

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE ORGANIZATIONAL AND REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JANUARY 5, 2009

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on Monday, January 5, 2009 at 7:00 p.m.

Present: Council Members: Patrick J. Coyne, Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley and Mark A. Roth. Also Present: Clerk of Council Leslie J. Seefried and Council Office Assistant Aimee Pientka. Administration: Mayor Thomas P. Perciak, Law Director Kenneth A. Kraus, Finance Director Donald C. Batke, Service Director Joseph M. Walker, City Engineer Ken Mikula, Building Commissioner Anthony J. Biondillo, Economic Development Director Eugene P. Magocky, Recreation Director Stephen F. Kilo, Human Resources Director Anthony Urankar, and Fire Chief Robert Moody.

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering: Chairman Haseley recommended adoption for Ordinance No. 2008-186, a request by James Ondrejcek to change the zoning from General Business classification to Commercial Service classification on property located at 18489 Pearl Road, PPN 397-18-002. Chairman Haseley advised that Planning Commission gave a favorable recommendation to Ordinance No. 2008-244 at its meeting of 12/18/08 and, therefore, recommended that the ordinance be second read this evening and a public hearing be set for February 17th. Mr. Haseley recommended suspension and adoption for Resolution No. 2009-001, appointing an Assessment Equalization Board to hear objections in connection with the Webster Road Sanitary Sewer Project. He recommended that Ordinance 2009-002, a request by David and Tracy Justice to change the zoning from Local Business classification to Commercial Service classification on property located at 12300 Prospect Road, part of PPN 392-12-025, be placed on first reading this evening and referred to Planning Commission. Mr. Haseley also recommended suspension and adoption for Ordinance No. 2009-003, authorizing a release and vacation of an easement and accepting two new grants of easement from VAM, Ltd. in connection with the Plaza at Southpark.

Public Service and Conservation Committee: Chairman Dooner recommended suspension and adoption for Ordinance No. 2009-004, authorizing a contract for traffic signal/electrical maintenance services for the 2009-2010 in an amount not to exceed \$90,000 per year. He also recommended suspension and adoption for Ordinance No. 2009-005, approving Change Order No. 2 (final) for an increase in the contract price between the City and Fabrizi Trucking & Paving Co., Inc. in connection with the Howe-Drake Intersection Improvements Project. Mr. Dooner noted that Change Order No. 2 for \$80,793.48 is the final payment for the project, for a total project cost of \$1,335,000. Mr. Dooner noted that the original estimated cost of the project was \$1.7 million and we are pleased that the final project cost is less than originally anticipated.

Building and Utilities Committee: Chairman Roth asked the Building Commissioner to explain Ordinances 2009-006 and 2009-007, each entering into a contract with for professional architectural services in connection with the City's Building Code and the Ohio Building Code. Commissioner Biondillo explained that we are required by the State to provide plan review services for any commercial properties and that having at least two individuals on board provides the Building Department with better quality control assurance on plan review and, in fact, he would prefer to have another plan reviewer on board in addition to these two individuals. He stated that the City is billed directly by the architectural firm. Law Director Kraus noted that the two contracts in question are identical to the agreements Council passed last year. Chairman Roth suggested that Council members vote their conscience on Ordinances 2009-006 and 2009-007; the committee's recommendation is suspension and adoption.

Recreation and Community Services Committee: Chairman Gallagher recommended suspension and adoption for Ordinance No. 2009-008, entering into a new lease agreement with the Strongsville Soccer Association, Inc. for premises located on Foltz Parkway.

Finance Committee: Chairman Coyne recommended suspension and adoption this evening for the appropriations ordinance, 2008-258. He also recommended suspension and adoption for Resolution No. 2008-259, requesting the Cuyahoga County Auditor to advance funds to the City; Ordinance No. 2008-260, entering into a contract for a comprehensive health benefits plans for City employees for the year 2009; and for Ordinance No. 2008-261, the general salary Ordinance.

Economic Development and Technology Committee: Chairman Daymut reminded everyone that the Business Network Breakfast meeting will take place on Thursday, January 15, 2009, at 7 a.m. in the Event Center at the WFE Recreation and Senior Complex. He stated he would give a more detailed report on the floor.

Council President Gallagher asked if any members of Council had any questions, concerns or issues to discuss with any of the directors.

Mr. Daymut suggested that Council members consider submitting their signatures to the Clerk of Council for scanning so they could be filed with the Clerk and be available to the Clerk for timely processing of documents that require Council's signatures. The scanned signatures would be used at the Clerk's discretion and only with the permission of the individual members of Council. He explained that some documents such as certain letters, proclamations, commendations, etc. usually carry the signatures of all members of Council and that it is often difficult to obtain all of the members' signatures in a timely manner. A brief discussion ensued and the Council members agreed to provide their signatures for scanning by the Clerk's office.

Council President Gallagher congratulated Mr. Daymut for his work in connection with Turnpike noise pollution and noted the Sun Newspaper article announcing that two locations in Berea and Strongsville were recommended to receive soundproofing material in a noise mitigation pilot project by the Ohio Turnpike Commission. Mr. Daymut led the Turnpike noise mitigation effort of Strongsville and neighboring communities.

The applicant requesting a rezoning in connection with Ordinance No. 2009-002, Mr. David Justice, and his architect, Mr. Ted Macosko, explained that they attended at the caucus this evening to address any questions Council might have about the request for rezoning. Mr. Roth stated area residents have complained for years about noise from the property in question. He stated there is dense residential zoning behind the property and that an adequate buffer to protect the existing residentially zoned properties would be necessary in order for him to vote favorably on such a project.

MINUTES OF THE ORGANIZATIONAL AND REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JANUARY 5, 2009 IN THE COUNCIL CHAMBER AT THE STRONGSVILLE COMMUNICATIONS CENTER

CALL TO ORDER:

The meeting was called to order at 8:00 p.m. by the President of Council, Michael J. Gallagher. All joined in the Pledge of Allegiance to the Flag.

Mr. Gallagher – Welcome, ladies and gentlemen, to the January 5, 2009 – Happy New Year - City Council Meeting here in the City of Strongsville. We welcome you this evening.

CERTIFICATION OF POSTING:

The Clerk of Council certified that the meeting had been posted in accordance with Ordinance No. 2004-273.

ROLL CALL:

Present: Council Members: Patrick J. Coyne, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley, Mark A. Roth III, and Michael J. Daymut. Also Present: Leslie J. Seefried, Clerk of Council. **Administration:** Thomas P. Perciak, Mayor; Kenneth A. Kraus, Law Director; Donald C. Batke, Finance Director; Joseph M. Walker, Service Director; Eugene P. Magocky, Economic Development Director; Charles Goss, Chief of Police; Robert Moody, Chief of Fire; Ken Mikula, City Engineer; Anthony J. Biondillo, Building Commissioner; Anthony Urankar, Human Resources Director; and Steve Kilo, Recreation Director.

ORGANIZATION:

Mr. Gallagher – This evening we have an organizational – to start the evening, we have an organizational election of Council President and Council President Pro Tem.

Election of Council President:

Mr. Gallagher - I'll open the floor for nominations for the election of Council President for 2009.

Motion by Mr. DeMio, seconded by Mr. Coyne, to nominate Michael J. Gallagher for Council President.

Mr. Gallagher – Are there any other nominations?

(No comments)

Mr. Gallagher – I'm going to close the nominations. I have a motion on the floor with a second; motion by Mr. DeMio, second by Mr. Coyne. Leslie, could you call the roll, please?

Roll Call: Ayes: DeMio, Dooner, Gallagher, Haseley, Daymut, Coyne.

Nays: Roth.

Motion carries. Michael J. Gallagher elected Council President.

Mr. Gallagher – Thank you, gentlemen.

ORGANIZATION (cont'd):

Election of Council President Pro Tem:

Motion by Mr. Coyne, second by Mr. Dooner, to nominate Joseph C. DeMio for Council President Pro Tem.

Mr. Gallagher – Are there any other nominations this evening?

(No comments)

Mr. Gallagher – I'll close nominations. Leslie, would you call the roll, please?

Roll Call: Ayes: Dooner, Gallagher, Haseley, Roth, Daymut, Coyne, DeMio.

Nays: None.

Motion carries. *Joseph C. DeMio elected Council President Pro Tem.*

Mr. Gallagher – Congratulations, Mr. DeMio.

Mr. Gallagher – Gentlemen, I would request that you maintain your positions, at least for now. If you would like to switch out of anything that you're doing, notify me by Noon tomorrow through Leslie and Wednesday I will have the assignments out to you.

APPOINTMENT OF COUNCIL REPRESENTATIVE TO PLANNING COMMISSION:

(Deferred)

APPOINTMENT OF COUNCIL REPRESENTATIVE TO SOUTHWEST GENERAL HEALTH CENTER BOARD OF TRUSTEES:

(Deferred)

APPOINTMENT OF COUNCIL REPRESENTATIVE TO STRONGSVILLE SCHOOL BOARD:

(Deferred)

APPOINTMENT OF STANDING COUNCIL COMMITTEES:

(Deferred)

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of December 15, 2008 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

At this time, Mayor Perciak administered the Oath of Office of President of Council to Michael J. Gallagher.

Mayor Perciak then administered the Oath of Office of President of Council Pro Tem to Joseph C. DeMio.

Motion was made by Mr. Gallagher and seconded by Mr. DeMio, pursuant to City Charter Article III, Section 9, to appoint and ratify Aimee Pientka as the Council Office Assistant (Assistant Clerk of Council), retroactive to January 1, 2009, in order to fill the current vacancy and in accordance with the terms and conditions and the letter signed by her and the City.

Roll Call: All ayes. Motion carries.

Mr. Gallagher – Congratulations, Aimee. And you'll be seeing more of Aimee as we go through the new year.

REPORTS OF COUNCIL COMMITTEES;

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher: I was at the last meeting, nothing of note to report; it was more of a Christmas get-together and get to know the University Hospital folks, so it was quite interesting, the social atmosphere, but not much work really was accomplished that evening, so I don't really have much of a report. I'll answer any questions.

(None)

SCHOOL BOARD – Mr. Roth: There will be a report forthcoming after the next School Board meeting.

Mr. Gallagher – Thank you, Mr. Roth.

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: Ordinance 2009-008 is authorization for the Mayor to sign a new lease agreement with the Strongsville Soccer Association; recommendation is suspension and adoption, and that was all the legislation before Recreation this evening. I'll take any questions.

(No questions)

PUBLIC SERVICE AND CONSERVATION – Mr. Dooner: Thank you, Mr. Gallagher. We need to start off with a Motion to note and accept owner's designation of wishes for interments in Strongsville Municipal Cemetery for Robert and Mary Nowell.

Mr. DeMio – Second.

Mr. Gallagher – Motion by Mr. Dooner, second by Mr. DeMio. Is there any discussion?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Gallagher – Call the roll, please.

Roll Call: All ayes. Motion carries to designate the wishes of the owners, Robert Nowell and Mary M. Nowell, of lots in Section E, Lots # 40 H, F, D and B, for interments in Strongsville Municipal Cemetery, as requested in their letter to the Clerk of Council dated December 15, 2008, a copy of which is attached to the original transcript of these Minutes.

Mr. Dooner – We also have before us tonight Ordinance 2009-004, it's an Ordinance authorizing the Mayor to enter into a contract for traffic signal and electrical maintenance services for 2009 and 2010 in the City of Strongsville and declaring an emergency; we're recommending suspending and adoption, and this is not to exceed \$90,000 per year. We also have an Ordinance Number 2009-005, this is authorizing directing the Mayor to issue and approve Change Order No. 2, which is the final payment, for an increase in the contract price in accordance with the provisions of the contract between the City of Strongsville and Fabrizi Trucking and Paving in connection with the Howe-Drake intersection improvements. The final payment is for \$80,793.48. This final payment will make the total \$1,335,000, which is below the original estimated cost of \$1,700,000. We're recommending suspension and adoption of that, as well. And that is all I have, Mr. Gallagher.

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

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you, Mr. Gallagher. There are no ordinances or resolutions before this committee, although two important issues that I'm going to defer to two very important people that I've had in this committee. First, Mike, since you are the President, if you can give a synopsis, if you will, about the letters that we signed and are sending out to the administration in the State of Ohio, and then, once you're completed, I'd ask Charles Goss, with the Mayor's permission, to fill us in on any details of the police station. But, other than that, I would close the meeting, unless there are questions beyond those two synopses, if you will.

Mr. Gallagher – Thank you, Joe. Actually, I'll defer to Mike Daymut because this is near and dear to him.

Mr. Daymut – Thank you, Mr. Gallagher, thank you, Mr. DeMio. Briefly, what we had, at our last meeting, we passed a resolution asking the governor and the state representatives to assist us in redoing the legislation concerning gas drilling within the city limits of Strongsville. There has been a proposal, at least one proposal, in my ward near Whitney Elementary School with the (unintelligible), I believe it is, considering putting a gas well in. And there are certain safety issues that the residents are concerned about, that I, myself, have, and we are urging the state legislature and the governor to readdress the issue and give us more control. And I believe that sums it up, Mr. Gallagher; thank you very much.

Mr. Gallagher – Thank you, Mr. Daymut. Mr. DeMio, you wanted the Chief.

Mr. DeMio – Yeah, if the Chief would point out some facts of what's going on with the police station.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Chief Goss – Mr. President, Mr. DeMio. Work is progressing as well as it can through this kind of weather. There was some stabilization done to the site so that they could continue working through the season. Underground work was done on the sewer lines and we expect footer excavation will be done starting this week. So, it's coming along as well as can be expected.

Mr. DeMio – I will open questions if anyone wants any questions.

Mr. Gallagher – Mr. DeMio?

Mr. DeMio – Yes?

Mr. Gallagher – Actually, I think it would probably be appropriate, Mr. DeMio, to congratulate Mr. Daymut on his noise abatement over there on the Turnpike; he has been working, he informs me, seventeen years on this. Mike takes an issue and doesn't let go when he really truly believes in it. While this is only a pilot project for \$500,000, at least we'll probably, my guess, will get some good feedback on this and see if something over there would work. And it's hard to move the State of Ohio sometimes, sometimes it does take seventeen years, but, Mike, I appreciate it and congratulations on at least getting this little nibble out of the state.

Mr. Daymut – Thank you, Mr. Gallagher, and thank you for all the support of Council and especially the Mayor for the meetings that we did have last year that bring this to fruition.

Mr. Gallagher – That's all, Mr. DeMio, thank you.

Mr. DeMio – I'll close the committee.

Mr. Gallagher – Questions for Mr. DeMio?

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Thank you Mr. Gallagher. Planning, Zoning and Engineering met this evening to discuss the following ordinances and resolutions: Ordinance Number 2008-186, which is a change of zoning classification on Pearl Road, the recommendation is to adopt; Ordinance 2008-244, place on second reading, set a public hearing for 2-17-09, this has to do with the sale of firearms in residential districts; Resolution 2009-001 is the establishment of an Assessment Equalization Board, recommendation is to suspend and adopt; Ordinance 2009-002, place on first reading, refer to Planning Commission and back to committee, and this is another change in zoning classification; Ordinance 2009-003 is a vacation of an easement and accepting two new grants for easements for a storm sewer system, recommendation is to suspend and adopt. That concludes my report.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

FINANCE - Mr. Coyne: Thank you Mr. Gallagher. There are no ordinances or resolutions in my committee this evening, but I'd be more than glad to answer any questions.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut. Thank you Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. We'd like to announce that we will have our breakfast meeting on Thursday, January 15th, at 7 a.m. at the Recreation Center. A special thanks to Euthenics, consulting engineers here in Strongsville, and, from a personal point, I'd like to thank Ron Bender, who is a resident in Ward 1, who is the president of Euthenics and is sponsoring the breakfast. The Mayor asked us at our last meeting when we were deciding what day the breakfast would be, could we have something appropriate concerning the economy and where we find ourselves. The speaker will be Patty Huddle, Manager of Business Development, Ohio Department of Development, and the topic will be Business Assistance Programs Available through the State of Ohio. So we look forward to great attendance at that and trying to assist some of our business partners here in town that may be experiencing difficulty due to the hard economic times we find ourselves in. Our next regular meeting will be Monday, January 26th, at 7 p.m., here at the Communications Center. That's all I have, Mr. Gallagher, thank you very much.

Mr. Gallagher – Thank you Mr. Daymut. Questions for Mr. Daymut?

(None)

BUILDING AND UTILITIES – Mr. Roth. Thank you Mr. Gallagher. Three things very briefly here. First, I'd like to congratulate Mr. Daymut on the noise pollution test walls. I'm just praying that, as Mr. Daymut remembers, I actually was the first one seventeen years ago to go on the floor asking for this because my ward, Ward 3, from Eastland Park back along the northern edge of Fair, was the part that was in decibel violation. Since then, the widening of the Turnpike and the decimation of the buffer by First Energy has made it a real problem and hardly any trees have been planted there, so we're still in violation there, I'm sure. And I'm praying that once they decide on which wall works best over by you, Mike, I'm praying that they go where it's really needed over between Eastland Park and northern Fair Road there with a section.

Ordinances 2009-006 and 007 are up for adoption.

And finally, you know, I've endured twenty-one years of political attacks and I clearly on the floor two weeks ago made it clear that I was not against the group home. And I've watched and witnessed for the last three weeks in the local media attacks misquoting me and getting the facts wrong; without even the decency of a phone call, they insinuated I was against this group home. You know, there I am with a retarded brother who's going to go in a group home soon, and a mother who had a shattered hip and just got ripped off her whole life savings by a group home worker that wasn't registered. And all through – what I explained to Mr. Kraus; all the problems we had twenty years ago – and many of you weren't here – on Brady Lane with illegal aliens who weren't qualified, weren't registered...

Mr. Gallagher – Mr. Roth, we're getting...

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Roth – Yeah, I just wanted to make sure...

Mr. Gallagher – Well, we're getting far afield here.

Mr. Roth – I wanted just to make sure that this time the group home situation is done correctly for the safety of the residents within the group home and for the safety of the residents that live next to it. I'm not citing anything; I just want to see it done right. And that was really cruel to get those facts wrong, those who did that out there, without even the decency of a phone call.

Mr. Gallagher – Anything else, Mr. Roth?

Mr. Roth – No, that's it, Mr. Gallagher.

Mr. Gallagher – And I've got to tell you, Mark, had you heeded the advice of the Law Department in the agreement that we all had behind closed doors not to discuss this issue, none of that would have happened.

Mr. Roth – All I said is...

Mr. Gallagher – Our goal...our goal...

Mr. Roth – ... (unintelligible) what I said two weeks ago.

Mr. Gallagher – And I understand your point. Our goal is...

Mr. Roth – I just want to see it done right.

Mr. Gallagher – ...is the safety of the individuals in this home...

Mr. Roth – Me, too.

Mr. Gallagher – And that's it.

Mr. Roth – That's all.

Mr. Gallagher – And had you just followed direction...

Mr. Roth – No, I'm allowed to make sure and make a point in question whether – I want to make sure it's done right.

Mr. Gallagher – And look what happened, so let's follow the -- Some of those that are smarter than us we should follow, especially...

Mr. Roth – We had a mess on Brady Lane, Mr. Coyne remembers it, at first.

Mr. Gallagher – Mr. Roth, behind closed doors we all agreed not to discuss it.

Mr. Roth – Right.

Mr. Gallagher – You discussed it and this has blown up, unfortunately, and maybe not (unintelligible) in your face, so let's learn from our mistakes.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Roth – I don't want to discuss it (unintelligible).

Mr. Gallagher – Any questions for Mr. Roth?

(None)

COMMITTEE OF THE WHOLE – Mr. Gallagher: There is no legislation this evening.

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

Mayor Perciak – Thank you, Mr. President, none this evening.

Mr. Gallagher – Questions for the Mayor?

(None)

FINANCE DEPARTMENT - Mr. Batke: Yes, thank you, Mr. President, and congratulations this evening on your election.

Mr. Gallagher – And congratulations to you too, sir.

Mr. Batke – Why, what did I do?

(Laughter)

Mr. Gallagher – I was kind of hoping you wouldn't call me on that one.

Mr. Batke – But to that end, Mr. Gallagher...

Unidentified Voice – (Unintelligible).

Mr. Batke – That's right. Did I win an award? I'm not sure.

Mr. Coyne – Don Batke's the longest serving director in our administration.

Mr. DeMio – There it is.

Mr. Gallagher – All right.

Mr. Batke – And there it is, hey.

(Applause)

Mr. Batke - Well okay, thank you. Okay, I'll go for that. Not the oldest, but the longest.

Mr. Coyne – I think you got both.

Mr. DeMio – I think he got both.

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

Mr. Coyne – Dual titles.

Mr. Gallagher – We're getting a little out of hand here now.

Mr. Batke – Yeah, I understand, okay. But, to that end, Mr. President, I can certify that funds will be made available for all of the ordinances and resolutions on this evening's agenda, even those requiring certification of funding and up for adoption. Thank you.

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

(None)

Mr. Gallagher – How many years has that been, Mr. Batke?

Mr. Batke – Too many to count. Over twenty.

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

Mr. Gallagher – Are there any questions for Mr. Kraus?

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – We are now in Audience Participation. Any of those in the audience wishing to speak with Council we hope you will, if you have something that you'd like to discuss with us. Mr. Vassil, I see you're out there in the new year; nothing from you, sir?

Mr. Vassil – Talk faster. Come on, let's go.

Mr. Gallagher – Oh, I'm sorry, the football game is on.

Mr. Vassil – Yeah, let's go.

Mr. Gallagher – I'm sorry. Nothing from Mr. Vassil. Anyone else, please?

(No comments)

ORDINANCES AND RESOLUTIONS:

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-186 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 18489 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM GB (GENERAL BUSINESS) CLASSIFICATION TO CS (COMMERCIAL SERVICE) CLASSIFICATION (PPN 397-18-002). (James Ondrejcek, Owner. Proposed Use: Headquarters for transportation of physically/mentally handicapped children in public and private schools.) 1st rdg: 9-2-08. Favorable recommendation by Planning Commission 10-9-08. 2nd rdg: 10-20-08. Public Hearing 12-1-08; continued to 12-15-08.

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

Mr. Gallagher – Discussion? I have five stipulations to be added to Ordinance 2008-186 that have been agreed upon by the owner and the individuals that surround this property: Number one, at least three arborvitae trees will be installed on the rear of Mr. Redrup's property in locations to be determined with the assistance of Jennifer Milbrandt; Number two, at least three arborvitae trees will be installed on the rear of Ms. Nagy's property in locations to be determined with the assistance of Jennifer Milbrandt; Number three, at least eight additional arborvitae trees will be installed on the Cleveland Costume property in locations to be determined with the assistance of Jennifer Milbrandt; Number four, Mr. Ondrejcek will provide a revised site plan showing the removal of three parking spaces and the installation of a T-type turnaround for Planning Commission's consideration; and Number five, Mr. Ondrejcek will comply with the Building Department's property maintenance notification. Any discussion on that, gentlemen?

Mr. DeMio – I will then renew my motion to adopt with the stipulations.

Mr. Coyne – Second.

Motion by Mr. DeMio to adopt, with the stipulations as read into the record by President Gallagher; second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Ordinance No. 2008-186 ADOPTED.

Ordinance No. 2008-244 by Mayor Perciak and Mr. Haseley. AN ORDINANCE ENACTING A NEW SECTION 1252.36 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH THE SALE OF FIREARMS IN RESIDENTIAL DISTRICTS. 1st rdg: 12-1-08. Favorable recommendation by Planning Commission 12-18-08.

**Second reading. Referred to the Planning, Zoning and Engineering Committee.
Public Hearing set for Tuesday, February 17, 2009.**

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2009-001 by Mayor Perciak and All Members of Council. A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE IMPROVEMENT OF WEBSTER ROAD AND CERTAIN OTHER STREETS AND EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS AND MANHOLES, INSTALLING SANITARY SEWER SERVICE CONNECTIONS, AND REPLACING, WHERE NECESSARY, PAVEMENT, DRIVEWAYS AND CULVERTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

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

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

Mr. Gallagher – I would like to, before we vote on that, thank Mr. Gregory J. Caraboolad, Robert R. Lucarelli and John W. Rady, who comprise the Equalization Board and have agreed to basically volunteer their time to hear the concerns of the citizens. Call the roll, please.

Roll Call: All ayes. Motion carries.

Resolution No. 2009-001 ADOPTED.

Ordinance No. 2009-002 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 12300 PROSPECT ROAD (PART OF PPN 392-12-025) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO CS (COMMERCIAL SERVICE) CLASSIFICATION. (David & Tracy Justice, Owners. Proposed automobile repair establishment.)

First reading. Referred to Planning Commission and to the Planning, Zoning and Engineering Committee.

Ordinance No. 2009-003 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A RELEASE AND VACATION OF AN EASEMENT AND ACCEPT TWO NEW GRANTS OF EASEMENT FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF A STORM SEWER SYSTEM FROM VAM, LTD. IN CONNECTION WITH THE PLAZA AT SOUTHPARK, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-003 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-004 by Mayor Perciak and Mr. Dooner. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR TRAFFIC SIGNAL/ELECTRICAL MAINTENANCE SERVICES FOR 2009-2010 IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-004 ADOPTED.

Ordinance No. 2009-005 by Mayor Perciak and Mr. Dooner. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 2 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE HOWE-DRAKE INTERSECTION IMPROVEMENTS C.R.-105 PROJECT IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-005 ADOPTED.

Ordinance No. 2009-006 by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ANTHONY CERNEY FOR PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE BUILDING CODE OF THE CITY OF STRONGSVILLE AND THE OHIO BUILDING CODE, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-006 ADOPTED.

Ordinance No. 2009-007 by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH JOHN B. KORNICK FOR PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE BUILDING CODE OF THE CITY OF STRONGSVILLE AND THE OHIO BUILDING CODE, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-007 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-008 by Mr. Gallagher. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NEW LEASE AGREEMENT WITH THE STRONGSVILLE SOCCER ASSOCIATION, INC. FOR PREMISES LOCATED ON FOLTZ PARKWAY IN THE CITY OF STRONGSVILLE, OHIO, AND DECLARING AN EMERGENCY.

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

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-008 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Gallagher – Miscellaneous business, gentlemen?

(No comments)

Mr. Gallagher – Go Bucks.

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:32 p.m.

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

January 20., 2009
Approval Date