

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 4, 2009.**

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on **Monday, May 4, 2009 at 7:30 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, Economic Development Director Eugene P. Magocky, Recreation Director Stephen F. Kilo, Communication and Technology Director John Bedford, Human Resources Director Anthony Urankar, 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 recommended suspension and adoption this evening for Ordinance No. 2009-059, authorizing the Mayor to enter into a non-exclusive grant of easement to the Cleveland Electric Illuminating Company for electric and communications facilities to service the City's renovated police department facility and private electric customers. Planning Commission gave a favorable recommendation to the Ordinance at its meeting of April 30<sup>th</sup>. Mr. DeMio also recommended suspension and adoption for Ordinance 2009-074, to make application for 2009 assistance to Firefighters Grant Program Funds for purchase of nine cardiac monitors for use by the Fire Department. Chief Moody stated if successful, the total grant amount is \$280,800 and we are on the book for ten percent of that, or \$28,800, to purchase nine new cardiac monitors for the rescue squads.

Mr. DeMio stated he would give a report of the last Public Safety Committee meeting on the floor during the Council meeting.

Planning, Zoning and Engineering: Chairman Coyne recommended suspension and adoption for Ordinance 2009-075, authorizing the Mayor to enter into a contract for the Webster Road/Blazey Trail Sanitary Sewer Project. Mayor Perciak indicated we received grant money for this project, which saved the residents a substantial amount of money on the assessed amount; the tentative assessments were approximately \$12,000 and \$16,000 and the grant reduced the amount to \$7200 on the short connections and \$8500 on the long connections.

Public Service and Conservation Committee: Chairman Haseley advised that he would be making a motion on the floor to accept the wishes of an owner of lots in the municipal cemetery to designate interments in certain graves. Mr. Haseley recommended suspension and adoption for Resolution 2009-076, declaring the necessity and intention of the City to appropriate a fee simple interest and temporary construction easement located at 18543 Drake Road in connection with the Pearl Road Widening Project. Mr. Haseley noted that Council members received a memorandum from the Law Director regarding this. Mr. Haseley also recommended suspension and adoption for Ordinances 2009-077 and 078, both dealing with acquiring easements in connection with the Pearl Road Widening Project. He recommended suspension and adoption for Ordinance 2009-079, authorizing a contract for the purchase of a new aerator for use by the Service Department, and the sale and trade-in of two used aerators and other equipment.

Recreation and Community Services Committee – Chairman Gallagher recommended suspension and adoption for Ordinance No. 2009-080, authorizing a contract for non-exclusive 2009 outdoor vending/concession food services for City-owned recreation fields. He recommended suspension and adoption for Ordinance 2009-081, authorizing a non-exclusive lease agreement with the Strongsville Football League, Inc. for premises located on Lunn Road. Suspension and adoption was also recommended for Resolution No. 2009-082, accepting the donation of \$15,000 from the Strongsville Travel Baseball Association for improvements to City baseball facilities through the Recreation Department.

Economic Development and Technology Committee: Chairman Daymut announced that the next Business Network breakfast meeting would be held on May 21<sup>st</sup> at 7 a.m. at the Event Center. PNC will sponsor the breakfast and a representative will speak about the loan program. He stated he would give the rest of his report on the floor.

Mr. Magocky stated what the department and committee will do for the first time at the breakfast is initiate the recognition of three businesses for their innovation. The businesses to be recognized at this breakfast meeting include the Momentive Group, the Spartan Group and Computer Systems. Mr. Magocky stated what the committee plans to do in the future is to accept recommendations and nominations for future recognition of local businesses.

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President Gallagher asked if Council members had any issues or questions for the directors or the administration.

Mr. Gallagher commented that with the weather breaking he has been receiving calls from people about the condition of houses and yards. He spoke with the Building Commissioner about this and learned that in many cases it is neighbor versus neighbor as opposed to housing violations. He advised Council members to re-familiarize themselves with the housing code in order to respond to calls they may receive.

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Mr. Haseley advised the Police Chief that a four-wheeler has been going up and down on the common property between Heritage and Williamsburg in the High Point subdivision. Mr. Haseley indicated he is awaiting information on the owner of the four-wheeler and as soon as he receives it, he will forward it to the Chief.

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Mr. Daymut commented he received a couple calls today from people who appreciate the recycling information contained in the newsletter they received. He commented the newsletter contained a lot of good information and residents appreciate that coming to their homes. Mr. Daymut complimented the newsletter and feels it is one of the best that was ever put out.

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Mr. Daymut brought to the attention of the Building Commissioner and administration that he has gotten reports for a period of time now of parking on the Timberstone/Whitney/Pearl project, but now he is getting reports of trash being dumped on the road behind Gordon Food Service. He knows it is not the responsibility of Timberstone, but he feels it will just escalate if it is not taken care of. Mr. Haseley commented he sees that on Sunday mornings on Admiralty, too, from the children that drive up and down the street on Saturday night.

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Streets in need of patching or repair were discussed with the Service Director and administration.

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Building Commissioner Biondillo updated the Council members on the Property Maintenance Program.

Mayor Perciak referred to an article that appeared in today's Plain Dealer about Shaker Heights and other suburbs where investors and others are purchasing foreclosed homes and flipping them for a quick sale, in some cases without having the proper permits to do the work. The Mayor advised that our inspectors are actually walking the streets and have been since the spring thaw looking for houses with dumpsters and making sure the proper permits are in place.

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## **MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON MAY 4, 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; Ken Mikula, City Engineer; Eugene P. Magocky, Economic Development Director; Steve Kilo, Recreation Director; John Bedford, Communication and Technology Director; Tony Urankar, Human Resources Director; Charles Goss, Chief of Police; and Robert Moody, Chief of Fire.

### **COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting of April 20, 2009 were approved as submitted.

### **APPOINTMENTS AND CONFIRMATIONS:**

Mayor's appointment of Frank Bohac to the Board of Zoning Appeals to fill the unexpired term (due to resignation, effective May 1, 2009) of Celia McGrath. Term effective May 1, 2009 and expiring on March 15, 2013.

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

Mayor Perciak – This evening, I would like to appoint Frank Bohac to the Board of Zoning Appeals to fill the unexpired term due to the resignation of Celia McGrath, who is taking a job with the Office of the Comptroller of the Currency, and her home base for that job will be in Texas so she needed to resign from our Board of Zoning Appeals, so we are asking Frank to step back into that slot there at the BZA.

Motion was made by Mr. DeMio and seconded by Mr. Coyne to confirm the Mayor's appointment of Frank Bohac to the Board of Zoning Appeals. All members present voted aye and the motion carried.

Mayor Perciak – I would just like to take a moment here to thank Celia for her many years of service, not only on the BZA commission but also on our Charter Review Commission, she was the chairlady for the past two Charter Review Commissions and we want to express our sincere thank you to her and hope that when she is home on the weekends here in Strongsville that she will be in contact with us. But again, Celia, many, many thanks for your many years of service to the City of Strongsville.

Mayor Perciak administered the Oath of Office to Frank Bohac.

(Applause)

Frank Bohac – Thank you, everybody.

Mr. Gallagher – Thank you, Mr. Bohac.

**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Roth:** Thank you, Mr. Gallagher. I attended the System Board Meeting April 29<sup>th</sup> and a lot of things were addressed. The first thing that was addressed is for many years an area of concern at Southwest General Hospital has been patient satisfaction in regards to the emergency department, and that is at the top of their list. Since June of 2008, they have implemented many programs to address this and with patient surveys, they made huge gains in progress as far as patient satisfaction in regards to the emergency department care. Some of the things they have implemented have been the utilization of a plan due check act process in this effort, a statistical correlation study, they employed strategies with the physicians and the staff to increase patient satisfaction, and they implemented a first ten/last ten initiative with the department, and all of these have made dramatic increases in patient satisfaction. Also, capital expenditures were approved for a comprehensive breast center within the hospital, the Surginet software was approved, and three power generators were approved within the hospital and at Oakview and the hospice. That's all, Mr. Gallagher.

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

(None)

Mr. Gallagher – Actually, Mark, the emergency there, Dr. Coverdale, he's taken over, it's really been noticeable; I've noticed that myself. So it's been quite noticeable, at least on my part. Thank you.

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

**SCHOOL BOARD – Mr. Roth:** Thank you, Mr. Gallagher. April 23<sup>rd</sup> meeting, there was a host of recognized students, and rightfully so. National Achievement commended students were Daniel Gonzalez – they were honored, recognized – and Diana Welch. Katherine Brink, Neal Brodник, Lucia Casella, Michael Cohara, William Kiffer, Kevin Lange, Joseph Liu, Michael O'Brien, David Okada, Clare Otcasek, Bethany Pelzer, Samantha Vassanelli, Adam Windnagel and Kevin Zitelli were National Merit Scholarship commended students. National Merit Scholarship finalists were Zachary Bittinger, Jeffrey Gory and Joanna Sullivan. Honored also were the DECA finalists – Strongsville Career Development competition, they were honored, Strongsville students Brian Gallagher, Alex Kalinowski, Bradley Accarino, Emily Cain, Amy Fox, Allison Johns, Rebecca Jones, Riley Quinn, Ryan Ramirez, Mark Rednour, Juhi Thaker and Kristen Wertz. Daniel Kertis, Lew Holder and Michael Lamorgese. Then the gymnastics team was honored; they finished, I believe, third in the state, Mayor? I think it was third in the state, the Girls Gymnastic Team, and they were honored: Erin Fiesler, Toria Gargano, Leah Grinnell, Amanda Klosowski, Ellen Krebs, Allison Marko, Bailey McPherson, Kallan Ophei, Lauren Richnavsky, Alexa Rinas, Morgan Stehman and Alison Zeleznik. And then the Swimming Team, they finished high in the state rankings this year, did very well, and they were rightfully honored: Alexandria Amato, Molly Buynak, Shannon Cogan, Elizabeth DeFauw, Thomas Dickey, Joseph Ferrante, Christopher Hoffman, Mackenzie Hoffman, Kyle Hronek, Colton Kawiecki, Madison Kawiecki, Kathleen Kelly, Michael Meldon, Jeffrey Nandor, Rachel Roman, and Jeffrey Zeleznik. One wrestler was honored; I believe Mr. Bolger, David Bolger, finished second in the state. Also, they are down to two finalists for Superintendent: The interim, present Strongsville Superintendent is one of the two finalists; also, the superintendent for Parma Schools is the other finalist. That's all, Mr. Gallagher.

Mr. Gallagher – Thank you, Mr. Roth. I believe they chose...

Mayor Perciak – Yes, they chose Jeff Lampert.

Mr. Gallagher – The interim.

Mr. Roth – They chose the interim? That must have just happened.

Mr. Gallagher – Yeah, it did.

Mayor Perciak – Thursday.

Mr. Gallagher – Questions for Mr. Roth?

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:** This evening we have Ordinance 2009-080, it's an ordinance to enter into non-exclusive 2009 outdoor vending/concession for the baseball season at our parks; Sharon's Hotdogs will now be available at the ballparks, so we are looking forward to that. Recommendation was suspension and adoption. Also, Ordinance 2009-081 is an ordinance authorizing the Mayor to enter into a non-exclusive lease agreement for the Strongsville Football League for premises located here on Lunn Road, the new football field off of the Lunn Road extension. Recommendation is suspension and adoption.

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

Mr. Gallagher (cont'd) - And finally, Resolution 2009-082, which is a resolution accepting a donation of \$15,000 from the Strongsville Travel Baseball Association to the City of Strongsville for improvements to City baseball facilities through the Rec Department. Recommendation on that Resolution is suspension and adoption. I would answer any questions that you might have. Mr. Hoerig, at this point in time, barring no questions, did you want to say something? Because I didn't want you to have to wait. If you would come to the microphone.

Carl Hoerig – Each year the Strongsville Travel Baseball likes to donate money to the fields for improvement to the baseball fields, so this year we are donating \$15,000 that we've earmarked between Chris and Steve from the Recreation Department, we are going to use it for improvements for batting cages and sun ports at some of the fields. So that is our donation this year from the Strongsville Travel Baseball organization. Each year we try to donate something, so, hopefully, that will help this year for improvements to the fields.

Mr. Gallagher – Thank you very much. Any questions in Rec Committee?

Mayor Perciak – Yes. If I may, Mr. President.

Mr. Gallagher – Mayor.

Mayor Perciak – Carl, thank you from all of us up here, we sincerely appreciate it. I think you're a bit modest, so if you want to come back up here. The fifteen thousand, ladies and gentlemen, is going to be used for two shade structures to cover the bleachers at the Coyne and the Kalinich fields located at Volunteer Park, for eight sets of Hollywood bases, for three home plate batter box mats for the batting cages, for two L-screens for the batting cages, and nine hundred feet of protective fence topping for the, Coyne, Kalinich and Sprague fields, and five backdrops for the batting cages. From all of us up here, thank you very, very much.

(Applause)

Carol Hoerig – It's our pleasure, really. Every year we work hand in hand, like I said, with Steve and Chris and they do a great job for us, and we work hand in hand and it goes good every year, we don't have any problems. And we have thirty four travel teams playing Strongsville, so, those are ages eight through high school age, so it gives an opportunity to kids that have a little more ability -- they want to play rec ball, they want to play travel, they play more games, they play better competition, some of the teams go to out of state tournaments, they go to local tournaments, so it's just a little better competition. And I don't know if anybody saw, but the Strongsville High School team is ranked number one in the state right now in Division 1. So you can't really teach a kid – I don't think you can teach a kid at fifteen to hit and play, you've got to start out when you're seven, eight years old, so that's kind of what the travel program is all about, it just gives kids an opportunity.

Mayor Perciak – And Josh does a great job with our kids.

Carol Hoerig – Yeah, he does. So it's just our gift to the City this year. So thank you.

Mr. Gallagher – Thank you.

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

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** Thank you, Mr. Gallagher. Today we have two simple pieces of legislation. One is simply an easement for the police station that is under construction, and we hope that is a suspension and adoption, I believe everyone is for that. The other is a grant, firefighter grant for nine cardiac monitors; if we are successful, we will receive about two hundred eighty eight thousand dollars and our amount that we will be responsible for, if in fact we get the grant, will be approximately twenty nine thousand dollars. So those are the pieces of legislation that I believe that will be supported by this Council.

Also, in the meeting of April 27<sup>th</sup> at 6:30 p.m. there was a host of associates on Council and the administration that were here, and I also noted that Mr. Angelo Ritson was there, as well. We talked about pertinent issues such as our police station and our Fire Department -- we have a retired firefighter that we are fortunate at this time we don't have to replace that vacancy that will come -- the CERT program, Swine Flu actually came up too and your Chief, Mayor, had all the answers for us, which was nice, and it also was posted online, which was even greater and more helpful. We talked about the ice cream trucks and how the street vending ordinance is adequate, based on what the Law Department had suggested and the Chief of Police. And we did give Mr. Ritson a copy of that ordinance so he had a clear understanding of what we have on the books. At the time, he seemed pretty satisfied with that. Also, we said we won't be doing a resolution for Stop4Kids for a host of reasons; I think that everyone was on the same page with that, so those two issues are put to bed now. The nice thing was, from what I understand, there was an ice cream truck in your subdivision, Mr. Ritson, and in my subdivision, and you got the plate number, or someone got the plate number, and the Police Department, Mayor, was proactive and they were able to obtain the ice cream truck's owner and explain to them the rules of this City and why we have them and it is in the hands of the Law Department and your office and the Police Department, so for that we thank you. And this Committee thanks the Chief – both Chiefs, as a matter of fact – for their day-to-day involvement in the community. I have nothing further, Mr. Gallagher.

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

(None)

**PUBLIC SERVICE AND CONSERVATION – Mr. Haseley:** Thank you, Mr. Gallagher. To start with this evening, I would like to make a motion to note and accept owner's designation of wishes for interments in Strongsville Municipal Cemetery for Jerry L. Richards.

Mr. DeMio – Second.

***Motion by Mr. Haseley, second by Mr. DeMio, to note and accept owner's designation of wishes for interments in Strongsville Municipal Cemetery for owner of lots, Jerry L. Richards. All members present voted aye and the motion carried.***

Mr. Haseley – Thank you, gentlemen. We did meet this evening, with the following recommendations: Resolution 2009-076, recommendation is to suspend and adopt and we need one hundred percent of Council on this one; Ordinance 2009-077 is for a temporary work easement for the Pearl Road Widening Project, recommendation is to suspend and adopt; Ordinance 2009-078, likewise, is a permanent easement for storm sewer purposes and temporary work easement for the Pearl Road Widening and the recommendation on that is to suspend and adopt.

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

Mr. Haseley (cont'd) - Ordinance 2009-079, this is for a new pull-type aerator for use by the Service Department with a trade-in, and because of the urgency it is going to be without public bidding, we need a hundred percent vote for that, and the recommendation is suspend and adopt. I'll answer any questions if there are any.

Mr. Gallagher – Questions for Mr. Haseley?

(None)

**PLANNING, ZONING AND ENGINEERING –Coyne:** Thank you Mr. Gallagher. The Planning, Zoning and Engineering Committee met this evening regarding Ordinance 2009-075, an ordinance authorizing the Mayor to enter into a contract for the Webster Road/Blazey Trail Sanitary Sewer Project. Most of you know, including Mr. Daymut, who is the councilman in the ward, this has been a controversial issue; no one wanted to be assessed over twelve thousand dollars to have this done. But, thanks to the efforts of the Mayor and the administration, they not only obtained a grant to reduce the fund, but recently when bids went out, we allocated two million dollars for this project and it came in a little bit over a million dollars, and that's going to save the City of Strongsville and the taxpayers well over nine hundred thousand dollars, thus meaning that the savings passed on to the homeowners; so it's going to come in about seventy two hundred dollars, saving them well over five thousand dollars, and this is significant because anytime you have to pass on that cost to the taxpayers it's a burden to most. But I want to commend the Mayor, his administration, Council, and a special thanks to Councilman Daymut for weathering the storm in the ward, he took most of the flack, but because of all their efforts the residents are going to benefit and I am thankful for that. So, gentlemen, thank you, you made us all look good, you made us all really proud, and I'm thankful for that.

Mayor Perciak – You're welcome.

Mr. Coyne – Other than that, we have nothing on our agenda this evening. If there are any questions, I will be more than glad to answer them.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

**FINANCE - Mr. Dooner:** Mr. Gallagher, Finance has nothing on the agenda this evening.

Mr. Gallagher – Thank you, Mr. Dooner.

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut.** Thank you Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. I will give a brief report on our meeting of Monday, April 27<sup>th</sup>, at 7 p.m. here at the Communications Center. Our next breakfast meeting will be Thursday, May 21<sup>st</sup>, at 7 a.m. at the Recreation Center. I'm proud to announce that National City Bank, now part of PNC, will be the sponsor of that breakfast and the featured speaker will be Lisa Rucker and the topic will be SBA Loan Program, so I'm sure that will be of interest to our business partners here in town. We received a report from our Tech Committee from Ed Oliveros.

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

Mr. Daymut (cont'd) - I would also like to report that our business survey of our retail and service providers, we just recently received the initial draft, we are in the process of reviewing that as the task force and review it for the May meeting here of the Committee and will provide to all of the administration and of Council a copy of that report when it is finished. I'd like to report our incubator businesses was discussed; what we're in the process of doing now is a few of the Committee members are developing a set of criteria that can be followed by someone with all the necessary information to start your own business and the resources that would be available for that. Another thing that came up at the meeting, we have had a great partnership with the Ohio State University Extension Program, they put out their annual report, as you know, their Business Retention and Expansion Program, as I said, we've been a part of that for many years, this is distributed nationwide, to the county here and all throughout the state, and, of course, the featured city at this time is the City of Strongsville. They did come up and interview Mayor Perciak concerning our Business Retention and Expansion Program and I think that that national recognition we received from this was well deserved, Mayor, and we thank you for all your efforts on that.

Mayor Perciak – Thank you.

Mr. Daymut – Hopefully, we'll get some more national recognition as we move forward. Our Economic Development web page is under construction, I would like to thank Mr. Magocky and Mr. Painter; we'll have that up and running, hopefully, by the end of this month. We reviewed new businesses locating in the City of Strongsville. And our next meeting will be Tuesday, May 26<sup>th</sup>, due to the Memorial holiday. I believe 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. Still receiving a steady stream of residents upset over the possibility and even the discussion of moving flood map lines, this would be very destructive and unfair to residents within the City and offer tremendous financial burden, if done. And so if there is any information out there, please leave it in my mailbox, if it would be better able to explain what the status is presently on this case. And I just would like to add that I'm thankful for the continued responses to my many action requests, and just hoping that the pending ones receive attention in a timely fashion. That's all, Mr. Gallagher.

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

(None)

**COMMITTEE OF THE WHOLE – Mr. Gallagher:** This evening there is no legislation.

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

Mayor Perciak – Thank you, Mr. President; just a few things this evening. First of all, this afternoon I met with the new School Superintendent, Jeff Lampert. I expressed our congratulations, not only from the administration but from the entire City Council. I asked him to sit down and have lunch with yourself and me and whoever else that wishes to join us from the Council and he has agreed. And we really want to get off to a good start here, so, on behalf of all of us here in the administration and the City Council, we want to congratulate Mr. Lampert on his appointment as the new School Superintendent. I do not have the terms and the conditions of his new contract, but I'm sure we will learn that from the Board of Education very shortly.

Also, again I really would like to thank Carl Hoerig for the fifteen thousand dollar donation for all our children. This travel baseball team is a true example of the City administration, the Council and the travel team working together for the common good of all the children in our city. And I'd just like to say thanks a lot to everybody who really went out of their way and continue to go out of their way to keep Strongsville number one.

Moving on to another topic that I have here; don't want anybody at home or here at the Council or any of our residents to believe that we're not staying on top of President Obama's American Recovery and Reinvestment Act of 2009. I just want to report that the Department of Energy has informed us that the City of Strongsville is eligible for a direct formula allocation through the Energy, Efficiency and Conservation Block Program for a hundred and eighty thousand, four hundred dollars. Basically, we're getting the money. And what we're going to do is we're going to use part of this money here, our estimated cost for the traffic signal portion of Pearl Road is going to be approximately four hundred ninety thousand, and we can take and use this hundred and eighty thousand to reduce that traffic signal portion of the Pearl Road Widening Project, so that will reduce that from four hundred ninety thousand to a hundred eighty thousand. And I'd like to thank our Engineer, Mr. Mikula, for making certain that this grant is coming our way. And to our Congresswoman, Betty Sutton, she has worked with us very closely on this and we would like to extend a special thank you to Betty for coming through to the City of Strongsville in the amount of a hundred eight thousand, four hundred dollars.

The next thing I would like to also bring up is that on Saturday, June 6<sup>th</sup> – last year we had – and if you have a bunch of confidential papers that need shredding, Gateway Recycling, the City of Strongsville and the Strongsville Branch Library have partnered to host the special on-site secure shredding – I won't call it shredding day – shredding three hours. This special shred three hours is open to individuals and Strongsville businesses with shredding needs in the library parking lot. And I want to stress to everybody, this is a drive-through event, meaning you will drive through the line and the volunteers will assist you with unloading and dumping your bins into the shred containers. This will last for three hours on Saturday, June 6<sup>th</sup>.

Also, I would like to make mention that our spring plantings not only have begun, but have been completed. On Falling Water, we just completed planting of seventy trees there. On Waterford, we just completed the planting of twenty-six trees there, it's called a Zelkova tree, it's a cousin of the Elm tree; so those twenty-six are done. On Idlewood Trail, sixty-five Honey Locust trees have been planted. On Jonathan, thirty-four Elm trees have been planted. On Deer Path, we had forty-one Honey Locust trees planted. And on Penny Pines, fourteen Red Maples. So we continue to replace these trees that have either been hurt by the weather or hurt by the storms or broken, or diseased, so we are continuing to move along in this tree planting process here.

So we would like to thank Jennifer Milbrandt and her staff and Joe Walker and the service workers for getting this done here in our city to continue to beautify our tree lawns.

And that ends my report, Mr. President.

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

Mr. Roth – Yes, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Mayor, how come we're redoing the traffic signalization on Pearl?

Mayor Perciak – This is the part of Pearl Road, Mr. Roth, that is going to be widened.

Mr. Roth – Okay, gotcha. Thank you.

Mr. Gallagher – Further questions?

Mr. Roth – No, that answers it.

**FINANCE DEPARTMENT - Mr. Batke:** Thank you, Mr. President. 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:** Thank you, Mr. President. The Ohio Department of Liquor Control has reported that Slim and Chubby's has withdrawn its application for a permit for space that it had intended to occupy next to its existing establishment on Prospect Road. Apparently, they are not proceeding with occupying that particular space and, therefore, this Council's prior conditional objection to that application is now moot.

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

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

(None)

**AUDIENCE PARTICIPATION:**

Mr. Gallagher – This is the segment of our agenda, ladies and gentlemen, for audience participation. Those wishing to speak before Council, come to the podium, state your name and address for us. We only have one person signed in; you have five minutes. Laura Ritson.

Laura Ritson, 16853 Parkwood Lane, Strongsville – Good evening. My name is Laura Ritson and I reside at 16853 Parkwood Lane. We had a house fire on October 30, 2008; there was fifty percent of damage to our home, putting us out of our home until this very day. It was a devastating loss. Of course, the restoration company supposedly came to our rescue and saved the day; they would pack up our house, clean what they could and store the stuff, while the restoration would be done at the house. November came and went, along with December; nothing. We were told weather was an issue. Early January, suddenly it was necessary for a temporary roof to be put on a house that had been pretty much open since the fire and was put up without our knowledge. February, a roof was put on. Again, without our knowledge. We, being the homeowners, just assumed the City was aware of everything being done to the house and necessary permits and inspections were going along with it. Finally hitting a wall in March, we started questioning why the house wasn't moving along at a faster pace and we were given some story or another, and then framing went on without our knowledge. In late March I was meeting with several contractors, while the restoration company was there, regarding kitchen, bath cabinets, window installation, and they overheard me talking to the initial contractor and questioning something in the framing that didn't look quite right to me, just your average non-construction woman. I was told by the contractor the City had been there, knew everything that was going on and was perfectly fine with it. I questioned about stickers in the window and was told, 'Don't worry about it, they're fine, the work's being done.' One of the gentlemen in the hall waiting to talk to me overheard this and said he was a licensed and bonded contractor in the City of Strongsville, he had concerns he verbalized to me, told me to go call the City and see what they say. I did it and it came to light that this contractor had only pulled a temporary permit for drywall and painting. How could a contractor doing such substantial work on a house involved in a fire get away with no roof permit, no framing permit, etcetera? Needless to say, since then, the initial contractor has been pulled from the job and almost everything he has done is not City code and has to be redone, at our expense. The nightmare continues because, of course, he wants his share for the work done, if you can call it that. So, in the last few weeks, imagine my husband and my surprise that you have no ordinance in place to protect a homeowner from this. That is – you put the homeowner in charge of the responsibility to make sure that a contractor is pulling permits and doing it to code. We assumed that since the City was out there after the fire and the contractor had our permits signed that we were okay and no worries. We were told as much. The City has to protect its citizens; you owe us, the homeowner, to look out during an extremely difficult time when you aren't thinking clearly and are overwhelmed. Also, in speaking with different inspectors, they are also overwhelmed. But maybe somehow you guys can figure out how to assign a fire case or two per month for them to follow up. Call the homeowner, call the contractor, see if the stories match and if permits have been pulled. In closing, please get something in place that the homeowner has some other recourse other than litigation and please put something officially on books and also have some type of a list given to a homeowner of some not so reputable companies. That would have saved us a lot of grief, time and frustration. Thank you for listening to me.

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

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

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil, 18271 Fox Hollow Drive. Mr. President, may I say something to Mr. Roth, please?

Mr. Gallagher – Only if it's kind.

Bill Vassil – It pertains...

Mr. Gallagher – And positive.

Bill Vassil – Hey.

Mr. Gallagher – And has nothing to do with flying things.

Bill Vassil – Quiet. Mr. Roth, you went to the meeting at Southwest General? I have a question. I've been there for the last, let's see, week and a couple days now – emergency room. Emergency room is fine. The parking sucks. Those cars are there -- and I brought this up when Mr. Gallagher had the hospital a couple years ago or whatever, I brought this up then – the cars are there eight hours a day, some of them nine hours a day. We need more parking for the people that come into the emergency room, instead of walking a half a mile to the end of the parking lot in order to get a parking place. Could you possibly tell them to do something about it? It would be beneficial.

Mr. Roth – I definitely will voice that for you.

Bill Vassil – Thank you. And, also, my light pole is still crooked.

Mr. Roth – I will definitely fix that for you.

Bill Vassil – Who said that? Seriously, we need that fixed. And if you look, if you come down the street and you look at the wires going to the house, they're hanging down. Somebody should get over there before something happens.

Mr. Gallagher – Probably the weight of those pigeons sitting on those wires.

Bill Vassil – No, the pigeons I'm not worried about today, okay, because I'm not home to see it, okay? But seriously, that pole is a hazard and if, you know, somebody happens to break their neck when they're riding a bicycle or something, then somebody is liable. And the wire just comes down like this.

Mayor Perciak – Mr. Walker, place a call tomorrow, please.

Mr. Walker – Yes, sir.

Bill Vassil – Have our friend Jennifer take care of it, she has pull with them. Took me four days to get my box painted. Very good.

Mr. Gallagher – Thank you, Mr. Vassil. Is there anyone else?

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2009-059** by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NON-EXCLUSIVE GRANT OF EASEMENT TO THE CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR ELECTRIC AND COMMUNICATIONS FACILITIES TO SERVICE THE CITY'S RENOVATED POLICE DEPARTMENT FACILITY AND PRIVATE ELECTRIC CUSTOMERS, AND DECLARING AN EMERGENCY. 1<sup>st</sup> rdg: 04-06-09. Favorable recommendation by Planning Commission 04-30-09.

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. 2009-059 ADOPTED.**

**Ordinance No. 2009-074** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO MAKE APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR 2009 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FUNDS FOR PURCHASE OF NINE (9) CARDIAC MONITORS FOR USE BY THE CITY'S FIRE DEPARTMENT, 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. 2009-074 ADOPTED.**

**Ordinance No. 2009-075** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WEBSTER ROAD/BLAZEY TRAIL SANITARY SEWER 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. 2009-075 ADOPTED.**

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

**Resolution No. 2009-076** by Mayor Perciak and All Members of Council. A RESOLUTION DECLARING THE NECESSITY AND INTENTION OF THE CITY TO APPROPRIATE A FEE SIMPLE INTEREST AND TEMPORARY CONSTRUCTION EASEMENT LOCATED AT 18543 DRAKE ROAD (PART OF PPN 397-17-003), IN CONNECTION WITH THE CITY'S ROUTE 42 (PEARL ROAD) WIDENING AND IMPROVEMENT PROJECT, 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. 2009-076 ADOPTED.**

**Ordinance No. 2009-077** by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED AT 16400 PEARL ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, 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. 2009-077 ADOPTED.**

**Ordinance No. 2009-078** by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT, PERMANENT EASEMENT FOR STORM SEWER PURPOSES AND TEMPORARY WORK EASEMENT FOR REAL PROPERTY LOCATED AT 18518 DRAKE ROAD IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT, 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. 2009-078 ADOPTED.**

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

**Ordinance No. 2009-079** by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW AERWAY 75' PULL-TYPE AERATOR FOR USE BY THE CITY SERVICE DEPARTMENT, AND FOR THE SALE AND TRADE-IN OF TWO USED RYAN LAWNAIRE AERATORS AND OTHER EQUIPMENT, AND TO HAVE THE SALE PRICES APPLIED TO THE PURCHASE PRICE, WITHOUT PUBLIC BIDDING FOR SUCH SALES, 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. 2009-079 ADOPTED.**

**Ordinance No. 2009-080** by Mr. Gallagher. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR NON-EXCLUSIVE 2009 OUTDOOR VENDING/CONCESSION FOOD SERVICES FOR CITY-OWNED RECREATION FIELDS, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read on three different days.

Mr. DeMio – My name should be on there, Mr. Gallagher, actually.

Mr. Gallagher – As the DeMio Ordinance. I have a motion to suspend by Mr. DeMio.

Mr. Coyne – Second.

Mr. Gallagher – Second by Mr. Coyne.

Mr. DeMio- Maybe Mr. Coyne wanted to be part of the hot dog ordinance.

Mr. Coyne – No, Joe, I'll leave that to you.

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. 2009-080 ADOPTED.**

**Ordinance No. 2009-081** by Mayor Perciak. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NON-EXCLUSIVE LEASE AGREEMENT WITH THE STRONGSVILLE FOOTBALL LEAGUE, INC. FOR PREMISES LOCATED ON LUNN ROAD 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.

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

**Ordinance No. 2009-081 (cont'd):**

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

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

**Ordinance No. 2009-081 ADOPTED.**

**Resolution No. 2009-082** by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING THE DONATION OF \$15,000.00 FROM THE STRONGSVILLE TRAVEL BASEBALL ASSOCIATION TO THE CITY OF STRONGSVILLE FOR IMPROVEMENTS TO CITY BASEBALL FACILITIES THROUGH THE STRONGSVILLE RECREATION DEPARTMENT.

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. 2009-082 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

None.

**MISCELLANEOUS BUSINESS:**

Mayor Perciak – Mr. President.

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – Yes, I just want to remind everybody, tomorrow is Election Day and we have two issues on the ballot tomorrow, Issue 11 and Issue 12, both being renewals. I ask that all our residents go and vote yes tomorrow on our two issues that are on the ballot because they are renewals and no new money. So we ask you to please vote yes tomorrow.

Mr. Gallagher – Also, I just want to remind everybody in Ward 4 the Annual Garage Sale Days will be June 12<sup>th</sup> and 13<sup>th</sup>, eight to four o'clock. Call me at 440-227-5553. This is not yet an official function of the City, but I'm hoping eventually it will be. And I will be advertising this for the residents of Ward 4, and the more people we get to come out on those days, the better off it's going to be for everybody. Is there any other miscellaneous?

Mr. DeMio – Very briefly, Mr. Gallagher.

Mr. Gallagher – Mr. DeMio.

Mr. DeMio – For my next Public Safety meeting, I asked the Chief to try to give us a synopsis of the City regarding to criminal activity, and I would like to set the meeting in the future, but there is no (unintelligible), so I would like everyone to attend this next Public Safety and Health meeting.

**MISCELLANEOUS BUSINESS (cont'd):**

Mr. DeMio (cont'd) - So I will ask Leslie to caucus with everybody and try to get it probably before a Council meeting because usually everyone is in attendance; so if that's okay, that's what I'm going to do.

Mr. Gallagher – Very good. Anyone else?

(No comments)

**ADJOURNMENT:**

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:48 p.m.

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

May 18, 2009  
Approval Date