

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON APRIL 20, 2009.

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on ***Monday, April 20, 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 Seefried. 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, Recreation Director Stephen F. Kilo, Communication and Technology Director John Bedford, Police Chief Charles Goss, and Fire Chief Robert Moody.

The following Committees met to review legislation on the agenda:

Public Safety and Health Committee: Chairman DeMio called a meeting of the Public Safety Committee for Monday, April 27, 2009, at 6:30 p.m. in the Council Chamber. Mr. DeMio recommended suspension and adoption this evening for Ordinance No. 2009-071, for the purchase, under Ohio Department of Administrative Services contracts, seven 2009 Ford Crown Victoria police package vehicles (cruisers) and two 2009 Ford Crown Victoria vehicles (detective's cars). He also recommended suspension and adoption for Ordinance No. 2009-072, entering into a contract for food service for the Strongsville Jail Facility.

Planning, Zoning and Engineering: Chairman Coyne recommended the adoption of Ordinance 2009-014 this evening. Law Director Kraus advised that an amendment should be made on the floor to insert the effective date for the change, being June 1, 2009, per the recommendation of the administration.

Public Service and Conservation Committee: Chairman Haseley recommended suspension and adoption for Ordinance 2009-062, authorizing a contract for the purchase of a new mower for the Service Department and for the sale and trade-in of a used tractor and a mower, with the sale prices applied to the purchase price of the new mower. Mr. Haseley also recommended suspension and adoption for Ordinance 2009-067, entering into a contract for heating, ventilating and air conditioning and plumbing maintenance general services for various municipal buildings, and for Ordinances 2009-068, 2009-069 and 2009-070, each authorizing contracts for the purchase of materials in connection with the City's road repair program.

Building and Utilities Committee: Chairman Roth recommended suspension and adoption for Ordinance 2009-063, entering into a contract for professional architectural services in connection with the building code of the City and the Ohio building code. Mr. Roth noted that Mr. Biondillo explained this ordinance and contract in detail at the last meeting.

Finance Committee: Chairman Dooner recommended suspension and adoption for Ordinance 2009-065, amending two previously adopted bond ordinances of the City in order to approve a revised form of purchase agreement in connection with the issuance and sale of the bonds authorized thereby. He recommended suspension and adoption for Resolution No. 2009-066, requesting that the County Auditor certify certain information to the City, being the first step in the renewal of the 1 mill levy for Southwest General Health Center.

Mr. Batke advised that all members of Council have in front of them tonight the preliminary official statement having to do with Ordinance 2009-065. He stated the reason for the amendment to the bond purchase agreement is that we wanted to have more flexibility by adding some more underwriters to the issue. He stated we are planning to go to the market on Wednesday and we believe this will help drive the rate lower. The Mayor added that adding the additional underwriters is something that we believe will drive the price at the bond market down.

Concerning Resolution 2009-066, Mr. Roth stated he would like to get to the bottom of what is really happening here. The Mayor stated it is a renewal. Mr. Roth stated that in looking at the budget, we are taking in and spending around \$350,000 to \$370,000. Mr. Batke agreed and stated it is probably going to be more than that, but none of this money really is for us, we collect it, we are kind of a conduit, with Southwest, so the money comes in and just gets transferred over to Southwest. Mr. Batke stated it has nothing to do with any of our expenditures. Mr. Roth asked if there is a change in the millage. Mr. Batke replied that there is not. Mr. Roth stated Section 2 of the Resolution states the levy is collected from 2011 to 2015 and states it is ten cents per hundred dollars or a dollar per thousand of valuation. He stated the average home in Strongsville is approximately \$150,000, so you are spending at least \$150. For an average home valuation of \$225,000, the cost would be \$225 per year for the millage of the hospital. Mr. Batke stated they are renewing it, so as it is collect it, the rate is going to be at what it was for the original levy – it is not a replacement, just a renewal. Mr. Roth stated with 15,000 houses, it is \$225 times 15,000. The Mayor stated that because it is a renewal, it renews at a lower rate. The Mayor states he doesn't think the whole amount of money that we collect is \$350,000, probably, when it's done. Mr. Roth states it adds up to three million dollars. Mayor Perciak again stated this is a renewal. Mr. Roth asked if we have a rollback going on there. Mr. Batke replied he is sure we do, just as with any renewal levy. Mr. Roth stated the hospital is getting \$350,000 to \$400,000 from us. Mr. Gallagher suggested that before we go forward with this, let's bring them in and see what we are getting for our dollar. Mr. Roth stated Brunswick is not even on the board and we are collecting the money and it is not coming to us, but if you do the math, 15,000 houses times \$225. Mayor Perciak states he has been around twenty years and because it just renews -- just like the City's renewals, we get only so many cents on the dollar – as they continue to renew, they don't get 100 tenths on the dollar. Mr. Roth stated there is no tax increase to the residents. The Mayor indicated that is correct.

Economic Development and Technology Committee: Chairman Daymut recommended suspension and adoption for Resolution No. 2009-073, approving and accepting the recommendations of the City's Tax Incentive Review Council for 2009. Mr. Daymut stated the Tax Incentive Review Council met on March 23rd.

Committee-of-the-Whole: Council President Gallagher noted that Ordinance No. 2009-056 has an amendment to it, which was requested at the last meeting. He stated this is a personnel issue and asked for an executive session to discuss it. Mr. Gallagher asked if any members of Council had any issues to discuss with the directors at this time. No issues were brought up for discussion with the directors.

Councilman DeMio moved, seconded by Councilman Coyne, 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 7:20 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher, Haseley and Roth. Also present were Mayor Perciak and Finance Director Batke. Law Director Kraus was present for a portion of the executive session. It was moved, seconded and unanimously approved to conclude the Executive Session at 7:57 p.m.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON APRIL 20, 2009 IN THE COUNCIL CHAMBER AT THE STRONGSVILLE COMMUNICATIONS CENTER

CALL TO ORDER:

Council President Michael J. Gallagher 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: 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 Seefried, Clerk of Council. **Administration:** Thomas P. Perciak, Mayor; Kenneth A. Kraus, Law Director; Donald C. Batke, Finance Director; Joseph M. Walker, Service Director; Anthony J. Biondillo, Building Commissioner; Charles Goss, Chief of Police; Robert Moody, Chief of Fire; Ken Mikula, City Engineer; John Bedford, Communication and Technology Director; and Steve Kilo, Recreation Director.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of April 6, 2009 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

None.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth: Thank you, Mr. Gallagher. The meeting is next week, I'll be in attendance, the next System Board meeting on the 29th, I'll be there, and a report will be forthcoming after that meeting.

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

(None)

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. Thursday is my School Board meeting; I will be in attendance, with a report after that date.

Mr. Gallagher – Very good. Any questions for Mr. Roth?

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: There is no legislation before the Committee this evening. I will take any questions.

(No questions)

PUBLIC SERVICE AND CONSERVATION – Mr. Haseley: Thank you, Mr. Gallagher. We have five Ordinances on tonight's agenda. 2009-062, recommendation is to suspend and adopt; 2009-067 is to suspend and adopt; 068, suspend and adopt; likewise, 069 and 070. The last three or four pertain to either a purchase of equipment or setting ourselves up for what little we may be able to do in terms of paving. I'll field any questions if there are any.

Mr. Gallagher – Questions for Mr. Haseley?

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you, Mr. Gallagher, and I'm glad you're feeling much better, by the way.

Mr. Gallagher – Thank you, I appreciate it.

Mr. Dooner – You wanted to be in charge.

Mr. DeMio – No, I don't. I want Gallagher to feel well because I hear his wife was getting – Sandy was getting a little nauseous with you being there. Is that true, Mike, or is that not true? Or she just not say a word?

Mr. Gallagher – Well, with my changed circumstances, things have been a little rough at home.

Mr. DeMio – Well, I'll give a little bless to you because you're at our Council meeting tonight. But, nevertheless, getting back to the docket of Public Safety and Health. We have two pieces of legislation tonight: 2009-071 and 072, both of which are suspensions and adoptions. One is in the budget for cars and such for the Police Department and the other is for food services, and Goldie's right across the street from the police station won that bid, so that's going to save us some money. So we will be hopefully supporting that tonight. Also, the Chief of Fire, Mr. Moody, shared with us tonight that there will be some burning throughout the city by Cuyahoga County training for their training of Cuyahoga County fire students, if you will, and your department will be supervising that, so not to worry for those folks that are out there. If in fact you would like a list of the burning, those who are out there, I'm sure the Fire Department will be glad to give it to you if they call; is that fair to say?

Chief Moody – Yes.

Mr. DeMio – That would be it. If there are any questions, I'll be glad to answer them.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Gallagher – Questions for Mr. DeMio?

(None)

PLANNING, ZONING AND ENGINEERING –Coyne: Thank you Mr. Gallagher. The Planning, Zoning and Engineering Committee met this evening; our recommendation is to suspend and adopt Ordinance 2009-014. If there are any questions, I will be more than glad to answer them at this time.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

FINANCE - Mr. Dooner: Thanks, Mr. Gallagher. The Finance Committee met this evening; we have two Ordinances before us that we suggest suspension and adoption. One is 065, which basically gives Mr. Batke more flexibility for the sale of bonds, adds additional underwriters for the sale of those bonds; the other one is 066, this is the first step in the renewal of the one mill levy for Southwest General Hospital. And that is all we have, Mr. Gallagher.

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

(None)

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut. Thank you Mr. Gallagher. We did meet this evening and gave favorable recommendation to Resolution 2009-073. I'd also like to report that the next meeting will be Monday, April 27th, at 7 p.m. here at the Communications Center. That's all I have this evening, 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. Ordinance 2009-063 is up for a vote, it was discussed at the last two Council meetings.

Also, maybe I can get a report back from Mr. Mikula if he attended that flood plain Ohio map change, the changing in the flood lines, this past week, I believe. Because I am getting a lot of complaints from the residents, you know, if they change – after all these years, if they change those flood lines, flood map lines, it's going to be a huge financial burden for the residents and I think a lot of legal liability and problems are going to – it's going to open a giant legal can of worms. And I hope the City is fighting anything to that nature. Maybe if you can let me know what happened at that meeting, or whatever comes up in the future, I'd appreciate it.

Okay, and then, you know, Jonathan is a terrible mess. And the only reason I bring that up is all the heavy trucks for the North Marks Columbia Station sewer line going down Jonathan is not going to help it. We need to keep all the heavy trucks off of Jonathan, especially west of Barton and east of Priem is a disaster. So if we can keep the trucks off for their sewer project, it will be appreciated. That's all, Mr. Gallagher.

REPORTS OF COUNCIL COMMITTEES (cont'd):

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

Mr. Gallagher – I was wondering, Chief, regarding Mr. Roth's concerns, can we target that area? Thank you very much.

COMMITTEE OF THE WHOLE – Mr. Gallagher: Committee-of-the-Whole met this evening regarding Ordinance 2009-056, and that is changing the office hours only of the Council Clerk's Office from 8:30 to 4:30 to 8 a.m. to 5 p.m.; recommendation was suspension and adoption. I will take any questions regarding that.

(No questions)

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

Mayor Perciak – Thank you, Mr. President. Just a few quick items this evening. The first one is, I'd like to thank Steve Kilo and his entire staff at the Senior Center for another successful Glitz. The Glitz was performed this past weekend, this past Friday, Saturday and Sunday and attracted some one thousand people. So, to all the participants, all of our staff employees at the Senior Center, job well done. The residents of this town, as they were leaving each performance, indicated to me as to how much they enjoyed your very worthwhile event there at the Senior Center. So, thank you, Steve; extend the administration's thanks and the Council's thanks to everyone in your department for a fine job with that performance. And it really was a fine job on everybody's part; you would really think that the people involved in this, and some of them, you would think they were professionals, really, not amateurs, so they were... Yes, and Mr. Haseley was one of the participants, so.

The other thing is, I would also just like to bring to everybody's attention, as the Chairman of the Finance Committee, Mr. Dooner, did, is that we hope to be out Wednesday issuing our bonds for our general obligation bonds for our police station and a few of the other things that are mentioned in the preliminary statement or the prospectus. We hope to get this done Wednesday, and I'd like to thank Mr. Batke, our Finance Director, for a fine job in preparing – helping prepare the prospectus. We believe that the market is now right for us to issue these bonds and I'm sure we'll have a report for you at the next Council meeting as to our success. But anyone interested in wanting to participate or purchase these AA1 rated bonds, which are triple tax-free – correct, Mr. Batke – can either contact National City or Edward Jones or the Wachovia Bank. Anyone having questions can also call in to the City Hall; either call the Finance Director's office or myself and we can give you more information. As far as all of our local businesses, look for an email blast announcing the bonds. So, again, this we hope to have done early Wednesday.

That's my report, Mr. President.

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

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

Mr. Haseley – I don't have a question, but I'm not going to let this go without saying thank you and, Tom, you know what I'm going to say. You were very gracious enough to take part in the Glitz for the three performances, and singing "My Way", and he brought the house down on all three performances. So I just want to give you kudos and a hearty thank you because it was good that you were there.

Mayor Perciak – You're welcome, and not in a shy way, either.

Mr. Gallagher – Is that all, Mr. Haseley?

Mr. Haseley – That's it.

Mr. Gallagher – Any other questions for the Mayor?

(None)

FINANCE DEPARTMENT - Mr. Batke: Well, thank you, Mr. President. I take it that means there is no chance of an encore performance anytime soon.

Mr. Haseley – No, we don't have the band here.

Mr. Batke – Okay, thank you. But funds will be made available for all of the ordinances and resolutions on this evening's agenda requiring certification of funding and up for adoption. Thank you.

Mr. Gallagher - Thank you, Mr. Batke. Questions for Mr. Batke?

(None)

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

Mr. Gallagher – Thank you, Mr. Kraus.

AUDIENCE PARTICIPATION:

Mr. Gallagher – We have come to the portion of the agenda where it is Audience Participation. If there is anyone here in the live audience wishing to discuss a concern or question with Council, we recommend that you come to the podium. I see Mr. Vassil, he is shaking his head no.

Bill Vassil (from seat in audience) – No, I just – I don't want to say anything.

Mr. Gallagher – Come on up.

Bill Vassil (from seat in audience) – No, no. Mr. DeMio did such a fine job we didn't need you, anyway.

AUDIENCE PARTICIPATION (cont'd):

Mr. Gallagher – Aw, that hurt. That hurt.

Mr. DeMio – That may be the only nice thing anyone said to me about that meeting.

Mr. Gallagher – I heard he did a fine job.

Mr. DeMio – I got somebody married I didn't even know about, right? I got somebody married, I didn't even know about it.

Mr. Gallagher – I heard he had – he was pairing up – he's the millionaire matchmaker, I hear.

Mr. DeMio – I was ready.

Bill Vassil (from seat in audience) – But you know, he got us out of here real early, so you better get going.

Mr. Gallagher – Okay, thank you, Mr. Vassil. Good seeing you. No one?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2009-014 by Mayor Perciak and Mr. Coyne. AN ORDINANCE REPEALING EXISTING CHAPTER 1246 AND ENACTING A NEW CHAPTER 1246 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY. 1st rdg: 01-20-09. Favorable recommendation by Planning Commission 02-12-09. 2nd rdg: 02-17-09. Public Hearing 04-06-09.

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

Motion by Mr. DeMio, second by Mr. Coyne, to amend the Ordinance on page two to insert the effective date of June 1, 2009 in Sections 1246.02 and 1246.03. All members present voted aye and the motion carried.

Motion by Mr. DeMio to adopt as amended, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-014 ADOPTED.

Ordinance No. 2009-056 by Mr. Gallagher and All Other Members of Council. AN ORDINANCE AMENDING SECTION 220.02(c) OF CHAPTER 220 OF TITLE FOUR OF PART TWO- ADMINISTRATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING THE OFFICE HOURS OF THE CLERK OF COUNCIL; AND DECLARING AN EMERGENCY. 1st rdg: 4-6-09.

Motion by Mr. DeMio to amend the Ordinance by substitution with a revised version, which amends Section 220.02(c)(8); second by Mr. Coyne. All members present voted aye and the motion carried.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-056 (cont'd):

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 by Mr. DeMio to adopt as amended, second by Mr. Coyne.

Roll Call: All ayes. Motion carries.

Ordinance No. 2009-056 ADOPTED.

Ordinance No. 2009-062 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW ALAMO 88" REAR MOUNT FLAIL MOWER FOR USE BY THE CITY SERVICE DEPARTMENT, AND FOR THE SALE AND TRADE-IN OF ONE 1983 FORD 445A TRACTOR AND ONE ALAMO 74" GRASS KING FLAIL MOWER, AND TO HAVE THE SALE PRICES APPLIED TO THE PURCHASE PRICE, WITHOUT PUBLIC BIDDING FOR SUCH SALE, AND DECLARING AN EMERGENCY. 1st rdg: 04-06-09.

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. 2009-062 ADOPTED.

Ordinance No. 2009-063 by Mayor Perciak and Mr. Roth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ANTHONY BUMBALIS FOR PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE BUILDING CODE OF THE CITY OF STRONGSVILLE AND THE OHIO BUILDING CODE, AND DECLARING AN EMERGENCY. 1st rdg: 04-06-09.

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. 2009-063 ADOPTED.

Ordinance No. 2009-065 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 2009-030 AND SECTION 6 OF ORDINANCE NO. 2009-031, EACH PASSED ON FEBRUARY 17, 2009, IN ORDER TO APPROVE A REVISED FORM OF PURCHASE AGREEMENT AND RELATED MATTERS IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS AUTHORIZED THEREBY, 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. 2009-065 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2009-066 by Mayor Perciak and All Members of Council. A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR CERTIFY CERTAIN INFORMATION TO 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.

Resolution No. 2009-066 ADOPTED.

Ordinance No. 2009-067 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR HEATING, VENTILATING AND AIR CONDITIONING AND PLUMBING MAINTENANCE GENERAL SERVICES FOR VARIOUS MUNICIPAL BUILDINGS OF 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. 2009-067 ADOPTED.

Ordinance No. 2009-068 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR USE BY THE SERVICE DEPARTMENT OF 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. 2009-068 ADOPTED.

Ordinance No. 2009-069 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND DELIVERY OF CERTAIN HOT AND COLD ASPHALT MIX FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY. [Kokosing Materials, Inc.]

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. 2009-069 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2009-070 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND DELIVERY OF CERTAIN HOT AND COLD ASPHALT MIX FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY. [Crossroads Asphalt Recycling, Inc.]

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. 2009-070 ADOPTED.

Ordinance No. 2009-071 by Mayor Perciak and Mr. DeMio. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF SEVEN (7) 2009 FORD CROWN VICTORIA POLICE PACKAGE VEHICLES (CRUISERS) AND TWO (2) 2009 FORD CROWN VICTORIA VEHICLES (DETECTIVES' CARS) FOR USE BY THE POLICE DEPARTMENT OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; 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. 2009-071 ADOPTED.

Ordinance No. 2009-072 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR FOOD SERVICE FOR THE STRONGSVILLE JAIL FACILITY, 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. 2009-072 ADOPTED.

Resolution No. 2009-073 by Mayor Perciak and Mr. Daymut. A RESOLUTION APPROVING AND ACCEPTING THE RECOMMENDATIONS OF THE CITY'S TAX INCENTIVE REVIEW COUNCIL FOR 2009, 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.

Resolution No. 2009-073 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

Application for Liquor Permit – NEW-C1-C2-D6 **To:** Ohio Springs, Inc., **dba Sheetz Convenience Store, 21034 Royalton Rd.**, Strongsville, OH 44149. (Responses must be postmarked no later than 04/27/2009).

Mr. Kraus – Mr. President. On that one, there is no objection from the Police Department. We did have a March 31st memo from Mr. Biondillo's department, but Mr. Foulkes advised me this morning that we are okay now with this. Is that true?

Mr. Biondillo – That is correct.

Mr. Kraus – Okay, thank you. So, the administration has no objection.

Mr. DeMio – Michael, can I ask...

Mr. Gallagher – Mr. DeMio.

Mr. DeMio – Mr. Gallagher, may I. I know the building isn't up yet. How do we – not that I care because they need the building to have their permit – but how do we approve a liquor permit when the building isn't done, is what I can't see. How do we do that? You don't give an occupancy permit until... How does that work?

Mr. Kraus – Mr. Biondillo, what changed between your March 31st memo and Mr. Foulkes' statement on this?

Mr. Biondillo – Mr. President, Mr. DeMio. We requested additional information and approval for certain items; we did receive those. And, again, we wouldn't occupy the building without an occupancy certificate, so we anticipate the fact that it will be approved...

Mr. DeMio – Based on the plans they submitted.

Mr. Biondillo - Based on the plans, based on the timing of when they plan on occupying the building, so.

Mr. Kraus – Right, and just to tag onto that; I mean, there is no – obviously, they can't occupy it without an occupancy permit, under the law. And so there is no basis that we see right now for an objection.

Mr. DeMio – Yeah, I'm more asking as a student, I guess, because we've been doing it for years and I wonder, if something happened, how does it – you know, because we've approved it as a body and then...

Mr. Kraus – Well, Mr. President, Mr. DeMio, if there should appear at some future point in time that there is an issue from our standpoint, we always have the right to report that down to Columbus...

Mr. DeMio – Okay, that's right, to the Liquor Commission, correct.

Mr. Kraus - ...and request that they take action with respect to any pending application for permit, under Ohio law.

Mr. DeMio – Sorry to waste everyone’s time, it was more being curious.

Mr. Gallagher – It’s all right, education is...

Mr. Haseley – It was a good question.

Mr. DeMio – Coyne’s giving me a hard time over here, he wants to, you know.

MISCELLANEOUS BUSINESS:

Mr. Gallagher – Anything else under Miscellaneous?

(No comments)

ADJOURNMENT:

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

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

May 4, 2009
Approval Date