated many of the residents contact him on a weekly basis about this. He said at one time we had information about the road closure on our website, but it has since been removed. He wondered if we can have the information put back on the website and perhaps on the government channel also. The Mayor asked Mr. Bedford to put that information back on the website and on the government channel.

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President Daymut asked whether any members of the Administration had anything to discuss or share with Council this evening. The Mayor stated Building Commissioner Biondillo has something to share with the Council. Mr. Biondillo distributed the most recent foreclosure list, as of June 23<sup>rd</sup>, to Council members. He stated he typically does this list on a quarterly basis, but the Mayor was in Chicago and he asked that the list be updated for his presentation to Moody's. Mr. Biondillo stated there are currently 128, as opposed to 134 for the same period last month. The properties that are highlighted in yellow, to the best of our knowledge, are vacant. He said we check them all, that is where that nuisance abatement assessment comes into play; if they are not being maintained we cut the grass and then place it on for assessment. He stated we do recoup all of our benefit cost with those assessments -- we charge for manpower, for the equipment that's used, and, in addition to the hourly rate, we also charge all the benefits that are charged back to the property. Mr. Walker added that the Service Department checks those that are vacant also. The Mayor stated the reason we put this together again and updated this -- when we went to present our financial analysis of the City to Moody's last week, everything is based off the appraisal of the City, which has dropped somewhat from the last time we were there -- this became a part of the discussion and they wanted to see what we were doing to maintain our property values and how we were working with the schools to make certain that the property values in the City are being maintained to the best of our ability.

The Mayor continued that not only did we come out with the list, but that every one of these homes were inspected by our inspectors, and the condition and how many have gone through foreclosure and how many remain in foreclosure, and they were very much impressed with the fact that we are on top of every home within our community. The Mayor commented that a list that is as thorough as this and that our men have been out to each home makes a difference, plus it shows our concern for the stability of the values of all of our properties within the City of Strongsville, plus it demonstrates our commitment to the schools – that we are doing everything we can to help maintain property values within our community so that our schools don't suffer either. Mr. Biondillo stated if the homes are vacant and they're not maintaining them on their own, which a lot of times when it's in transition between the owners just abandoning and the banks taking possession that seems to be the case, we go out with our crews and cut them and we check them during this time of the year every week. He continued that we physically inspect every one of these properties that are on the foreclosure list in addition to doing all of our ongoing property maintenance, which is separate from that. The ones that we maintain, we send an invoice to the last owner or the bank and then we turn them into our Finance Department for the assessment process. The Mayor stated Mr. Biondillo and his men are to be congratulated because we have a system in place where our inspectors are out there in all four corners of the City randomly inspecting homes that need repair. Last year that was another plus in the presentation. He noted that there are 2500 homes that we inspected again to make certain that we are doing everything we can to help maintain real estate values here in our community and the safety of our neighborhoods. The police and fire also have a list and they are also out checking these properties to make certain that we don't in any way allow our safety standards to go down.

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Committee of the Whole: Councilman DeMio moved, seconded by Councilman Roth, to adjourn from open session into executive session [Article XI, Section 9, City Charter] to discuss legal matters with the Assistant Law Director. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:54 p.m. with the following members present: Daymut, DeMio, Dooner, Haseley, Maloney, Roth, and Southworth. Also present were Mayor Perciak and Assistant Law Director Kolick. Motion to conclude the executive session and reconvene in open session was made by Mr. DeMio and seconded by Mr. Roth. All members present voted aye and the motion carried. The executive session concluded at 7:59 p.m.

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**MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JULY 5, 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, John D. Southworth, Jr., 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; Daniel J. Kolick, Assistant Law Director; Stephen F. Kilo, Human Resources Director; Joseph M. Walker, Service Director; Brent Painter, Economic Development Manager; Anthony J. Biondillo, Building Commissioner; Ken Mikula, City Engineer; 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 June 20, 2011 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS:**

None.

President Daymut –I'm going to call on Natalie Leek-Nelson; this is from Providence House, this is the 30th Anniversary and it is a Community Promise Award presented to the City of Strongsville by Natalie A. Leek-Nelson, CEO and President from Providence House.

Providence House 30<sup>th</sup> Anniversary "Community Promise Award" presented to the City of Strongsville by Natalie A. Leek-Nelson, CEO and President, Providence House:

Natalie Leek-Nelson – Good evening.

President Daymut – Good evening.

Natalie Leek-Nelson – Good evening, Members of Council. Thank you for having me; I'll just take a few minutes of your time. Providence House is a crisis nursery on the west side of Cleveland, we serve twenty-nine ZIP codes in the northeast Ohio area, families and children, including the Strongsville area. But tonight we are here to honor the City of Strongsville as one of the top ten communities that have supported the work we do for kids at risk of abuse and neglect who live with us at Providence House while we stabilize their families, keep them safe and, hopefully, reunify those children without loss to foster care or some other tragic consequence.

**APPOINTMENTS AND CONFIRMATIONS (cont'd):**

Natalie Leek-Nelson (cont'd): The City of Strongsville has ranked number ten on our top ten cities and, together with residents, businesses and your amazing school district, I have to specifically comment on the students and the school community in Strongsville and all that they do for our children, donating items, volunteering time, just amazing, amazing young people in the community here. So tonight I am presenting you with the Community Promise Award to the City of Strongsville for donating nearly \$200,000 over the last thirty years to the children and babies who find safety and shelter with us. So, thank you very much.

**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Haseley:** Thank you, Mr. Daymut I have no report this evening..

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

(None)

**SCHOOL BOARD – Mr. Roth:** Thank you Mr. Daymut. There will be a report forthcoming after the next regular session of the school board.

Mr. Daymut – Okay, thank you, Mr. Roth. Any questions for Mr. Roth?

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Southworth:** Thank you, Mr. Daymut. We have no ordinances or resolutions. I'd just like to point out that we have new baseball fields being dedicated July 15<sup>th</sup> on Lunn Road right next to the wonderful Strongsville Football League stadium and encourage all residents to show up on July 15<sup>th</sup> at five o'clock for the dedication of those fields. Thank you.

Mr. Daymut – Okay, thank you, Mr. Southworth. Any questions for Mr. Southworth?

Mayor Perciak – Mr. President, if I may.

Mr. Daymut – Yes, Mayor.

Mayor Perciak – Mr. Bogre, would you want to just pretty much go over the agenda a little bit as to what we're doing and at what time, please?

Mr. Bogre – Okay. On July 15<sup>th</sup> at 5 p.m. we'll be getting started with the agenda for that evening. We'll be doing the introduction and then we'll have invocation by Father Bob Kraig and the Mayor will be doing acknowledgments for the different players and then with ODNR, the Strongsville Travel Baseball Association and other particular state reps to acknowledge them for what they've done to help us get the money and the grant for this park to come to fruition. And then we'll be doing a ceremonial first pitch after that and then there are going to be games that night at five-thirty and six o'clock.

Mayor Perciak – I think we also want to mention about Carl, please.

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

**RECREATION AND COMMUNITY SERVICES – (cont'd):**

Mr. Bogre – Okay. The ones that are big players in this – ODNR, we received a \$250,000 grant from them, and then Carl Hoerig, President of Strongsville Travel Baseball Association, donated money towards paying for the fencing and upwards of almost \$50,000 to help pay for the fencing of the park.

Mayor Perciak – The backstops and everything. So, Duke, really, it is going to be a nice evening and truly this is a tribute to our community for their concern for our children. And really, you got to go to a lot of towns to see what we developed there – that youth sports park for children from ages 5 to 12. I mean, how many children did we anticipate to play on those fields, do you remember, Bryan or Steve?

Mr. Bogre – There's probably about – for just those three fields alone, probably about seven or eight hundred kids, but the program as a whole has over two thousand kids in it.

Mayor Perciak – Speaks for itself.

Mr. Daymut – Very interesting. Look forward to being there. Any other questions for Mr. Southworth?

(None)

**PUBLIC SERVICE AND CONSERVATION – Mr. Roth:** Thank you, Mr. Daymut. There is no legislation before this Council this week. And I just want to thank the Administration, though, for the progress on the streets within my ward, the residents are very thankful and it's been easy to see progress for even, like, Jonathan and Celianna and Barton, who haven't received it yet because they see us migrating their way, so it's been very easy. And everyone's been very satisfied with the final product, no complaints. Thank you to the Administration from the residents and myself.

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

(None)

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** Thank you, Mr. Daymut. We have two ordinances on the agenda tonight, 2011-082 and 2011-099, one of which is the Harley-Davidson motorcycle that we are in the close proximity of purchasing, the other is a bulletproof vest grant which our guys need and our gals need out there, so we have the support from Council and of course Public Safety thanks you for that, as well as the Administration and the folks of Strongsville. I will field questions otherwise if there is anything regarding this committee.

Mr. Daymut – Any questions for Mr. DeMio?

(None)

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

**PLANNING, ZONING AND ENGINEERING – Mr. Haseley:** Thank you, Mr. Daymut. We have three items on tonight's agenda. Ordinance 2011-093 received a favorable at Planning Commission and they forwarded it back to us, we will place this on second reading, set for a public hearing September 6<sup>th</sup> and refer back to committee. Ordinance 2011-100, this is approving and authorizing the Mayor to enter into a contract for professional engineering inspection services for various road improvement projects in the City of Strongsville without public bidding. We're using CT Consultants, we're already using them and they're involved in every road project that we have and we want to continue using them for this. We need everybody on board with it, recommendation is to suspend and adopt. Lastly, Resolution 2011-101 is a resolution authorizing the Mayor to advertise for bids for sanitary sewer rehabilitation program for the Stillbrooke area; recommendation here is to suspend and adopt. That concludes my report and I'll answer any questions if there are any.

Mr. Daymut – Any questions for Mr. Haseley?

Mayor Perciak – One correction.

Mr. Daymut – Yes, Mayor.

Mayor Perciak – It's not the Stillbrooke area, it's the Hunting Meadows area.

Mr. Daymut – Thank you, Mr. Haseley, thank you, Mayor.

**FINANCE - Mr. Dooner:** Thanks, Mr. Daymut. We have Resolution 2011-102, this is the resolution authorizing the Director of Finance of the City to certify to the Auditor of the county regarding unpaid property maintenance nuisance abatements for levy and collection according to the law; recommendation is suspension and adoption of that.

Mr. Daymut – I believe we're going to place that on first reading.

Mr. Dooner – Oh, we are? I missed that.

Mr. Daymut – Sorry you missed it. Yes, we discussed it and it's placed on first reading. We'll pass that, I believe, in September. Okay, thank you, Mr. Dooner, we appreciate it, and sorry for the confusion on that. In your absence, the report was not sufficient. We look forward to you always (unintelligible).

Mr. Dooner – Thanks for keeping me in the loop.

Mr. Daymut – Any questions for Mr. Dooner?

(None)

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut:** We did meet last Monday, June 27<sup>th</sup> here at Council Chambers. We discussed our next network breakfast meeting, which will be September 15<sup>th</sup>. We're in the process of gathering nominations for our innovations awards and community service awards for that particular breakfast meeting. We received a technology committee report from Ed Oliveros.

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

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut (cont'd)** - We went over the Business Retention and Expansion survey, we are in the process of compiling the information now and shortly we will release that, most likely by September with the August recess. The City, Rotary and Chamber Business Expo will take place Thursday, October 27<sup>th</sup> at the Recreation Center. We have a little different approach this year – there will be time before for businesses to interact with each other and then it will be open to the public. Extremely successful last year and look forward to it again this year. Our small business seminars are taking place, that will happen the end of the year and beginning of the year and they'll be held at the Midpoint Campus of Lorain Community College and they have donated the facility for that particular – for all our events and we do appreciate that. If you have the opportunity to drive by the Progress/Alameda Business Park you'll see the new sign is up on Pearl Road and Progress. I'd like to thank the Mayor and the Administration for making that happen. It's a far cry from what was up there to what is up there now and there is a great deal of consistency that's happening within the City. We did receive and update on the Foltz Parkway extension and did receive a report from Brent Painter on the Strongsville businesses that have relocated here and are in the process of locating here. Our next meeting will be Monday, July 25<sup>th</sup> at 7 p.m. here in Council Chambers. We have no ordinances or resolutions on this evening's agenda and that's all I have and I'll answer any questions. Are there any questions for myself?

Mr. DeMio – Michael, I apologize, I meant to ask, or make a statement under school report, if you don't mind.

Mr. Daymut – Yeah, that's fine, Mr. DeMio.

Mr. DeMio – Take less than thirty seconds. Back on June 7<sup>th</sup> we had our Washington, D.C. trip meeting for the new, the incoming eighth graders. We had over two hundred folks show up - parents and guardians. Just so everyone knows and we're all on the same page, the trip is November 5<sup>th</sup> through the 7<sup>th</sup>, days in which schools are not in session, so we were able to work with the Superintendent and let him know what our interests were and he was very kind. But just there will be more information to come for the incoming eighth graders, but just so I put it on the record and on the TV tonight. I appreciate the time, Mike, you gave me and we will look forward to getting another great D.C. trip off this year.

Mr. Daymut - Okay, thank you for the information, Joe, and we look forward to your report when that trip is concluded.

**BUILDING AND UTILITIES – Mr. Maloney:** Thank you, Mr. Daymut. I have no ordinances or resolutions appearing before Council this evening, but I would be happy to take any questions.

Mr. Daymut – Are there questions for Mr. Maloney?

(None)

**COMMITTEE OF THE WHOLE – Mr. Daymut:** We did meet this evening and gave a favorable recommendation to Ordinance 2011-103. Are there any questions for myself?

(None)

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

Mayor Perciak – Thank you, Mr. President. Good evening, everyone. It's Homecoming time here in the City of Strongsville; you're going to see a lot of activity happening here on the Square and on the Commons very shortly. I just want to ask everybody to block off Wednesday, July 20<sup>th</sup>, that is the kickoff of our Homecoming with our parade. Of course, the rides will be open in the afternoon, but the parade will begin promptly at 6:30 p.m. and will be kicked off at Progress Drive. So, six-thirty, Progress Drive, Wednesday, July 20<sup>th</sup>. And of course the Homecoming will continue on Wednesday, Thursday, Friday and will conclude Saturday at midnight with a raffle. Come this year, you will see a lot of things that have changed there. I think the Chamber of Commerce again deserves a huge thank you for their continued commitment to our community by sponsoring this event and the hundreds and hundreds of volunteers that step up every year to help us with this Homecoming event, so thank you to all our volunteers, without you we could not do this. And I'm sure our co-chairmen, Tom Burichin and Mike Kalinich would agree, without the volunteers this would not be possible.

And one last item, Mr. President. The official ribbon cutting for the opening of Pearl Road will be Wednesday, September 7<sup>th</sup>, 11 a.m. in front of St. John Neumann Church at the traffic light there. Invitations are being prepared through the Engineer's office; we are waiting to hear from some guest speakers that day and as soon as the guest speakers are confirmed the invitations will be going out, needless to say. Eleven o'clock, Wednesday, September 7<sup>th</sup>, and thank God it's done. End of report, sir.

Mr. Daymut – Thank you. Any questions for the Mayor?

(None)

Mr. Daymut – One comment, Mayor. As you know, I did attend the fireworks last night; I'd like to thank you, all the effort you put forward for the solicitation of all the businesses and individuals that contribute, making that a great night in the City of Strongsville. As I approached the fireworks, I think that every resident in the City of Strongsville must have been there last night. But it was a great event, a great show, and I really look forward to that every year.

Mayor Perciak – Mr. President, thank you for that comment. And, the best of my knowledge, over fifty-seven different individuals and businesses contributed to make that evening a success. And from what the Police Chief tells me and the Fire Chief and our Service Director, this was the largest crowd we have ever had. And I want to thank our Police and Fire for helping us get through this day, and our Service Department, for all of the work that they did in helping getting all of our local businesses ready to work this morning because, of course, our local businesses not only donated to this event, they opened up their parking lots and their lawns for people to sit on and enjoy the fireworks, so thank you to all of them because it truly was a community event.

Mr. Daymut – It truly was. Are there any other questions for the Mayor?

(None)

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

**FINANCE DEPARTMENT:**

Mr. Daymut – Mr. Dubovec is absent this evening.

Mayor Perciak – Mr. President, I would like to enter into the record, I have a memo from the Finance Director dated Wednesday, June 29, 2011, and it states: 'Funds will be made available for all ordinances and resolutions on this evening's agenda requiring certification of funding.'  
Signed, Joseph Dubovec.

Mr. Daymut – Thank you, Mayor. We do appreciate that, believe me. We'll hold our questions until next time for the Finance Director. Law Department; Mr. Kolick is sitting in for Mr. Kraus. Welcome, Mr. Kolick.

**LAW DEPARTMENT – Mr. Kolick:** Thank you, Mr. President. I do have some matters; there have been a number of court decisions rendered since our last meeting. First of all, we received a favorable jury verdict in Federal Court on the Ferrari matter, exonerating our police officers in that matter. Secondly, we received a favorable court decision on the ring road case involving Mr. Lewansky. The other side has filed a motion to extend the injunction, which we are opposing at this time. We received a favorable decision in the Lucas matter, but there has now been appeal of that judgment that was made in favor of the City. There was a judgment rendered against the City in the Jontony matter; we are now looking at insurance counsel at our next step, so we'll be certain to set off some subrogation on that. And the last item I have is we have received an application for MM Royalty Company with regard to another proposal to drill over in the Whitney/Webster Road area and we have made arrangements to accompany the state inspector to do what we can to protect the City's interests in that matter. Thank you.

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

(None)

**AUDIENCE PARTICIPATION:**

Mr. Daymut – We have come to that portion of our meeting for audience participation. Comments from members of the audience will be limited to five minutes. Please state your name and address. We only had one person signed in and that was from Providence House; they're gone now. Is there anyone else who would like to address Council this evening?

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**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. *1<sup>st</sup> reading 05-16-11. 2<sup>nd</sup> reading: 06-06-11.*

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

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

**Ordinance No. 2011-082 ADOPTED.**

**Ordinance No. 2011-093** by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING SECTION 1262.05 OF CHAPTER 1262 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO CLARIFY AND SUPPLEMENT VARIOUS USES IN GENERAL INDUSTRIAL-A (GI-A) DISTRICTS, AND DECLARING AN EMERGENCY. *1<sup>st</sup> reading: 06-20-11. Favorable recommendation by Planning Commission 06-30-11.*

***Second reading; referred to Planning, Zoning and Engineering Committee. Public Hearing set for September 6, 2011.***

**Ordinance No. 2011-099** by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 1998, 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. 2011-099 ADOPTED.**

**Ordinance No. 2011-100** by Mayor Perciak and Mr. Haseley. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR PROFESSIONAL ENGINEERING INSPECTION SERVICES FOR VARIOUS ROAD IMPROVEMENT PROJECTS IN THE CITY OF STRONGSVILLE, WITHOUT PUBLIC BIDDING, 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. 2011-100 ADOPTED.**

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

**Resolution No. 2011-101** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE SANITARY SEWER REHABILITATION PROGRAM FOR 2011.

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. 2011-101 ADOPTED.**

**Resolution No. 2011-102** by Mr. Dooner. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY UNPAID PROPERTY MAINTENANCE NUISANCE ABATEMENTS FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY.

***First reading; referred to Finance Committee.***

**Ordinance No. 2011-103** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR AND LAW DIRECTOR, ON BEHALF OF THE CITY, TO EMPLOY SPECIAL LEGAL COUNSEL TO ASSIST IN THE REPRESENTATION OF THE CITY AND OTHER MUNICIPALITIES AS LEAD TRIAL COUNSEL UNDER A JOINT REPRESENTATION AGREEMENT IN PENDING LITIGATION, 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. 2011-103 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

None.

**MISCELLANEOUS BUSINESS:**

None.

**ADJOURNMENT:**

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

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

July 18, 2011  
Date of Approval