

SUMMARY OF CAUCUS DISCUSSION HELD ON JANUARY 7, 2008 AND MINUTES OF THE ORGANIZATIONAL AND REGULAR STRONGSVILLE COUNCIL MEETING

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building, 18688 Royalton Road, **on Monday, January 7, 2008 at 7:00 p.m.**

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

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering Committee: Chairman Haseley recommended adoption for Ordinance 2007-167, a request for rezoning of certain property located at W. 130th Street and Boston Road from MS to GB. Mr. Haseley recommended suspension and adoption for Ordinance 2008-001, a non-exclusive grant of easement to the Cleveland Metroparks Board of Commissioners for private water line purposes in the easterly public right-of-way of Eastland Road. Suspension and adoption was also recommended for Resolutions 2008-002, 2008-003, 2008-004 and 2008-005, each confirming Planning Commission approval of the site plan for the construction and installation of equipment cabinets for AT&T equipment in various locations. Suspension and adoption was also recommended for Resolution 2007-006, to advertise for bids the installation of catch basins, manholes, storm connections and appurtenances in connection with the Litto Drive Storm Sewer Project.

Public Safety Committee – Chairman DeMio stated Ordinances 2008-007, 2008-008, 2008-009, 2008-010 and 2008-011, all deal with change orders on contracts in connection with the new Ward 4 Fire Station Headquarters project. Law Director Kraus advised that these ordinances should be placed on first reading this evening. Councilman Daymut stated he noticed discrepancies in some of the calculations in connection with the change orders and requested that all of these ordinances be re-reviewed for accuracy in the dollar amounts which appear on each ordinance. Chief Moody, Mayor Perciak, Law Director Kraus and Commissioner Biondillo all commented about the ordinances and about the progress being made at the new station. Mr. DeMio recommended suspension and adoption for Ordinance 2008-012, accepting a grant in the amount of \$83,000 from FEMA in order to provide for a health and wellness program for City Fire Department personnel.

Public Service Committee: Chairman Kaminski recommended suspension and adoption for Ordinances 2008-013 and 2008-014, both authorizing entering into a contract for sale and purchase of real property in connection with the Drake/Howe Roads Intersection Improvement Project. Mayor Perciak stated the purchase price in connection with Ordinance 2008-013 is \$751.00; also, the purchase price in connection with Ordinance 2008-014 is \$301.00. Mr. Kaminski recommended suspension and adoption for Ordinance 2008-015, authorizing the sale of certain obsolete and surplus vehicles no longer needed for any municipal purpose; he also recommended suspension and adoption for Resolution 2008-016, advertising for bids for traffic signal/electrical maintenance services for 2008-2009.

Council-As-A-Whole: Council President Haseley recommended suspension and adoption for Ordinance 2008-017, for the participation in Ohio Administrative Service Contracts for the purchase of hardware and services in support of the City's networked attached storage, data backup and disaster recovery systems. Mr. Haseley also recommended suspension and adoption for Resolution 2007-018, authorizing the Mayor to seek proposals for architectural and engineering services for the design of an addition and renovation of the City's Service Center.

Economic Development Committee: Chairman Daymut stated there was no meeting during the month of December. He reminded everyone that the next Business Network Breakfast will be held February 28, 2008 at 7:00 a.m. and that the speaker for said meeting will be PSE Credit Union.

Council-As-A-Whole: Councilman Coyne moved that Council adjourn from open session into executive session [*Article XI, Section 9, City Charter*] for the purpose of discussing the compensation of personnel; and legal matters with the Law Director. The motion was seconded by Councilman Daymut. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:29 p.m. with the following Council members present: Messrs. Coyne, Daymut, DeMio, Gallagher, Haseley, Kaminski, and Roth. Also present were Mayor Perciak, Law Director Kraus and Finance Director Batke. Motion was made, seconded, and unanimously approved to conclude the Executive Session and reconvene in open session, with the Clerk noting the time as 7:50 p.m.

**MINUTES OF THE ORGANIZATIONAL AND REGULAR STRONGSVILLE
COUNCIL MEETING HELD ON JANUARY 7, 2008 IN THE COUNCIL
CHAMBER**

CALL TO ORDER:

The meeting was called to order at 8:00 p.m. by the President of Council, Raymond L. Haseley. 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 were: Council Representatives: Patrick J. Coyne, Joseph C. DeMio, James A. Kaminski, Raymond L. Haseley, Michael J. Gallagher, Mark A. Roth III, and Michael J. Daymut. Also Present: Leslie J. Seefried, Clerk of Council.
Administration: Thomas P. Perciak, Mayor; Kenneth A. Kraus, Law Director; Donald C. Batke, Finance Director; Joseph M. Walker, Service Director; Eugene P. Magocky, Economic Development Director; Robert Moody, Chief of Fire; Charles W. Goss, Chief of Police; John Bedford, Communications and Technology Director; Ken Mikula, City Engineer; Anthony J. Biondillo, Building Commissioner; and Steve Kilo, Recreation Director.

Motion was made by Mr. Daymut and seconded by Mr. DeMio to amend the agenda by adding Ordinance No. 2008-019. All members present voted aye and the motion carried.

ORGANIZATION:

Mr. Haseley – As per our rules, the first meeting every year is an election of a new president and president pro tem. I'm going to open up the election for Council President.

Mr. DeMio – Mr. President. Before I do this motion I would like to personally, from all of Council, thank you very much.

Mr. Haseley – You're welcome, Joe.

Mr. DeMio – For your integrity and the decency you've treated all of us, and all the directors and this mayor.

ORGANIZATION (cont'd):

Mr. Haseley – Well, thank you, and I think that will continue with the new one.

Mr. DeMio – Okay.

Election of Council President:

It was moved by Mr. DeMio and seconded by Mr. Coyne to elect Michael J. Gallagher for Council President.

Mr. Haseley – All right. Do you want to close the nominations?

Mr. DeMio – I would like to do that, as well.

Mr. Haseley – Okay, good. Call the roll, please.

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

Nays: Roth.

Motion carries. *Michael J. Gallagher elected Council President.*

Election of Council President Pro Tem:

Mr. DeMio – I would now like to move to Council Pro Tem, but before I do that I would also like to thank Mike Daymut; as always, the ultimate gentleman of our City and always there to help us all, and I really want to thank you, Mike, and I was honored to also stand at a poll next to you for your re-election.

Mr. Daymut – Thank you, Joe.

Mr. DeMio – But I feel that everyone here probably feels the same way about Michael, he goes out of his way to help all of us; his experience, even in caucus today, was pretty impressive. With that said, I would like to nominate James Kaminski as Pro Tem.

It was moved by Mr. DeMio and seconded by Mr. Coyne to nominate James Kaminski for Council President Pro Tem.

Mr. Haseley – Okay; do you want to close them?

Mr. DeMio – I will also do that. Thank you.

Mr. Haseley – All right. Call the roll, please.

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

Nays: Roth.

Motion carries. *James A. Kaminski elected Council President Pro Tem.*

ORGANIZATION (cont'd):

At this time, Mayor Perciak administered the Oath of Office to Michael J. Gallagher, swearing him in as Council President for the City of Strongsville.

Mayor Perciak then administered the Oath of Office to James A. Kaminski, swearing him in as Council President Pro Tem for the City of Strongsville.

APPOINTMENT OF COUNCIL REPRESENTATIVE TO PLANNING COMMISSION:

Council President Gallagher temporarily appointed Mr. Haseley to continue his service as Council's Representative on the Planning Commission until such time that permanent standing committee appointments are determined.

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

Council President Gallagher stated he would temporarily continue his service as Council's representative to the Southwest General Health Center Board of Trustees until such time that permanent standing committee appointments are determined.

APPOINTMENT OF COUNCIL REPRESENTATIVE TO STRONGSVILLE SCHOOL BOARD:

Council President Gallagher temporarily appointed Mr. Roth to continue his service as Council's Representative to the Strongsville School Board until such time that permanent standing committee appointments are determined.

APPOINTMENT OF STANDING COUNCIL COMMITTEES:

Mr. Gallagher – Gentlemen, if you would get to Leslie by phone or in writing by noon tomorrow with your requests for Council assignments for this year, I'd appreciate it. As soon as you get those to her I can dole out assignments permanently, and that would be gratefully appreciated.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on December 17, 2007 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

Mayor's re-appointment of Charlene Barth to a four (4) year term on the City's Planning Commission effective January 22, 2008 and expiring on January 22, 2012.

Motion was made by Mr. DeMio and seconded by Mr. Coyne to confirm the Mayor's re-appointment of Charlene Barth to the Planning Commission. All members present voted aye and the motion carried.

At this time, Mayor Perciak administered the Oath of Office as a member of the Planning Commission to Charlene Barth.

Mrs. Barth – Thank you, Council.

Mr. Gallagher – Thank you, Charlene.

Mr. Gallagher – Before our Public Hearing tonight, I'd just like to thank my fellow Council members for their support and, hopefully, their prayers for this year for the City of Strongsville and my guidance as the Council President. I have some pretty big shoes to fill and hopefully I'll do those justice, and Mr. Haseley, I greatly appreciate your leadership and your confidence that you've brought to me and helped me over all these years, and I greatly respect you for that. Thank you very much.

Mr. Haseley – Thank you.

PUBLIC HEARING:

Ordinance No. 2007-218. AN ORDINANCE AMENDING SECTION 1246.08 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO PROVIDE REVIEW OF BUILDING PERMIT APPLICATIONS FOR CERTAIN STRUCTURES UTILIZED FOR PUBLIC UTILITY PURPOSES, AND DECLARING AN EMERGENCY. 1st rdg: 11-5-07. Favorable recommendation by Planning Commission 11-8-07. 2nd rdg: 11-19-07.

Council President Gallagher opened the Public Hearing on Ordinance No. 2007-218 and invited anyone wishing to speak ***IN FAVOR*** of the Ordinance to approach the podium and address City Council at this time.

(No comments)

PUBLIC HEARING - Ordinance No. 2007-218 (cont'd):

Mr. Gallagher then invited any persons wishing to speak ***IN OPPOSITION*** to the ordinance to approach the podium and address City Council.

(No comments)

Hearing no comments in regard to Ordinance No. 2007-218, Council President Gallagher declared the Public Hearing on said Ordinance closed.

Mr. Gallagher – There will not be a vote on this this evening.

REPORTS OF COUNCIL COMMITTEES:

BUILDING CODES AND CEMETERY – Mr. Roth: Thank you, Mr. Gallagher. I just have one item concerning just building specs over in my ward on Pearl Road there. You know, Ward 3 residents in that area were disappointed that we got the bait and switch with the Renaissance Park; instead of getting the mini-Legacy Village with the grocery store and the shops and the cobblestone parkway that all the people approved and thought they were getting and promised, and also getting a TIF, bare minimum service payments instead of taxes, now after that disappointment, now on Strongsville Boulevard I'm getting a lot of phone calls about the car wash. I hear it's, what, the fourth, fifth car wash in town. And, you know, hearing from the safety forces that there's going to be a long stack-up on Pearl Road over this car wash when they've got to loop around the back of the building and come through, that doesn't hold water with the residents or myself. I conducted two meetings with the residents; over fifty five residents attended that meeting with Mr. Stankewicz, Mr. Roger Riachi, RFC, and the number one thing we were promised was keep the traffic flow egress and ingress off of Pearl Road with just an emergency overflow off onto Strongsville Boulevard. Now we've got no curb cuts on Pearl Road, all the traffic is going to be diverted to Strongsville Boulevard on and off, which is exactly what residents were not promised. And then you've got a dangerous intersection there without the delta, without everything, and now we're going to be throwing more traffic onto a quiet residential street without a street light. The stars are aligning for a disaster; we need the curb cut put back on and off of Pearl Road like was promised for that car wash. And that's my voicing for the people of that area. That's all, Mr. Gallagher.

Mr. Gallagher – Thank you, Mr. Roth.

Mr. Biondillo – Mr. President.

Mr. Gallagher - Any questions for Mr. Roth?

Mr. Biondillo – Mr. President, if I could.

REPORTS OF COUNCIL COMMITTEES (cont'd):

BUILDING CODES AND CEMETERY (cont'd):

Mr. Gallagher – Mr. Biondillo.

Mr. Biondillo – Councilman Roth, I don't know what promises were made or who made those promises; nobody from the administration that would have been involved with the design or any of the decision making as far as the engineering, the traffic, the building itself, traffic studies, were involved with the meetings over at the VFW that were held prior to the final approval. This project did go through all of the normal approvals required of any other project in that it went to the Planning Commission for its first and initial meeting, it did have another follow-up meeting; those meetings were October 12th of '06 and February 8th of 07. At that time, if anybody was opposed or if anybody was interested in what that design was going to look like, they had the opportunity to attend those meetings, voice their opposition to it, and if the opposition is strong enough with good, sound engineering reasoning behind it, some changes may have been made. We have reports from the Police Department, the Engineering Department and our Service Director that the curb cut onto Pearl Road would have added confusion to an already dangerous, as you said, intersection. The best case scenario was, in fact, to put the curb cut right where it is now, precisely where it was at when it was a motel property, from Strongsville Boulevard. And that was – the design you see was in everybody's professional estimation the best design for this project. Thank you.

Mr. Roth – Mr. Gallagher, just...

Mr. Gallagher – Mr. Roth.

Mr. Roth - ...briefly. Mr. Roger Riachi, RFC, was at that meeting, fifty five residents were at that meeting, Mr. Ben Stankewicz was at that meeting, plans showing the opposite were at that meeting, and to say that the loop all the way to the back of that lot that comes through the building you're going to have a stack-up more than two hundred feet for cars for a fifth car wash in town is outrageous, especially when next door you have a car wash where the entrance and exit is right against the street and there's never a backup. So, you know, and as far as – you know, I was – the residents and myself were shown plans, you know, and they were switched. And, you know, unbeknownst to me or the residents, the curb cuts were switched. Now, you know, it would have been nice if the councilman could have told the residents of Ward 3 that that was a big switch in the making there, but that was not divulged to myself or the residents.

Mr. Coyne – Mr. Gallagher.

Mr. Biondillo – Councilman, President.

REPORTS OF COUNCIL COMMITTEES (cont'd):

BUILDING CODES AND CEMETERY (cont'd):

Mr. Gallagher – Mr. Biondillo.

Mr. Biondillo – Like any other project, Mr. Roth, you had the ability to attend these Planning Commission meetings. If there was a switch contrary to what was presented to you by Mr. Riachi, who is not a representative of the City, he is the contractor of the project, he has no ties to this City, if there was a switch, as you indicated, you would have had the opportunity at either one of those meetings to voice opposition to it and maybe initiate change. In this case, it's highly doubted that that change would have occurred. This was a traffic, a safety, sound engineering decision to leave the curb cut on Strongsville Boulevard.

Mr. Gallagher – Mr. Coyne.

Mr. Coyne – I received a call from Al Reinke on Strongsville Boulevard; most of you probably know him, he's been in Strongsville for forty years, a really honorable man, great guy, and very soft spoken, not a person that's argumentative; he had a concern about it, and I know that he also called Mark. If the recommendation was made by the Police Department, which is Chief Goss, that there's a safety issue there, the only thing I would ask is that, you know, if it – you know, we know there's a lot of accidents and a lot of problems on Pearl Road, and I know the Chief has a lot to do but he always – whenever I call him, he's very good at handling the public and he's popular; if you can go down and talk to Mr. Reinke and some of the residents with Mr. Roth and I present, because I did receive the phone call, and explain this to them, then I think that maybe they could get a better understanding. I'm assuming, Chief, the recommendation was made for residents' safety; am I right or wrong?

Mr. Gallagher – Chief.

Chief Goss – Mr. President. Councilman Coyne, the recommendations were made through our CPTED and traffic engineering reviewed it, as customary with any plan review, but they're based on basic traffic engineering principles, as Mr. Biondillo outlined.

Mr. Coyne – Well, if somehow we can get down there and explain that to them, you know, if – I think that would be good. Or we could bring them up to City Hall and talk to them and -- I know these directors, they always help residents, they do the right thing; sometimes maybe we just need to bring them up and explain it to them.

Mayor Perciak – Mr. Gallagher, Mr. Coyne...

REPORTS OF COUNCIL COMMITTEES (cont'd):

BUILDING CODES AND CEMETERY (cont'd):

Mr. Gallagher – Mayor.

Mayor Perciak - ...Mr. Roth. We'll be happy to set up a time if they want to come up to my conference room, and Mr. Biondillo, Mr. Mikula, Lori Daley, myself, whoever wants to join us can. Chief Goss, if you want to send Sergeant Hall over, your CPTED Officer, I'd be happy to have him come and we can discuss this. It's open, I mean, it's all there, so anybody who wants to see it, we'll be happy to discuss it with them.

Mr. Coyne – And I did not attend any of the meetings, I received a call from Mr. Reinke afterwards, so I do want to follow up because, those of you who know him, he's a great, great man.

Mr. Roth – Yeah.

Mayor Perciak – We'll be happy to have that discussion and show everybody.

Mr. Gallagher – Mr. Roth, is that satisfactory?

Mr. Roth – Yeah. You know, I'm just trying to briefly voice that, you know, the residents – I'm trying to tell you that over fifty residents were in attendance, I'm not making this up, Mr. Stankewicz was there, Mr. Roger Riachi was there; they showed us the plans, they've been changed. We didn't get what we were promised and, like I said, all you have to do is look next door to see a far less and far shorter stacking lane for another car wash and there's no problem there; this one's going to loop all the way to the back of a long lot and you're going to have a stacking problem? No, you're going to divert the traffic onto a quiet residential street now without street lights? It's a mess.

Mr. Gallagher – Well, let's – at your convenience, we'll get together with Mr. Coyne and the Mayor and we'll bring them in.

Mr. Roth – Okay, great.

Mr. Gallagher – Is that okay?

Mr. Roth – That's fine.

Mr. Gallagher – Any other questions for Mr. Roth?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

FINANCE – Mr. Gallagher: There was no legislation. Any questions?

(None)

ECONOMIC DEVELOPMENT – Mr. Daymut: Thank you, Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda.

Mr. Gallagher, I have taken the liberty without committee assignments yet to schedule a meeting for Monday, the 28th, at 7 p.m. and the reason for that is the Business Network Breakfast meeting will take place a month from that, February 28th, and we'd like to thank PSE Credit Union for sponsoring that breakfast, but many of the details need to be finalized; with your permission, I would schedule that meeting with whoever the chairman may be.

Mr. Gallagher – Absolutely, absolutely.

Mr. Daymut – Okay, and that's all I have. Thank you, Mr. Gallagher.

Mr. Gallagher – Any questions for Mr. Daymut?

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Yes, thank you, Mr. Gallagher. PZE met this evening with the following recommendations: Ordinance Number 2007-167, the recommendation is to adopt; Ordinance 2008-001, recommendation is to suspend and adopt; Resolution 2008-002, recommendation is to suspend and adopt; 2008-003, likewise, suspend and adopt; Resolution 2008-004, recommendation is to suspend and adopt; Resolution 2008-005, recommendation is to suspend and adopt – All of these are AT&T above-ground cabinets; Resolution 2008-006, recommendation is to suspend and adopt. That concludes my report. I'll field any questions if there are any.

Mr. Gallagher – Any questions for Mr. Haseley?

(None)

Mr. Gallagher – Thank you.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SAFETY – Mr. DeMio: 2008 – We have a host of items on Public Safety tonight: 2008-007 through 012, and the only one we're voting on tonight, the others are first reading, the only one we're voting on tonight is 2008-012; that is a grant that we received and, again, I thank the Mayor and his staff receiving and \$83,000 grant, twenty percent of which we'll pay for, but that is good for the wellness for the firefighters, so hopefully we'll pass that tonight.

I would be remiss to say that I hope I am not wearing an LSU outfit in two weeks because that's the bet at my office, so I wore this in my support of Ohio State and my personal objection to having a Council meeting the night of a championship. But our Michigan Law Director, graduated from Michigan, by the way, that would be the team up north for those of you who actually are paying attention tonight, who I still question, I've yet to see his certificate of law from that school, but he decided to have the meeting tonight. So I hope he still loves me after tonight.

But I'll close the meeting otherwise, unless there's questions.

Mr. Gallagher - Questions for Mr. DeMio?

Mr. Daymut – Mr. Gallagher.

Mr. Gallagher – Mr. Daymut.

Mr. Daymut – Mr. DeMio, I've been reminded many, many times, unfortunately; they have changed their name from Ohio State to The Ohio State. Thank you.

Mr. Gallagher – Any further questions?

Mr. DeMio – I guess our Law Director didn't mention that, did he?

SOUTHWEST GENERAL HEALTH CENTER – Mr. Gallagher: There is no report. Any questions?

(None)

PUBLIC SERVICE – Mr. Kaminski: Yes, Public Service met this evening to discuss three Ordinances: Ordinance 2008-013, 2008-014, 2008-015, all three of those, recommendation suspension and adoption; and, also, Resolution 2008-016, which is advertise for bids for traffic signal and maintenance services, recommendation is suspension and adoption. And that completes my report.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

RECREATION/SENIOR AND FAMILY PRESERVATION – Mr. Coyne: There are no ordinances or resolutions in our committee this evening.

Mr. Gallagher - Any questions for Mr. Coyne?

(None)

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

Mr. Gallagher - Questions for Mr. Roth?

(None)

UTILITIES, RAILROADS AND FRANCHISES – Mr. Daymut: Thank you, Mr. Haseley. We have no ordinances or resolutions on this evening's agenda, and I have no further report. Thank you very much.

Mr. Gallagher – Questions for Mr. Daymut?

(None)

RULES AND ORDINANCES – Mr. Gallagher: I went over the legislation for Council-As-A-Whole this afternoon with the Law Director; everything is in proper form, I take it?

Mr. Kraus – Yes, correct, Mr. President.

Mr. Gallagher – Council-As-A-Whole: Ordinance 2008-017, suspension and adoption is the recommendation; and Resolution 2008-018, suspension and adoption is the recommendation for this evening's agenda. And that's all I have for that.

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

MAYOR PERCIAK: Mr. President Gallagher, thank you. First of all, I'd like to congratulate you on your election as President today and I speak, I'm sure, on behalf of my entire administration and all of our friends at home watching, so congratulations to you.

Mr. Gallagher – Why, thank you.

Mayor Perciak – I look forward to meeting with you as soon as you're available so that we can talk about how we're going to continue to take the City forward here in the year 2008.

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

MAYOR PERCIAK (cont'd): Jimmy, Mr. Kaminski, I'd like to congratulate you on your election as President Pro Tem; I want to extend my congratulations not only to you, but to Mary for her talking you into taking this job. So, our best to both of you and we wish you all the best.

And then, at last, I would like to thank all the residents and all of our many friends for attending yesterday's inaugural ceremonies at the Event Center. Everybody was there, it was remarkable to see so many friends and residents there; I think there were well over three hundred people there yesterday and, not only taking the oath of office, not only was the Council, myself, also the School Board members. And we had a first yesterday; Michael Gallagher, our new Council President, his sister is also a sitting judge, so she administered the oath to her big brother, because that is his little sister, and to the Mayor. So we want to also thank Judge Eileen Gallagher for her services yesterday, Mr. Gallagher, so when you see your sister, extend our best and our appreciation.

Mr. Gallagher – I will do that.

Mayor Perciak – That ends my report.

Mr. DeMio – Michael, I apologize, but she certainly is the best looking Gallagher that was on the podium.

Mr. Gallagher – I don't think there's any question about that, and even as we were growing up.

FINANCE DEPARTMENT – Mr. Batke: Yes, thank you there, Mr. President, and congratulations to you on your new assignment.

Mr. Gallagher – Thank you, sir.

Mr. Batke – It's a pleasure to be here. And I must inform the Body tonight, and Mr. DeMio, that The Ohio State is up seven to nothing.

Mr. Kaminski – All right.

Mr. Gallagher – Okay.

Mr. Daymut – All right.

Mr. Batke – With that being said...

Mr. Daymut – My money well spent.

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

FINANCE DEPARTMENT (cont'd):

Mr. Batke – I have to advise...

Mr. DeMio – Oooh, Chief, did you hear that?

Mr. Batke – I have to advise the new President that my report, unfortunately, will remain unchanged as we go into this next term. So, with that being said, I will let you know that funds will be made available for all of the ordinances and resolutions on this evening's agenda up for adoption that require certification. Thank you.

Mr. Gallagher – Thank you, Mr. Batke. Anybody have any questions for Mr. Batke?

(None)

LAW DEPARTMENT – Mr. Kraus: Yes, Mr. President, just one item to report this evening. During the holidays the City received correspondence from Time-Warner Cable Company formally notifying the City that they would be opting out of their existing franchise agreement with the City, as they are permitted to do under the new state franchising law, and that they will be operating under the authorization of the Department of Commerce in the State of Ohio. This Council previously adopted an appropriate resolution authorizing us to collect the five percent franchise fee that we collect at this particular time; however, I will be meeting this week with Mr. Bedford, our Director of Communications and Technology, and our Mayor to discuss other implications arising from the correspondence received from Time-Warner Cable and, also, with respect to a letter that I sent back to Time-Warner preserving all of the rights and remedies that the City of Strongsville may have under law with respect to those particular matters. Thank you, Mr. President.

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

(None)

Mr. Gallagher – Thank you, Mr. Kraus.

AUDIENCE PARTICIPATION:

Mr. Gallagher – Now for Audience Participation, I was hoping that someone would say something, but I don't see anyone out there and no one has signed up. So, last chance for anyone in attendance.

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2007-167 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT WEST 130TH STREET AND BOSTON ROAD (PART OF PPN 399-33-008) IN THE CITY OF STRONGSVILLE FROM MS (MOTORIST SERVICE) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION. (Boston Square II, LTD – Owner; Proposed General Business District Uses.) 1st rdg: 9-4-07. Favorable recommendation by Planning Commission 9-13-07. 2nd rdg: 9-17-07. Public Hearing: 11-5-07. 2nd rdg: 11-19-07.

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

Roll Call: All ayes. Motion carries. Ordinance No. 2007-167 ADOPTED.

Ordinance No. 2008-001 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT A NON-EXCLUSIVE GRANT OF EASEMENT TO THE BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT FOR PRIVATE WATER LINE PURPOSES IN THE EASTERLY PUBLIC RIGHT-OF-WAY OF EASTLAND ROAD, AND DECLARING AN EMERGENCY.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-001 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2008-002 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND EQUIPMENT CABINET AND CEMENT PAD IN THE PUBLIC RIGHT-OF-WAY LOCATED NEAR THE SIDE OF 17770 PROSPECT ROAD IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

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

Nays: Roth.

Motion carries.

Resolution No. 2008-002 ADOPTED.

Resolution No. 2008-003 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND EQUIPMENT CABINET AND CEMENT PAD IN THE PUBLIC RIGHT-OF-WAY LOCATED NEAR 7979 PEARL ROAD IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

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

Nays: Roth.

Motion carries.

Resolution No. 2008-003 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2008-004 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND EQUIPMENT CABINET AND CEMENT PAD IN THE PUBLIC RIGHT-OF-WAY LOCATED NEAR 8580 WEBSTER ROAD IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

**Roll Call: Ayes: Daymut, Coyne, DeMio, Kaminski, Gallagher, Haseley.
Nays: Roth.
Motion carries. Resolution No. 2008-004 ADOPTED.**

Resolution No. 2008-005 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION AND INSTALLATION OF AN ABOVE-GROUND EQUIPMENT CABINET AND CEMENT PAD IN THE PUBLIC RIGHT-OF-WAY LOCATED OPPOSITE 17228 DRAKE ROAD IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

**Roll Call: Ayes: Coyne, DeMio, Kaminski, Gallagher, Haseley, Daymut.
Nays: Roth.
Motion carries. Resolution No. 2008-005 ADOPTED.**

Resolution No. 2008-006 by Mayor Perciak and Mr. Haseley. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF CATCH BASINS, MANHOLES, STORM CONNECTIONS AND APPURTENANCES IN CONNECTION WITH THE LITTO DRIVE STORM SEWER PROJECT IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2008-006 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-007 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND GIAMBRONE CONSTRUCTION, INC., IN CONNECTION WITH IMPROVEMENTS TO THE NEW WARD 4 FIRE STATION HEADQUARTERS PROJECT, AND DECLARING AN EMERGENCY.

First reading. Referred to Public Safety Committee.

Ordinance No. 2008-008 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND STEINGLASS MECHANICAL CONTRACTING, INC., IN CONNECTION WITH IMPROVEMENTS TO THE NEW WARD 4 FIRE STATION HEADQUARTERS PROJECT, AND DECLARING AN EMERGENCY.

First reading. Referred to Public Safety Committee.

Ordinance No. 2008-009 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND COMMERCE PLUMBING COMPANY, IN CONNECTION WITH IMPROVEMENTS TO THE NEW WARD 4 FIRE STATION HEADQUARTERS PROJECT, AND DECLARING AN EMERGENCY.

First reading. Referred to Public Safety Committee.

Ordinance No. 2008-010 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND T. H. MARTIN, INC., IN CONNECTION WITH IMPROVEMENTS TO THE NEW WARD 4 FIRE STATION HEADQUARTERS PROJECT, AND DECLARING AN EMERGENCY.

First reading. Referred to Public Safety Committee.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-011 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND R. J. MARTIN ELECTRICAL CONTRACTING, INC., IN CONNECTION WITH IMPROVEMENTS TO THE NEW WARD 4 FIRE STATION HEADQUARTERS PROJECT, AND DECLARING AN EMERGENCY.

First reading. Referred to Public Safety Committee.

Ordinance No. 2008-012 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FUNDS, IN ORDER TO PROVIDE FOR A HEALTH AND WELLNESS PROGRAM FOR CITY FIRE DEPARTMENT PERSONNEL, AND DECLARING AN EMERGENCY.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-012 ADOPTED.

Ordinance No. 2008-013 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY IN CONNECTION WITH THE DRAKE/HOWE ROADS INTERSECTION IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. (Marcum)

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-013 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-014 by Mayor Perciak. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY IN CONNECTION WITH THE DRAKE/HOWE ROADS INTERSECTION IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. (Kutrubs)

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-014 ADOPTED.

Ordinance No. 2008-015 by Mayor Perciak and Mr. Kaminski. AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN OBSOLETE AND SURPLUS VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-015 ADOPTED.

Resolution No. 2008-016 by Mr. Kaminski. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR TRAFFIC SIGNAL/ELECTRICAL MAINTENANCE SERVICES FOR 2008-2009 IN THE CITY OF STRONGSVILLE.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2008-016 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-017 by Mayor Perciak. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF HARDWARE AND SERVICES IN SUPPORT OF THE CITY'S NETWORKED ATTACHED STORAGE, DATA BACKUP AND DISASTER RECOVERY SYSTEMS, AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2008-017 ADOPTED.

Resolution No. 2008-018 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE DESIGN OF AN ADDITION AND RENOVATION OF THE CITY'S SERVICE CENTER.

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

Motion for adoption by Mr. Kaminski; second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2008-018 ADOPTED.

Ordinance No. 2008-019 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE TO AMEND SECTIONS 50283 AND 9-006, IN ORDER TO RESTRUCTURE AND ESTABLISH COMPENSATION FOR THE POSITION OF STAFF ATTORNEY IN THE LAW DEPARTMENT; ABOLISH THE POSITIONS OF STAFF ATTORNEY (CRIMINAL), AND LEGAL ASSISTANT/PARALEGAL (SECTIONS 5-284 AND 5-285); REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

First reading. Referred to Council-As-A-Whole.

COMMUNICATION, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Very briefly. Just want to thank the Mayor for swearing me in a few minutes ago. Want to thank my family for their support and love through the last quarter century, sharing myself with the City for the good of the City for the last quarter century. Want to thank Marie for being my treasurer for the last quarter century; hope she's feeling better, she's very ill tonight. And want to thank, especially, the residents of Ward 3 who eight out of ten for the last quarter century have supported me. And, to my enemies, find out why eight out of ten have supported me for a quarter century; I'll be glad to show you. That's all.

Mr. Gallagher – Thank you, Mr. Roth. Anything else?

(No comments)

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:46p.m.

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

January 22, 2008
Approval Date