

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON DECEMBER 1, 2008

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on Monday, December 1, 2008 at 7:15 p.m.

Present: Council Members: Patrick J. Coyne, Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley and Mark A. Roth. Also Present: Clerk of Council Leslie J. Seefried. 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, Communications and Technology Director John Bedford, Economic Development Director Eugene P. Magocky, Recreation Director Stephen F. Kilo, Human Resources Director Anthony Urankar, Police Chief Charles Goss, and Fire Chief Robert Moody.

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering: Chairman Haseley recommended that Ordinance No. 2008-244, enacting a new SCO Section 1252.36 in connection with the sale of firearms in residential districts, be placed on first reading and referred to the Planning Commission and to the PZE Committee. He recommended suspension and adoption for Resolution 2008-245, confirming Planning Commission approval of the final site plan for the construction of a recreational park at 21255 Lunn Road, and for Resolution 2008-246, confirming Planning Commission approval of the final site plan for the construction of a VFW Memorial at 17900 Strongsville Blvd.

Mr. Haseley stated he has been informed that the applicant for the proposed rezoning of property located at 18489 Pearl Road is out of the country and will not be in attendance this evening for the scheduled public hearing of Ordinance No. 2008-186. He stated he would like Council's consideration to hear those opposed to the ordinance this evening and to extend the public hearing in order to afford the applicant an opportunity to address Council about his proposed rezoning. Mr. Haseley stated he would be meeting in the very near future with some of the property owners who are opposed to the rezoning in an effort to resolve some of the issues of concern. President Gallagher stated the public hearing has been noticed and advertised and he feels Council should proceed with the public hearing as scheduled. After discussion about drainage issues and other concerns of neighboring property owners, it was determined that the public hearing would proceed as scheduled, giving those present a chance to address Council with their concerns, and that a motion would be made on the floor to continue the public hearing until December 15th so the applicant can also be afforded an opportunity to address Council regarding the proposed zoning change.

Finance Committee: Chairman Coyne recommended suspension and adoption this evening for Ordinance 2008-247, making appropriations for the current expenses and other expenditures of the City for the year 2008; Ordinance 2008-248, correcting implementation of the levying of special assessments for the improvement of Howe Road; Ordinance 2008-249, correcting implementation of the levying of special assessments for the improvement of the municipal sewage system; and Resolution 2008-250, approving a capital asset policy and purchasing policy for the City.

Mr. Coyne stated the '09 Budget Hearing will take place on Wednesday, December 10th, at 6:30 p.m. in Council Chamber and requested that any questions regarding the '09 budget be discussed with the appropriate director/department head prior to the Budget Hearing.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Ordinance 2008-251, entering into a contract for the purchase of an ALS Ambulance/Rescue Unit for use by the Fire Department and for the sale of an existing obsolete ALS Ambulance/Rescue/Pumper unit. Fire Chief Moody stated the new ambulance/rescue unit is manufactured by the Pierce Company.

Public Service and Conservation Committee: Chairman Dooner recommended suspension and adoption for Ordinance 2008-252, entering into a contract for the purchase of a Ford F-250 regular cab pickup truck for use by the Service Department, without public bidding. He noted that a unanimous affirmative vote is necessary to adopt this Ordinance.

Recreation and Community Services Committee: Chairman Gallagher recommended suspension and adoption for Ordinance Nos. 2008-253, 2008-254, 2008-255, 2008-256 and 2008-257, all entering into contracts for the purchase of various food products for the Recreation & Senior Center, without public bidding, and noted that unanimity is required to adopt these ordinances.

Economic Development and Technology Committee: Chairman Daymut stated he would give his report on the committee's last meeting on the Council floor this evening. He advised that the next business network breakfast meeting has been scheduled for Thursday, January 15, 2009, at 7 a.m. in the Event Center at the Recreation Complex. He also advised that the committee is purchasing SurveyGold 8 software and licensing agreement that will allow the City to conduct future surveys of its business partners.

President Gallagher asked if there were any questions, concerns and/or issues to discuss with the directors. Mr. Daymut stated he had met with residents regarding the issue of potential gas and oil well drilling in the City and that the residents are in the process of contacting state legislators about this issue. Mr. Daymut stated that residents are seeking some assistance from the City by way of a resolution of support for their cause. Mayor Perciak state he agrees wholeheartedly. The Mayor and the Council have directed the Law Department to prepare a resolution strongly expressing the City's desire to have the right to control activities of companies in connection with oil and gas well drilling in the municipality.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON DECEMBER 1, 2008 IN THE COUNCIL CHAMBER AT THE STRONGSVILLE COMMUNICATIONS CENTER

CALL TO ORDER:

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

Mr. Gallagher – Welcome, ladies and gentlemen, to the December 1, 2008 City Council Meeting.

CERTIFICATION OF POSTING:

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

ROLL CALL:

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

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting of November 17, 2008 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

None.

PUBLIC HEARING:

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

Council President Gallagher opened the Public Hearing on Ordinance No. 2008-186.

Mr. Gallagher – The process that we have is we’re going to take the residents that may have something to say for this, and then we’ll take those that are against it; you have five minutes to tell Council your position. We are also this evening, because the applicant is out of the country, we’re going to request a motion, and I’ll ask Council to okay the motion, to allow the applicant to come back next meeting, which is December 15th, and, also, the residents that would like to come back and speak at that time can also speak. So, if you would bear with us on that, knowing -- we’re going to go forward with this meeting knowing that the applicant himself is unavailable for his time this evening, and we want to be fair to everyone.

At this time, President Gallagher invited any persons wishing to speak ***IN FAVOR*** of the Ordinance to approach the podium and address Council at this time.

No comments.

PUBLIC HEARING - Ordinance No. 2008-186 (cont'd):

Council President Gallagher invited any persons wishing to speak ***IN OPPOSITION*** to the Ordinance to approach the podium and address Council:

Charles Redrup, 18626 Admiralty Drive, Strongsville – My name is Charles Redrup; 18626 Admiralty Drive. My opposition primarily is based on what we've been dealing with for the last eight, nine months here. We moved in in July of '03 and since we moved in both of those businesses, the costume shop and the transportation company, have been operating in that building. The trees obstructed most of our view when they were in bloom; most of the vehicles in the back lot never move, there is a trailer there that hasn't moved in years, we don't know what its purpose is back there. At least one time they've bumped out the back parking lot when they repaved and expanded already. When the trees got cut down in February, that was – my understanding was that the City requested that because they were close to the creek; those were removed, but as I know the Mayor knows and Mr. Haseley, when they drive westbound on Admiralty you can see right into the back of this guy's business now from High Point. Our concern is the privacy, we've got two young children and there is a large number of children that use the park that abuts this parcel. The creek flows through there; again, everybody is aware of the flooding issues there and the flood waters when they go over Admiralty Drive they flow over this lot to get back into the creek. Some of our neighbors that we've talked to are concerned about the declining property values with the expansion of this lot and what he proposes to do, and we still haven't been contacted by him in any way, shape or form – in writing, phone call, knocking on the door. And my understanding is that he's been violating the zoning for at least the five years I've been there and I don't feel he should be rewarded for operating in violation of the zoning. I have some pictures to submit to you and I have some signatures of some other neighbors who are opposed, some of whom are here, and some aren't.

Mr. Gallagher – We'll take those when you're done.

Charles Redrup – Okay. And I'd like to thank you all for your time, I know I've talked to most of you over the last week and sorry for all the phone calls and phone tag.

Mr. Gallagher – That's what we do. Did I make sense to you? What we are going to do is allow him to come back at the next Council meeting and tell us his side of the story. My hope is is that we're going to have this resolved one way or the other by that time anyhow, but we wanted to afford him the opportunity to on the record say what he had to say, and certainly we welcome you back, also, to that.

Charles Redrup – Okay.

Mr. Gallagher – Okay?

Charles Redrup – All right. Thanks.

Mr. Gallagher – Thank you.

Mr. Haseley – Thank you, Charles.

Mr. Gallagher – Is there anyone else against this ordinance?

PUBLIC HEARING - Ordinance No. 2008-186 (cont'd):

Phillip Smith, 18619 Admiralty Drive, Strongsville – I'm Phillip Smith; I live across the street from the previous gentleman, the address is 18619 Admiralty Drive, and the primary concern I have is with the flooding issue. As we all know, the last summers things have been pretty calm in terms of the weather, but there had been times when the water comes down there and it's pretty bad; I've had it three to six inches up on the foundation of my house. If he puts that culvert in and restricts the flow of what's going away from Admiralty, that could have serious implications for everybody that's upstream of that and we really need to understand the engineering adequacy of what he is proposing to do with that culvert. That's really all I had to say.

Mr. Gallagher – Once again, our hope when this is all settled, one way or the other, if indeed it goes forward, that this will be engineered correctly. But you're going to –

Phillip Smith – Will there be a thorough report that documents the design standards that he is going to have to live to for this culvert?

Mr. Gallagher – Absolutely; that will go through our Engineering Department. You will be part of this process.

Phillip Smith – Okay.

Mr. Gallagher – Is there anyone else against?

Diane M. Warther, 18668 Admiralty Drive, Strongsville – Hi, my name is Diane M. Warther; I'm at 18668 Admiralty Drive. I've been there for twenty-one years. The back end of my lot is right up against the parking lot. I can look out my kitchen window and that's what I see. And I guess my main concern is just the privacy that I've lost from the woods there, the trees and the brush, now it's just all open. But maybe the – I don't know about the flooding, if it would concern me because it usually doesn't come up that far for me, but it's the privacy and the trees and things. So, but like I said, I've been there for twenty-one years, so that's what I've had behind me, but it's been quiet and everything. So it just seems like as they expand and add more vehicles, then I'll have more traffic, like every day of the week.

Mr. Gallagher – Well, once again, if this were to be successful and go forward, we – Planning Commission has set aside a planting and buffering that you'll see. We'll make you – once again, we'll make you part of this process.

Diane Warther – That will separate the – our – like, on the property lines between the...

Mr. Gallagher – What he has to do to buffer against his property and yours.

Diane Warther - Okay.

Mr. Gallagher – Okay?

Diane Warther – All right. Thank you.

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

PUBLIC HEARING - Ordinance No. 2008-186 (cont'd):

Bill Welsh, 18675 Admiralty Drive, Strongsville – Good evening. My name is Bill Welsh; I live at 18675 Admiralty Drive. I'm a neighbor of Mr. Smith's and I have the same concerns as everyone else, primarily the flooding issue. We moved in in 1999 and we've been through quite a number of water issues coming up into the back yard between the houses, so much so that the ducks swim in the back yards and I don't want to see something like this happen again, especially with another culvert going in; I think there are a lot of concerns with the flooding. I know the Council would make sure that things happen and I'm not real comfortable that it's going to reduce the flooding, putting another culvert in there. So I just wanted to reiterate what everyone has said. Thank you.

Mr. Gallagher – Thank you very much. Is there anyone else?

(No comments)

Mr. Gallagher – Before I close the hearing, I'll make a motion. I move to continue this public hearing for Ordinance Number 2008-186 until the next meeting on December 15th at 8 p.m. due to the applicant being out of the country this evening. Do I have a second?

Mr. DeMio – So moved.

Motion made by Mr. Gallagher, second by Mr. Coyne, to continue the public hearing on Ordinance No. 2008-186 until December 15, 2008 at 8:00 p.m. All members present voted aye and the motion carried.

Hearing no further comments in regard to Ordinance No. 2008-186, President Gallagher declared the public hearing on said Ordinance closed until December 15, 2008 at 8:00 p.m.

REPORTS OF COUNCIL COMMITTEES;

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher: There is no report this evening. If there are any questions, I'll take them.

(No questions)

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. Dr. Gray is retiring; also, they have hired an interim superintendent, Mr. Lampert. They discussed -- they are assessing the drilling locations around and abutting Whitney School, and I know, even with Council, the lateral drilling is a concern and that's being assessed in several avenues. Mr. Paul Moses, the Athletic Director, and Mr. Mike Knapik, the Girls' Cross Country Coach, recognized Alyssa Moran, she was a state qualifier in Girls' Cross Country. The same two gentlemen recognized Brendan Byrne, state qualifier in Boys' Golf. Mrs. Justina Peters, Principal of Muraski, recognized with the Westfield Insurance Teacher of the Month to Ms. Shelly Allen, Art Teacher at Muraski. And that's all I have.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

RECREATION AND COMMUNITY SERVICES – Mr. Gallagher: Before the committee this evening is Ordinance 2008-253, Ordinance 2008-254, Ordinance 2008-255, Ordinance 2008-256 and Ordinance 2008-257, all of these are for the Recreation Center for purposes of bakery products, dry goods, produce, dairy, meat, fish and poultry for the year. I would ask that we suspend and adopt all of these, and I'll answer any questions.

(No questions)

PUBLIC SERVICE AND CONSERVATION – Mr. Dooner: Thank you, Mr. Gallagher. We have before us tonight Ordinance 252, we do need all seven to approve this, we're recommending suspending and adoption; it's an ordinance authorizing the Mayor to enter into a contract for the purchase of one Ford F250 pickup truck for use by the Service Department. That's all we have, Mr. Gallagher.

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

Mr. Roth – Yes, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – Within this department. Leaves. Very delicate unique situation this year, and I've been playing – trying to have a sensitive ear to both sides. The leaves fell awfully late this year, the schedule condoned itself where after the leaves fell down in the first week of November, the trucks all went to the south side because of the schedule. So, for four weeks now, leaves have been sitting in thousands – well, about a thousand homes in the northern part of the City. I've gotten many calls, many very upset calls, okay, and what I'm trying to do for the Service Department is trying to tell a lot of residents to exercise some patience here; not only did the leaves fall late, but we've had one or two inches of snow on top of the leaves and we've had driving rains, okay, which makes it very difficult.

Mr. Gallagher – So, what's the question?

Mr. Roth – Well, I've had many, many phone calls saying can we make a concerted effort to pick up the leaves? Because their tree lawns are dying.

Mr. Gallagher – Okay. Mayor, could you help out here?

Mayor Perciak – Yes. Mr. President, Mr. Roth, we discussed that this morning at our staff meeting and the Service Director has assured me, and he wants to also assure all the residents, that as the weather permits the leaf collection will continue. But when you have snow and ice; we had to address the snow and ice issues in some areas of our town and we had bad ice, we had snow four to five inches; our service crew has just started today around the clock. So, we are going to address that, we're going to work as closely as we can; however, I want to caution, because of the water and ice and snow on the leaves, this will slow our workers down from collecting these leaves because our equipment isn't prepared to handle that type of bulk and that type of ice on the leaves. So, we've got to walk with this before we run, but we will get as much done as we possibly can.

Mr. Gallagher – Mr. Walker.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Walker – If I could just add to that, we did run the leaf trucks today on first shift and we are running them on second shift as we speak, so we're cramming in as much time as we can to try to pick up these leaves and we'll continue to do so until the weather shuts us down again.

Mr. Gallagher – Okay, Mark?

Mr. Roth – Yes.

Mr. Gallagher – Anything else?

(No comments)

Mr. Gallagher – Thank you, Mr. Dooner.

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you. The committee met tonight and 2008-251 is on the agenda tonight for a new ambulance/rescue unit and the sale of the old one; the committee and all of Council agreed to pass this tonight. The Mayor made the recommendation, as well as the Chief, to pass this and they assured this Council that this is a good and a fine unit. So, we will pass it and it's about fifty thousand dollars less than expected, which is good news, than the previous bid. So with that, I thank Council, thank the Mayor and thank the Chief explaining this to us and we look forward to getting our new rescue unit shortly.

The other thing is, without going into great detail, the Law Department along with the administration and many of us, if not all, on Council are working to try to notify the state house regarding gas drilling and our deep, deep concerns, and our Law Department has worked quite extensively on this issue and wants to come up with some form of a resolution that would make legal sense and would try to persuade, if you will, if that's the proper term, to our state rep and state senate to take a fresh look at the idea. I think that is the most I can say, based on what our Law Department asked us in the last meetings, and if the Mayor or the administration or Mr. Gallagher wants to add to that, feel free to do it in my committee because I am officially done with our report.

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

Mr. Roth – Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth –Yeah, just a statement within this committee. If the Police Chief, when, at your convenience, after you've investigated; a couple weeks ago I asked about checking into, Chief, that scam, which some residents called me. There was what they felt was a scam situation occurring within our City and dealing with taxes and collection of taxes. Hopefully you got – If not, if you didn't get the memo, let me know; I'll make sure I describe it again for you, but I think it's worth checking into.

Chief Goss – Mr. President. Mr. Roth, we have a report ready for your review.

Mr. Roth – Thank you very much.

REPORTS OF COUNCIL COMMITTEE (cont'd):

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

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Thank you Mr. Gallagher. Planning, Zoning and Engineering met this evening to discuss three ordinances. The first one, Ordinance 2008-244, recommendation is place on first reading, refer to Planning Commission, back to committee; Resolution 2008-245, suspend and adopt; Resolution 2008-246, recommendation is to suspend and adopt. That's all I have this evening; I'll answer any questions.

Mr. Gallagher – Questions for Mr. Haseley?

(None)

FINANCE - Mr. Coyne: Thank you Mr. Gallagher. Finance Committee met this evening, we have four ordinances in our committee this evening: Ordinance 2008-247, recommendation suspend and adoption, that is an ordinance making appropriations for current expenses and other expenses for this year; 2008-248 and 249, levying special assessments for catch basins and storm sewers; and Resolution Number 2008-250, approving a capital asset policy and purchasing policy for the City of Strongsville, that is recommended by the State Auditor. Also, we'll be commencing with our budget hearings on December 10th at 6:30 and, as Mayor Perciak stated in our caucus, the budget is a pretty lean budget this year and the directors work very hard to still deliver the great services we offer the residents of Strongsville, which we'll do, but we are going to be running tight, obviously, because of the economy. If there are any questions or concerns, I'd be more than happy to try to address them at this time.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

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

I'd like to give a brief report on our meeting of Monday, November 24th, here at the Communications Center. We have set the date for our next breakfast meeting, which will be January 15th at 7 a.m. at the Recreation Center; we're in the process of having a sponsor and speaker for that event. We did receive a report from Ed Oliveros, he is in charge of our tech committee; I'd like to acknowledge that Ed has attended meetings all through the county and some state meetings that are held within the area to keep us apprised of anything that might be beneficial to the City of Strongsville. We had a report on our business survey, our retail and service providers, that will be forthcoming in January. The task force did meet and is in the process of finalizing the questions; as soon as they have finalized that, I will get a copy to the Council for their review so we can send that out in January. We reviewed new businesses locating in Strongsville and, unfortunately, we had to discuss the job losses that we are experiencing as a result of the economy here in Strongsville. I'm sorry to say that we did not receive the grant from the state concerning the Foltz Parkway Extension, but hopefully we will try again next year to see if we can accomplish that.

REPORTS OF COUNCIL COMMITTEE (cont'd):

Mr. Daymut (cont'd) - We also tried to set some goals for 2009; one of the goals we'll have now we've expanded our – what we're looking at in the City to include some of our older strip centers, so we'll be trying to meet with some of those people to see if there is anything we can do or be of any assistance to them so that we don't have any of these areas that need some renovation lacking in the City. And, hopefully, we'll be able to maintain what we have in a correct manner.

There will be no meeting in December due to the holiday, and our next meeting will be Monday, January 26th, at 7 p.m. here at the Communications Center. That's all I have, Mr. Gallagher; thank you very much.

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

(None)

BUILDING AND UTILITIES – Mr. Roth. Thank you Mr. Gallagher. Just a plea, really, for the residents, especially on Idlewood Trail; they really want to be notified and explained to and informed on what's happening next to them as far as that group home situation. I'm not saying yes or no, they just want to know what is happening, they want to know if all the i's are being dotted and all the t's are being crossed, what's been done. They kind of want to – they and I want to have kind of this information before anything becomes a reality. So, as soon as that information is available, I'd like to receive it so I can go back to the residents. Not only for the safety of the residents within the group home proposed, but for the safety of even the people within the group home. That's all I have, Mr. Gallagher.

Mr. Gallagher – Thank you, Mr. Roth. Any 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. First thing this evening, I would like to thank Joe Walker and his staff, Jennifer Milbrandt and her staff for a very pleasant experience on the day after Thanksgiving; we had our Christmas lighting on our town square. Hundreds and hundreds and hundreds of families were there with their children and grandparents such as myself, and it was a really moving event when you saw Santa come and our whole tunnel was all full of children on their hands and in strollers and children riding the horse drawn sleigh, which had to turn out to be a horse drawn wagon, the ice sculptures, the live reindeer, it was a real fun night here in Strongsville, and people stayed hours and hours to enjoy the festivities here on the square. So, I want to thank everybody who participated; I'd especially like to thank Santa Claus and Mrs. Claus, who took a lot of time out, and our Fire Chief for making certain that Santa got delivered on time because without his help, Santa almost didn't make it on time, so we are grateful to our Fire Chief for helping make certain that we kept all those hundreds of children happy because I think we could have had a lot of sad faces had the Fire Chief not been able to help us.

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

Mayor Perciak (cont'd) - And I also again want to thank the eighty five business men and women and some of our residents who donated almost twenty two thousand dollars again this year to help make that event possible, so thank you to one and all.

Also, at this time I'd like to yield some of my time to Joe Walker so that we can address some of these water issues that the people were speaking of when they were here at the podium during the public hearing. Mr. Walker.

Mr. Walker – Yes, Mayor. With regards to the issues that were brought up earlier, I just wanted to point out that there have been several improvements made along that drainage corridor between the Engineering Department and the Service Department. Starting at the south end of Cherry Stone, the Engineering Department designed an improvement to that, that improvement was completed this season and we believe that that is going to resolve the problem we've been experiencing at Cherry Stone. That leads into the lake on Admiralty. The outlet structure to the lake was redesigned and refurbished two seasons ago, as well as the line leading out of the lake underneath Admiralty and then the opening of the creek that was referred to earlier all the way down to the next culvert there, which is at the Urgicare facility. Since those improvements were made, I do not believe that we've had a flooding situation there, and this spring I believe will be our third season were we've gone without any flooding. So I believe that we've got a pretty good handle on that, we can never be one hundred percent certain, but as of late we have not experienced any flooding in that area. Thank you.

Mr. Gallagher – Anything further, Mayor?

Mayor Perciak – Nothing else, Mr. President.

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

(None)

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

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

(None)

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

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

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – This is the segment of the evening where we have audience participation; that's for those of you here in the audience that have a comment to make to Council. If you do, I'd ask you to – I don't have anyone signed in, but you are more than welcome to step to the podium; if you'd give us your name and address for the record, we'd appreciate it. Is there anyone wishing to speak with Council this evening?

John Hohne, 9035 Manorford Drive, Parma Heights, Ohio – Yes, sir. My name is John Hohne; I live at 9035 Manorford Drive, Parma Heights. But my reason for being here, I'm the chairman for the VFW Memorial and I just wanted to thank you guys and ladies, and I think you'll be very proud of this project. And we need all the help we can get, so if anybody wants to buy a paver or help us in any way, shape or form, we'd really appreciate it. I know the police have stepped up, the Mayor has stepped up and several members here. But it's going to be a community project and again I say it's going to be the best that anybody's ever seen. Thank you.

Mr. Gallagher – Mr. Honey, why don't you give us an address that people can send a donation to?

John Hohne – 17900 Strongsville Boulevard in Strongsville.

Mr. Gallagher – In care of the VFW.

John Hohne – Right. Just note it 'VFW Memorial'. Thank you.

Mr. Gallagher – Is there else in the audience wishing to address Council?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2008-244 by Mayor Perciak and Mr. Haseley. AN ORDINANCE ENACTING A NEW SECTION 1252.36 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH THE SALE OF FIREARMS IN RESIDENTIAL DISTRICTS.

First reading; referred to Planning Commission and to Planning, Zoning and Engineering Committee.

Resolution No. 2008-245 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RECREATIONAL PARK AT 21255 LUNN RD. 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 of 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. 2008-245 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2008-246 by Mayor Perciak and Mr. Haseley. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A VFW MEMORIAL AT 17900 STRONGSVILLE BLVD. IN THE CITY OF STRONGSVILLE.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-246 ADOPTED.

Ordinance No. 2008-247 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2008 AND REPEALING ORDINANCE NO. 2008-222.

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

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

Roll Call: Ayes:

Nays: Roth.

Motion carries.

Ordinance No. 2008-247 ADOPTED.

Ordinance No. 2008-248 by Mayor Perciak and All Members of Council. AN ORDINANCE CORRECTING IMPLEMENTATION OF THE LEVYING OF SPECIAL ASSESSMENTS FOR THE IMPROVEMENT, IN COOPERATION WITH CUYAHOGA COUNTY, OF HOWE ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, RESURFACING, CONSTRUCTING SANITARY SEWERS, SIDEWALKS, CURBS, DRIVEWAY APRONS, WHERE NECESSARY, INSTALLING STORM SEWERS, CATCH BASINS, AND MANHOLES, AND ACQUIRING ANY REAL ESTATE OR INTERESTS THEREIN NECESSARY IN CONNECTION THEREWITH, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-248 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-249 by Mayor Perciak and All Members of Council. AN ORDINANCE CORRECTING IMPLEMENTATION OF THE LEVYING OF SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE MUNICIPAL SEWAGE SYSTEM BY CONSTRUCTING SANITARY SEWERS IN CERTAIN DESIGNATED LOCATIONS, TUNNELS AND TUNNEL STRUCTURES UNDER U.S. INTERSTATE 71, MANHOLES, AND PRECAST CONCRETE BOX CULVERTS IN CONNECTION THEREWITH, AND ACQUIRING ANY REAL ESTATE OR INTERESTS THEREIN NECESSARY IN CONNECTION THEREWITH, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-249 ADOPTED.

Resolution No. 2008-250 by Mayor Perciak and Mr. Coyne. A RESOLUTION APPROVING A CAPITAL ASSET POLICY AND PURCHASING POLICY FOR THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-250 ADOPTED.

Ordinance No. 2008-251 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF ONE (1) ALS AMBULANCE/RESCUE UNIT FOR USE BY THE FIRE DEPARTMENT OF THE CITY AND FOR THE SALE OF AN EXISTING OBSOLETE ALS AMBULANCE/RESCUE/PUMPER UNIT, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-251 ADOPTED.

Ordinance No. 2008-252 by Mayor Perciak and Mr. Dooner. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF ONE (1) FORD F-250 REGULAR CAB PICKUP TRUCK FOR USE BY THE DEPARTMENT OF PUBLIC SERVICE, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

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

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-252 (cont'd):

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

Roll Call: All ayes. Motion carries.

Ordinance No. 2008-252 ADOPTED.

Ordinance No. 2008-253 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF BAKERY PRODUCTS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-253 ADOPTED.

Ordinance No. 2008-254 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF DRY GOODS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [HILLCREST FOOD SERVICE]

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-254 ADOPTED.

Ordinance No. 2008-255 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF DRY GOODS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [GORDON FOOD SERVICES]

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-255 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-256 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PRODUCE AND DAIRY PRODUCTS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-256 ADOPTED.

Ordinance No. 2008-257 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

Motion by Mr. DeMio to suspend the rules requiring every ordinance or resolution to be read of 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. 2008-257 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None.

MISCELLANEOUS BUSINESS:

Mr. Gallagher – Under Miscellaneous Business, I was wondering maybe – Mr. Kraus, can I bother you to inform the people at home and those in the audience regarding to the gas drilling that Mr. DeMio referred to in his committee? I probably should have had you do it then, but it would be probably helpful, after talking to the Mayor today on how he has set up a situation where you are going to be kind of our commander-in-chief regarding this.

Mr. Kraus – Yes, Mr. President. Well, I'm not really sure about the commander-in-chief, but in view of the fact that...

Mr. Gallagher – Well, on this, on this.

Mr. Kraus – In view of the fact that the State of Ohio some years ago expressed itself with respect to oil and gas drilling, it intended to and did, in fact, preempt the ability of local municipalities to control the licensing of permits and safety regulations and other aspects of oil and gas drilling. And the state has really stepped in in this regard and, as the Mayor has previously indicated during caucus, has taken whatever home rule authority that the City of Strongsville and other municipalities had.

MISCELLANEOUS BUSINESS (cont'd):

Mr. Kraus (cont'd) - Council has requested the Law Department then accordingly to prepare a very strong resolution for its consideration on December 15th so that we could encourage very strongly the state legislature and, specifically, our own representatives here, the state senator and the state representative for this area, to go down to Columbus and carry the message that we want the right here in the City of Strongsville and in other municipalities to control the activities of companies that would seek to put in and establish various drilling rigs and other apparatus in our neighborhoods, in our residential areas, near our schools, with respect to oil and gas drilling, and we are proceeding with the preparation of such a resolution, as Council and the Mayor have instructed us.

Mr. Gallagher – Thank you, Mr. Kraus. Anything further, gentlemen?

(No comments)

ADJOURNMENT:

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

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

December 15, 2008
Approval Date