

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MARCH 2, 2009.**

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on Monday, March 2, 2009 at 7:15 p.m.

Present: Council Members: Patrick J. Coyne, Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, and Mark A. Roth. Also Present: 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, Economic Development Director Eugene P. Magocky, Assistant Building Commissioner Keith Foulkes, Recreation Director Stephen F. Kilo, Human Resources Director Anthony Urankar, Communications Director John Bedford, Police Chief Charles Goss, and Fire Chief Robert Moody.

Absent: Council Member Ray Haseley

The following Committees met to review legislation on the agenda:

Public Safety and Health Committee: Chairman DeMio asked Chief of Police Charles Goss how the renovations were going for the police facility. Chief Goss stated that they are on track and they have put some block up. They are tackling the issues as they arise. Mr. DeMio was concerned with the employee's cramped working area and Chief Goss states employees and people in jail are fine-they are housing female prisoners at North Royalton jail right now. Mr. DeMio asked about communications and Chief Goss stated any glitches that arise John Bedford along with the people from Engineering and Building are right there. Mr. DeMio made a request to have the eastbound sign on Royalton Road be rotated somewhat so people could see it. Mr. DeMio asked Fire Chief Bob Moody how things were going and he stated nothing new with equipment. Chief Moody states there is an entry level exam on May 30<sup>th</sup> due to one of the firefighters leaving (creating a vacancy) and the current Civil Service list expiring this month. Chief Moody states the heat in the new fire station is still a work in progress. They are coming in hopefully next week sometime to shoot some foam insulation into the dormitory room in the north end of the building to seal some of the cold out. Law Director Ken Kraus states there have been Administrative meetings to address these issues. Councilman Mike Daymut asked Chief Moody about CERT class and if they have started. Chief Moody states they have had 3 sessions already. He states all cities have CERT and that CERT classes will be held at Southwest General Hospital so all cities can be on the same curriculum and save some money. Mayor Perciak states that Don Batke and he are watching the markets so as to put permanent financing on the police station.

Planning, Zoning and Engineering: Chairman Coyne stated there will be a public hearing tonight for 2009-002 regarding the rezoning of 12300 Prospect Rd. from LB to CS. He brought up that there was a meeting prior to this public hearing with Mr. Justice, the directors, the Mayor, the Engineering Department, and some members of council to discuss the project and any issues/concerns. Councilman Coyne also went knocking door to door in that area to speak to residents regarding this Ordinance. The people he spoke to were not opposed to this. In addition, Councilman Coyne did not receive any phone calls from residents opposed to this when the letter was sent out about this rezoning. Council Coyne recommends that the Ordinance be amended tonight and after the public hearing, be adopted. Councilman Roth has had input from three residents who are vehemently opposed to the Ordinance. Councilman Roth states that to most of the residents live in Florida during these months and he is concerned what they will feel about this when they come back. Councilman DeMio states he did get one phone call regarding noise issues and a fence. Mr. Justice states the hours of operation will be Monday-Friday 8:00am-5:00pm and if it is open on Saturdays (which he is not sure) it will only be till 3:00pm. The earliest they would start would be 8:00am.

Planning, Zoning and Engineering (cont'd): Councilman DeMio also advised the resident of the 400ft. buffer. The Mayor and other councilmen did not get any phone calls from the residents. Councilman Roth commends Mr. Justice for what he has done to solve the problems but fifteen years later mid stream we are changing the zoning area; residents and himself have a problem with this and will be opposed to it. Chairman Coyne also recommended 2008-244 regarding enacting a new section of the Planning and Zoning Code of the Codified Ordinance be adopted.

Recreation and Community Services Committee: Chairman Gallagher recommended Ordinance No. 2009-035 regarding funding for the city's Lunn Rd. football and little league fields be placed on second reading.

Public Service and Conservation Committee: Vice Chairman Roth asked Ken Mikula for input on Ordinance 2009-038 regarding the contract with Euthenics for the widening of Pearl Rd. Mr. Mikula states that there is an old waterline in that area of Pearl Rd. /Drake Rd. that needs replaced and now we have the funding for it. Mr. Mikula states some of the funding is also for the right of way there. Mr. Roth recommended this for suspension and adoption. Mr. Roth recommended Ordinance 2009-039 regarding financial assistance, Resolutions 2009-040 and 2009-041 regarding bids for the Service Department, and Resolution 2009-042 regarding bids for work on various municipal building all be placed up for suspension and adoption.

Economic Development and Technology Committee: Chairman Daymut announced Dick Pinkerton who was an active member of the committee had quadruple bypass surgery yesterday and is doing well.

Committee-of-the-Whole: Councilman Gallagher stated that Ordinance 2009-043 regarding application from Susan Lea Schnittke to place land in an agricultural district will be placed on first reading and set for a public hearing for March 16, 2009. Councilman Coyne moved, seconded by Councilman DeMio, to adjourn from open session into executive session [Article XI, Section 9, City Charter] for the purpose of discussing personnel matters. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:37 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher and Roth. Also present were Mayor Perciak, Law Director Kraus, Finance Director Batke and City Engineer Mikula. Motion was made by Councilman Gallagher, seconded by Councilman DeMio, and unanimously approved to conclude the Executive Session at 7:50 p.m.

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## **MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MARCH 2, 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.

### **CERTIFICATION OF POSTING:**

The Assistant 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, Mark A. Roth III, and Michael J. Daymut. Also Present: Aimee Pientka, Council Office Assistant. **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; Keith Foulkes, Assistant Building Commissioner; Charles Goss, Chief of Police; Robert Moody, Chief of Fire; Ken Mikula, City Engineer; Anthony Urankar, Human Resources Director; and Steve Kilo, Recreation Director.

**Absent: Council Member:** Ray Haseley

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Motion was made by Mr. DeMio and seconded by Mr. Roth to excuse Councilman Ray Haseley for good cause. All members present voted aye and the motion carried.

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Motion was made by Mr. DeMio and seconded by Mr. Coyne to amend the agenda by adding Ordinance No. 2009-002 to be read and voted on tonight. All members present voted aye and the motion carried.

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**COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting of February 17, 2009 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS**

(None)

**PUBLIC HEARING**

**Ordinance No. 2009-002.** 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.) 1<sup>st</sup> rdg: 1-5-09. Favorable recommendation by Planning Commission 1-8-09. 2<sup>nd</sup> rdg: 01-20-09.

President Gallagher – I'll open the public hearing. Those that are in favor of this ordinance, I would ask you to come forward and give us your name and address for the record. Again, we will be voting on this during our Ordinances and Resolutions this evening.

Council President Gallagher opened the Public Hearing on Ordinance No. 2009-002 and invited anyone wishing to speak **IN FAVOR** of the Ordinance to approach the podium and address Council at this time.

**PUBLIC HEARING (cont'd):**

Dave Justice – Hello, my name is Dave Justice. I would be the owner of The Strongsville Express Tire and Automotive. My address is 24944 River Glen, Columbia Station. I own a business now, a Goodyear store at 137 Front Street in Berea. An overview of the project...is...it will be an (unintelligible) store. It's dual-zoned as we know. As I've talked with people on Council-we had an issue with noise pollution. What we've chose to do is obviously we will not touch the back half that is zoned residential whatsoever. It'll stay pristine with the trees. We've also took it upon ourselves to offer that we are going to put a mound behind our parking lot here and then with trees on top of it. Our business now in Berea is open from 8:00am-5:00pm Monday thru Friday. We-in Strongsville it would be open till 8:00am-5:00pm-possibly till 6:00pm. If we were to do a Saturday, it would be from 8:00am-3:00pm-it would be half a day. We will not work nights and we won't have full day Saturdays. I've been in business in Berea for...between my father and I forty years, twenty-five myself I'm in business. I have a letter from Mayor Kleem talking about my integrity. I have since just joined AAA. One of the things they ask us to do at AAA is to send in a thousand of my repair orders to them and they take three hundred customers out of that and they survey them. Out of the twenty-six years that the gentleman said that he's done it, no one's gotten a hundred percent. We did and I have those here if anyone would like to look at those as well. I will give you my commitment to any of all of you that are here against this that I will do everything in my power to endear myself not only to you, but the community. It would only behoove me to do my very best to take care of you guys especially with you being in my back yard. I'm going to do everything in my power. I'm not an absentee owner, I am there...I am it-you are able to get a hold of me. I'll be at one of my stores and I live a mile down the street in Columbia. I hope that you guys can see that we're going to bend over backwards to try and do the right thing. If there's any questions or anything.

Unidentified Voice – How far is the set back again?

Mr. Justice – It'll be very close to four hundred feet. Again, we're going to put a mound with trees behind our parking lot again. And then we obviously have a buffer at the back of the homes that is about twelve feet and spruces on top of that.

Unidentified Voice – Can we ask a question?

Mr. Gallagher – Unless you're for this...

Unidentified Voice – This is for.

Mr. Gallagher – This is for?

Unidentified Voice – We don't know.

Mr. Gallagher – Well, I'll tell you what, what's your question?

Unidentified Voice – Unintelligible

Mr. Gallagher – If you would step to the microphone sir.

**PUBLIC HEARING (cont'd):**

Robert Fischietto – Bob Fischietto and I'm at 12389 Bristol which is right behind this piece of property. My concern is the noise because we put up with a lot of noise from the other businesses, especially Slim and Chubby's at two to three in the morning when they're out there hollering and screaming and swearing up a storm...little bit inebriated. That's been going on since they've been open, so that's just another issue. Now with this, I'm listening to what he has to say and kind of encouraging. My one question to you is-the trees in the back, they are sparse. Are you adding more trees?

Mr. Justice – No sir.

Mr. Fischietto – No?

Mr. Justice – We're going to leave them just the way they are...pristine.

Mr. Fischietto – Now, we have a mound behind us already that Parkview Homes put up for a noise barrier. It helped, but not enough...alright. We can still hear the fence company that starts up at seven o'clock in the morning in their busy season. Medina Supply, when they're busy-seven o'clock in the morning...

Mr. Gallagher – Ok-well let's stay on point with this here.

Mr. Fischietto – Ok. Well this is what I'm looking at-the noise. We've put up with a lot of noise. If we have to put up with more noise, we're going to be even more perturbed. That's why I want to hear that the noise factor-and also, the vehicles that you have on your property. Long term leftovers?

Mr. Justice – No sir. One of the things that Berea has asked me to do if you ever go past my store in Berea-

Mr. Fischietto – Yeah-

Mr. Justice – 137 Front Street. You'll notice that every night, every vehicle is pulled in. We pack, stack and rack them inside because the City of Berea-I bought that it was an old BP station and one of the things they asked me they didn't want a used car lot there.

Mr. Fischietto – Yeah, right.

Mr. Justice – So I said no problem. Every weekend when you go past there, you'll see that lot is virtually empty. We'll fit twelve cars in it and usually it's virtually empty. We don't sell cars. I don't run a business where we have junk around. It does happen every now and again when you have a vehicle that has to sit over for a couple of weeks unfortunately when it's out of my control- yes but as a general rule; that will not happen.

Mr. Fischietto – (Chuckling) Ok. Thank you.

At this time Council President Mike Gallagher invited anyone wishing to speak **IN OPPOSITION** of this Ordinance to approach the podium and address Council at this time.

Mr. Gallagher – Thank you. Is there anyone else in favor of this? Those in...

**PUBLIC HEARING (cont'd):**

Mr. Dooner – I think they have another question.

Mr. Gallagher – Those ag...I'll take those that are against I'll assume at least right now you might be against?

Unidentified Voice – I just-

Mr. Gallagher – If you could please.

Unidentified Voice – I just wondered are going to be painting cars?

Mr. Gallagher – Ma'am-could you just step up to that (motioning to the podium) and give us your name and address.

Corey Fischietto – I'm Corey Fischietto, 12389 Bristol.

Mr. Gallagher – Thank you.

Ms. Fischietto – Right behind you.

Mr. Justice – Pleasure to meet you. Absolutely not. We do paint-

Ms. Fischietto – 'cause my brother does that and it and it's-fumes come right over.

Mr. Justice – No, no Ma'am. Not whatsoever.

Ms. Fischietto – Ok, that's the only question I have.

Mr. Justice – Well, thank you. A pleasure to meet you.

Ms. Fischietto – Ok.

Mr. Gallagher – Is there any one else in the audience that would wish to speak against? Ma'am if you would step to the microphone.

Diane Anker – My name is Diane Anker. I'm directly behind also-12367 Bristol Lane. If it is noisy, what can you do about it after you've been there? I mean, what if we do hear all this racket coming from it?

Mr. Justice – I think that we're going to try to be proactive and put the mounds up and everything. We are four hundred feet away. I don't think that we have the kind of tools or whatever that are going to make that kind of crazy noise. I honestly don't. I will do-if it's a matter of shutting the doors or something to help you out; I'm not akin to doing whatever we have to. But, other than at that point I don't know what else I could do.

Ms. Anker – More trees?

Mr. Justice – I don't think so. We're going to put up a mound and put trees. I mean, I think I'm really am trying to make a difference right off the bat and help you out.

**PUBLIC HEARING (cont'd):**

Ms. Anker – I know. Well, it's just that when we bought there, we were assured that it was zoned one way and now we're changing the zoning again and like Bob said that's-you know we're dealing with the other business on the other side-now we're going to have another.

Mr. Justice – I so happened to go past there this weekend. And see how many cars you're dealing with.

Ms. Anker – Yes.

Mr. Justice – I don't think ours is going to be in that realm.

Ms. Anker – Well, ok-thank you.

Mr. Justice – Thank you.

Mr. Gallagher – Thank you. Is there anyone else in the audience wishing to speak against this Ordinance?

(None)

Hearing no further comments in regard to Ordinance No. 2009-002, President Gallagher declared the public hearing on said Ordinance closed.

Mayor Perciak – Mr. President if I may?

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – Mr. Justice, would you do your best to meet with our forester-Jennifer and see what we can do to accommodate the residents on some trees-

Mr. Justice – Absolutely.

Mayor Perciak – and things and if you're bringing in-I don't know how many you're bringing in but if you can bring in some more to satisfy our people and to provide this buffer I think they would be happy. Would you please at least work with Jennifer to see what you can do to accommodate things?

Mr. Justice Absolutely, we've had one meeting with her already. I have absolutely no problem with that. We'll do our very best.

Mayor Perciak – Thank you.

Mr. Gallagher – Mr. Justice, thank you for all the meetings that you have attended there for the residents...I've seen a lot of these and I've not seen this much work put into one zoning change and one new business coming into town. I credit Mr. Coyne with leading the charge here to take this by the horns, walk it all the way through. I don't think we'd be where we're at if it wasn't for Mr. Coyne and what he did and I really appreciate that. I think in the end, whether this passes or not, I think if it does, I think we'll have somebody that's willing to come here and work with us. That's not always the case so that's a positive sign as of right now.

**PUBLIC HEARING (cont'd):**

Mr. Roth – Mr. Gallagher?

Mr. Gallagher – Mr. Roth.

Mr. Roth – Yes, I commend Mr. Justice for all he's done working with the city but as I've shared in Caucus, I still see two problems on the horizon. On summer mornings, the speed guns that take tires on and off you can hear for miles. The doors are going to be open. I don't think a mound or a (unintelligible) mound is going stop that. On a more general token, one thing is Mr. Justice he runs a clean, clean show; but, we promised Bristol Pt. way since the beginning of time that it was local business next to them and now you're downgrading it to motorist service/customer service and I don't think that's right to change the environment midstream so I'll be voting against it.

Mr. Gallagher – Thank you.

**REPORTS OF COUNCIL COMMITTEES;**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth:** I attended my first meeting and they made me very comfortable there. That was a very nice meeting-three hours in length-very extensive. I'll just go through a couple highlights. The first thing that they moved forward on was a new breast center at Southwest General. They're going to be purchasing state of the art equipment and adding a new breast center and a new location more centrally located in the hospital for over a million dollars there; a wonderful addition to the hospital. There also moving forward on a new IT systems for the whole hospital, especially I guess starting off in surgery. It's going to tie in with hopefully the Federal Government is changing over to better more medical records throughout the nation. Those were the two major things that they moved forward on. That's all for right now; those were the two major highlights.

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

(None)

**SCHOOL BOARD – Mr. Roth:** I attended that meeting and at that meeting there was a resolution that created new student liaison between the Board and the student body which I thought was a wonderful idea. They voted for the big-one of the big guys-Mr. William Parkinson, their treasurer and they extended his contract, rightfully so. He's protected every one of their dollars over there. Those were the two highlights from School Board meeting. That's it.

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

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:** Before Recreation this evening we have Ordinance 2009-035. That's an Ordinance authorizing the filing of an application through the State of Ohio Natureworks program for funding the city's Lunn Rd. football and little league fields in order to assist the city in developing a public recreation area. We're going to place that on second reading this evening. That's all I have before recreation. Any questions?

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

(None)

**PUBLIC SERVICE AND CONSERVATION – Mr. Roth:** In Public Service we have Ordinances 2009-038 and 039 up for adoption. It was moved to move forward and suspend and adopt both of those. Resolutions 2009-040, 041, and 042 are up for adoption also. Those were advertising for bids. That's it.

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

(None)

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** Thank you very much Mr. Gallagher and all of Council who attended the Committee meeting today. Basically we had an overview of the Safety Departments-the police station, fire station, CERT and we did a general overview of what is going on in the city. It always gives us a good indication of how things are going and the goings on of the Safety Departments. I will not call a safety meeting before the next council meeting. If there are any issues that apply to safety, please contact me and we'll try to address them together with the department heads. Other than that, I thank all for attending the safety meeting earlier this evening. That's it Mike.

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

Mr. Roth – Reference this committee Mr. Gallagher?

Mr. Gallagher – Yes.

Mr. Roth – Residents on Idlewood Trail are still asking for some sort of sign...whatever sign they deem-maybe the Service Department and the Police Department can get together. We've had several turfings sort of going on in the area especially in that final curve of Idlewood Trail as you approach Albion. There is a lot of speeding going on there. There's children that live on that intersection of Deer Run and Idlewood Trail and there's concern for their safety. Mr. and Mrs. Berkley were one of the people that wrote me a letter about that. I've asked before-it didn't warrant a stop sign; but maybe we could do "Children Playing" or "Slow Down" or some sort of sign there to get people to make that final curve there by Deer Run a little safer. That's all.

Mr. Gallagher – Thanks Mark. Can you put that in an Action Request and Joe-do you have that?

Mr. DeMio – Yeah.

Mayor Perciak – Mr. President?

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – If I may-Chief Goss please.

Chief Goss – Yes, we'll see that our traffic unit both looks at the area to see if we can suggest some warning signage but maybe more importantly we'll do some traffic enforcement in that area.

Mr. Roth – Thanks Chief, thank you very much.

Mr. Gallagher – Anything else for Mr. DeMio.

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

(None)

**PLANNING, ZONING AND ENGINEERING –Coyne:** Thank you Mr. Gallagher. The Planning, Zoning and Engineering committee met this evening. Ordinance 2009-002 which we just had a public hearing on-I asked Council vote their conscience. Ordinance 2008-244 we're going to suspend and adopt. If there are any questions, I'll be more than glad to answer them at this time.

Mr. Gallagher – That's all Mr. Coyne?

Mr. Coyne – That's it.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

**FINANCE - Mr. Dooner:** Mr. Gallagher we have believe it or not nothing so far at this meeting today. Nothing to report.

Mr. Gallagher – In these days Mr. Batke that's not all bad.

Mr. Dooner – All good news.

Mr. Gallagher – Thank you Mr. Dooner.

Mr. Dooner – At least today.

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut.** Thank you Mr. Gallagher. We have no Ordinances or Resolutions on this evening's agenda. I'd like to give a brief report on our meeting of February 23<sup>rd</sup> here at the Communications Center. We did set the date for our next breakfast meeting- that would be May 21<sup>st</sup>. We also received a report from our Tech Committee-Ed Oliveros does attend all the meetings with the county concerning clean energy, wind turbines, neighborhood development and medical technology. He gave a report on that. I'd like to report our business survey has now been completely distributed of our retail and service providers and I'm happy to announce that they are coming back in a very good manner. I would encourage any who's out there who's listening if you have not filled out that survey and you have received it please do so. We also discussed-the Mayor gave us an update on our request with the federal stimulus plan that totaled over \$43.6 million dollars. As far as economic development goes, I'd like to announce that we have our first building dedication of our Foltz extension on the city land that was purchased by CSC-beautiful building if you have the opportunity to go past there. It's an eco-friendly corporate headquarters situated in the wooded area and it is just magnificent. If you have the opportunity from my colleagues on Thursday, March 12<sup>th</sup> we're going to have that dedication at 9:00am. I'd like to thank Bill Zimmerman who is the President and CEO of that corporation and also a Strongsville resident. We briefly discussed our retail development and Mr. Gallagher we'll wait for the report back from Mr. Hill from anyone else concerning the center of town and then I'll pass that out to the Committee. Our next meeting will be Monday, March 23<sup>rd</sup> at 7:00pm here at the Communications Center. That's all I have Mr. Gallagher. Thank you very much.

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

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

(None)

**BUILDING AND UTILITIES – Mr. Roth.** Thank you Mr. Gallagher. Just-I'd just like to reiterate the two requests maybe from the last council meeting if I can get that time frame that I asked for on Albion to Mr. Biondillo-just get a response there that would be great. I'd just like to have maybe Mr. Walker just-I just want you to drive down Jonathan when you get a chance Joe ok? I know we all discussed about the financial ramifications with everything but just keep in mind safety, health and welfare and everything else going down Jonathan just west of Barton and just east of Priem. Just take a look at it if you would. Thank you.

Mr. Gallagher – Any questions for Mr. Roth?

(None)

**COMMITTEE OF THE WHOLE – Mr. Gallagher:** There is Resolution 2009-043 and that's a resolution approving the application of Susan Lea Schnittke to place land in an agricultural district. We're going to set that for a public hearing this evening and read it for a first time.

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

Mayor Perciak – Thank you, Mr. President. This evening before Council Mr. President and Councilmen is the Ohio Public Works Commission Project Grant, Ordinance 2009-039 in the amount of \$4,280,000.00. This is the grant that together the Administration and the Council has worked for- for sometime and we have received official notification of said grant and Council will be accepting this grant today from The Ohio Public Works Commission. These dollars will used again towards the Pearl South widening project. This is the second grant that we have received from the State of Ohio- the first one is safety grant in amount of \$5,000,000.00 and this is the second so we want everyone at home to know that we are doing our very best to obtain as many dollars-grant dollars as we can even before it became popular here this past January 20th; that we have and have been actively soliciting grants from the state and the federal government and the county authorities to help our community grow and prosper, so this is before you tonight. Secondly, I'm pleased to announce-and we just received this notification today. We also have applied through the Ohio Public Works for a grant to assist all our residents with the Webster Rd. /Blazey Trail sanitary sewer project here in Strongsville. As most of you know, that is an area that's needed sewers for years and years. We're pleased to announce that we have received subject to the terms and conditions of the Ohio Public Works Commission \$457,991.00 which will help the city and help our residents; in some way or form, help pay towards some of the installation of the sewers there- again, \$457,991.00. I want to assure all the residents that are here and the residents that are back home-this Administration and the Council is committed to obtaining as many grant dollars to assist all of you in this sanitary sewer improvement. We understand that times are difficult; but we also understand what obstacles are before us with the Board of Health-with the area there and what needs to be done. We have to take advantage of these opportunities and these dollars when they are available to us. The time is now. We believe we need to move on and I want to thank Mr. Mikula and his staff and everybody here in my administration for helping facilitate this because without your help we couldn't get this done.

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

Mayor Perciak (cont'd) - As everyone knows, obtaining these grants is a lot of work and it takes team effort and it takes a lot of cooperation between the Administration and the council to achieve this for the sake of all of our residents here in the city of Strongsville. This helps each and every one of us in some way and it helps make our city a better place to live and work. The next thing I'd like to bring up, again when we're talking about our residents and who we are here in the city of Strongsville, we will have a resource center-a resource seminar at our Senior Center-at the Rec. Center on Saturday, March 7<sup>th</sup> at 10:00am to assist individuals who have questions about adjustable rate mortgages, refinancing, selling their homes, cram-downs, short sales etc. This is open to the public. Please, come and listen as to how this can help you either sell your home or keep your home. All of us here-sitting up here, the Administration, the Council-we have a sincere interest in making certain that if there is a resident that needs information or help or where they can go so that they can refinance their home-so they can continue to live here-so that they can maintain their property here-please, attend this seminar. We really do care that you get the proper information. We are working along with Key Bank to bring this information to all of us here in Strongsville, and all the other agencies listed on the flier. If you have any questions on that please either call my office or just click to the website. It's out there for all of you to read-10:00am, Saturday morning. And last, but not least, there's been a lot of questions of when you are going to deliver the State of the City Address Mayor. It is going to be on Tuesday, March 24<sup>th</sup>, and that will be held at the Rec Center at the event center. Now, the Strongsville Chamber of Commerce is sponsoring that event. If you want to come to the lunch, of course there is a fee; but anyone who wants to come to just hear the State of the City Address, there will be extra tables and chairs set up. Please come, it's free; you're welcome to listen and ask any questions you may have after. Again, that is Tuesday, March 24<sup>th</sup>, and I think we begin about 11:45am. That is all Mr. President.

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

(None)

**FINANCE DEPARTMENT - Mr. Batke:** Yes, thank you, Mr. President. Funds will be made available on this evening's agenda for all of the ordinances and resolutions requiring certification of funding and up for adoption. Thank you.

Mr. Gallagher – Thank you Mr. Batke. Any questions for Mr. Batke?

Mr. DeMio – Can you repeat that?

Mr. Batke – Aimee can say it.

Mr. Gallagher – That would cost right Mr. Batke?

Mr. DeMio - For those in the audience, Mr. Batke has a standard line every council meeting, so you have to joke with him a little bit every once in awhile.

Mr. Gallagher – Thank you.

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

**LAW DEPARTMENT – Mr. Kraus:** Yes, my standard line is that all Ordinances and Resolutions before City Council this evening are in proper legal form. I would also like to report to Council that the city's Assessment Equalization Board in connection with the Webster/Blazey sanitary sewer project held its second and final meeting on February 23<sup>rd</sup>. At the next council meeting on March 16<sup>th</sup>, I anticipate that a report of that board will be presented to the Council for its consideration along with three pieces of legislation: a Resolution for approval of the report of the Assessment Equalization Board; secondly, an Ordinance to proceed with that project subject to certain legal requirements; and thirdly, an Ordinance that would approve and accept the project agreement that Mayor Perciak referred to with the Ohio Public Works Commission in connection with the grant that was announced this evening. That concludes my report, thank you.

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

Mr. DeMio – Mr. Gallagher, could you get –our famous Law Director to get our consent to (unintelligible) for next council meet?

Mr. Gallagher – Nah-he was having a good year.

Mr. DeMio – Mayor, do you have any oxygen over there for...?

Mayor Perciak – He's smiling.

**AUDIENCE PARTICIPATION:**

Mr. Gallagher – Ladies and gentlemen, this is the segment of our agenda reserved for audience participation and comment. If you wish to speak with Council, please step to the podium. You have five minutes. Your name and address is required.

Jeff Brand – My name is Jeff Brand, 12621 Webster Rd. We're going back on the Webster/Ruth/Jeanette/Blazey sewer project. Now the Mayor said that we're getting a grant and that's a state grant?

Mayor Perciak – It's from the Ohio Public-

Mr. Brand – And how recent was that approved?

Mayor Perciak – February 27<sup>th</sup>.

Mr. Brand – Ok, so we-your last meeting about that; we just-

Mayor Perciak – We didn't have it-we didn't have

Mr. Brand – Ok.

Mayor Perciak – We didn't have it till earlier this morning.

**AUDIENCE PARTICIPATION (cont'd):**

Mr. Brand – Ok, cause I was to come up that night and long story short I didn't. A lot of my neighbors did and we got so many questions. I appreciate that grant. What it is going to do to the assessment for the people-that's what we all want to know. And I...

Mayor Perciak – Sir, as soon as we have that number, we'll notify, but it's going to drop the assessment. I don't now what exactly...

Mr. Brand – Right-what would it benefit the people-the older people, the retired people, the widowed people?

Mayor Perciak – It benefits every resident...

Mr. Brand – Every single one, collectively?

Mayor Perciak – Yes.

Mr. Brand – Ok, good.

Mayor Perciak – It is a hundred, twenty-three (unintelligible)

Mr. Kraus – Mayor, there are a hundred and ninety-one benefit units, one hundred, twenty-three are residents that would be assessed if it passes at this point. I would share as a result of the Resolution that this Council passed-any grant like this grant has to be allocated legally across the board for the benefit for all residents in all the benefit units.

Mr. Brand – Appreciated. May I bring up now, now we have a couple of developments in that neighborhood. Are they part of the assessment? Are they paying an assessment for the natives of our neighborhoods? I've been there since 1957. Now, not to bring up names here-Avery Walden. Are they part of that assessment?

Mayor Perciak – No, I think not.

Mr. Brand – You think not. Just that's what we're curious about.

Mr. Mikula – No sir, they already have the benefit of a sewer in front of their houses in that development.

Mr. Brand – Are they going to be part of the maintenance, the tie in, the maintenance?

Mr. Gallagher – Sir, are these all questions that you wanted to ask, but, you couldn't make the meeting is that what you're saying?

Mr. Brand – Yeah.

Mr. Gallagher – Maybe it would be better if Mr. Mikula went in the back with you and answered your questions.

Mr. Brand – Ok.

**AUDIENCE PARTICIPATION (cont'd):**

Mr. Gallagher – And, if your not satisfied, you can come back at the end of the agenda and we can talk to you.

Mr. Brand – Ok, very good.

Mr. Gallagher – Is that fair enough?

Mr. Brand – Oh, very good. Thank you for you all time.

Mr. Gallagher – Thank you. Is there anyone else in the audience wishing to speak with Council this evening?

(None)

**ORDINANCES AND RESOLUTIONS:**

**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. 1<sup>st</sup> rdg: 12-01-08. Favorable recommendation by Planning Commission 12-18-08. 2<sup>nd</sup> rdg: 01-05-09. Public Hearing 02-17-09.

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

**Roll Call: All Ayes.**

**Motion carries.**

**Ordinance No. 2008-244 ADOPTED.**

**Ordinance No. 2009-002.** 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.) 1<sup>st</sup> rdg: 1-5-09. Favorable recommendation by Planning Commission 1-8-09. 2<sup>nd</sup> rdg: 01-20-09. Public Hearing 03-02-09.

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

**Roll Call: Ayes: Dooner, Gallagher, Daymut, Coyne, DeMio**

**Nays: Roth**

**Motion carries.**

**Ordinance No. 2009-002 ADOPTED.**

Mr. Kraus – Mr. Chairman, the Mayor pointed out for the record that the permanent parcel no. wasn't read. I would just like for purposes of the record to note that this is stated in the Ordinance and in the title of the Ordinance refers to part of permanent parcel no. 392-12-025 in the city of Strongsville with respect to Ordinance 2009-002. Thank you.

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

Mr. Gallagher – Thank you Mr. Kraus.

Mr. DeMio – No need then to make a motion to...

Mr. Gallagher – we'll just note that in the...

Mr. Kraus – No, it's sufficient to note it in the record. It's there, but we would like it read in the record.

Mr. Gallagher – So noted, thank you.

Mr. DeMio – And Mayor, as we talked, thank you for keeping this gentleman's word to the residents because this Council would enjoy not hearing from them and not knocking on your door. So, please work with them.

Mr. Justice – Absolutely.

**Ordinance No. 2009-035** by Mayor Perciak and Mr. Gallagher. AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION THROUGH THE STATE OF OHIO NATUREWORKS PROGRAM FOR FUNDING FOR THE CITY'S LUNN ROAD FOOTBALL AND LITTLE LEAGUE FIELDS, IN ORDER TO ASSIST THE CITY IN DEVELOPING A PUBLIC RECREATION AREA; AND DECLARING AN EMERGENCY. 1<sup>st</sup> rdg: 2-17-09.

**Second reading; referred to Recreation and Community Services Committee.**

**Ordinance No. 2009-038** by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE CONTRACT WITH EUTHENICS, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE WIDENING OF PEARL ROAD (CUY-42-0.90) 700 FEET SOUTH OF DRAKE ROAD TO SHURMER ROAD [ODOT PID NO. 80983, FEDERAL PROJECT NO. E060(420)], 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: Ayes: All Ayes.  
Motion carries.**

**Ordinance No. 2009-038 ADOPTED.**

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

**Ordinance No. 2009-039** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AGREEMENT WITH THE STATE OF OHIO, THROUGH THE OHIO PUBLIC WORKS COMMISSION FOR ISSUE 1 FINANCIAL ASSISTANCE IN CONNECTION WITH THE WIDENING OF PEARL ROAD (CUY-42-0.90) 700 FEET SOUTH OF DRAKE ROAD TO SHURMER ROAD [ODOT PID NO. 80983, FEDERAL PROJECT NO. E060(420)], 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.

**Roll Call: All ayes.**

**Motion carries.**

**Ordinance No. 2009-039 ADOPTED.**

**Resolution No. 2009-040** by Mayor Perciak and Mr. Haseley. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.

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: Ayes: All Ayes.**

**Motion carries.**

**Resolution No. 2009-040 ADOPTED.**

**Resolution No. 2009-041** by Mayor Perciak and Mr. Haseley. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF HOT AND COLD MIX ASPHALT FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE.

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

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

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

**Resolution No. 2009-041 ADOPTED.**

**Resolution No. 2009-042** by Mayor Perciak and Mr. Haseley. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR HEATING, VENTILATING AND AIR CONDITIONING AND PLUMBING MAINTENANCE GENERAL SERVICES FOR VARIOUS MUNICIPAL BUILDINGS OF THE CITY OF STRONGSVILLE.

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

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

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

**Resolution No. 2009-042 ADOPTED.**

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

**Resolution No. 2009-043** by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF SUSAN LEA SCHNITTKE TO PLACE LAND IN AN AGRICULTURAL DISTRICT.

**First reading; referred to Committee of the Whole  
Public Hearing set for March 16, 2009**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

Receipt of Renewal Application for Placement of Farmland in an Agricultural District:  
Susan L. Schnittke, 11291 Handle Road; PPN 398-13-016. *Application filed with Clerk on 02-17-09.*

***That will be set for a Public Hearing March 16, 2009.***

Mr. Kraus – Mr. Chairman, I just want to remind the Clerk's Office to make sure that we get the notices out that are required for that-through Leslie. Thank you.

Mr. Gallagher – Thank you Mr. Kraus.

**MISCELLANEOUS BUSINESS:**

Mr. Roth – Yes, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – I'd just like to-my family, we'd just like to thank everyone for the Bronson fundraiser. The bowling alley was full and it was a very emotional afternoon-real roller coaster ride. My son had a hard time getting through his thank you. It was really refreshing to see the separation of politics and need and people and dynamics. It was also neat to see some councilmen with their legs spread at the foul line with their wives throwing the ball between them. Everybody had a good time and our family was very very thankful for those who contributed. That's it Mr. Gallagher.

Mr. Gallagher – Very good. Anything else?

**ADJOURNMENT:**

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:43 p.m.

Signature on File  
Aimee Pientka  
Council Office Assistant

March 16, 2009  
Approval Date