

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON DECEMBER 15, 2008**

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on Monday, December 15, 2008 at 7:00 p.m.

Present: Council Members: Patrick J. Coyne, Michael J. Daymut, Joseph C. DeMio, Kenneth M. Dooner, Michael J. Gallagher, Raymond L. Haseley and Mark A. Roth. Also Present: Clerk of Council Leslie 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, Assistant Building Commissioner Keith Foulkes, 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. 2006-237, enacting a new SCO Chapter 876, entitled "Use of Public Ways by Service Providers", be placed on fourth reading this evening.

Mr. Haseley advised the Council that he had met once with the principal of Cleveland Costume, whose application for rezoning is the subject of the continued public hearing this evening, and he met twice with Mr. Redrup, one of the neighbors of the property, and there is an agreement. Mr. Haseley stated the principal, Mr. Ondrejlak, is planting a number of trees now. He reported that the neighbor who was worried about her drainage would have to wait until the spring, as the drainage is still being worked on. There is a resolution, Mr. Haseley doesn't know how happy everyone is, but there is an agreement and Mr. Ondrejlak has agreed to do everything the City has asked him to do.

Finance Committee: Chairman Coyne recommended suspension and adoption this evening for the appropriations ordinance, 2008-258. He also recommended suspension and adoption for Resolution No. 2008-259, requesting the Cuyahoga County Auditor to advance funds to the City; Ordinance No. 2008-260, entering into a contract for a comprehensive health benefits plans for City employees for the year 2009; and for Ordinance No. 2008-261, the general salary Ordinance.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Ordinance 2008-262 for the purchase, through U.S. General Services Administration Contracts, of equipment, including installation, for the Police Department's new firing range as part of the renovated police facility; for Ordinance No. 2008-263, entering into a contract for professional services in connection with construction observation and material testing for the police facility renovation; and for Resolution No. 2008-264, urging the Ohio General Assembly to amend HB 278 by reinstating the home rule authority of municipalities to regulate and control at least the safety-related and other local aspects of oil and gas well drilling with municipalities in Ohio. It was agreed that a strong letter from the Mayor and Council would accompany Resolution 2008-264.

Building and Utilities Committee: Chairman Roth recommended suspension and adoption for Resolution No. 2008-265, encouraging the Ohio Public Utilities Commission to request that First Energy continue and/or extend the NOPEC generation discount for electricity purchases and provide other incentives to NOPEC customers. A discussion ensued about issues concerning difficulty in communicating with NOPEC.

Public Service and Conservation Committee: Chairman Dooner recommended suspension and adoption for Ordinance No. 2008-266, consenting to an ratifying assignment of a contract from C&S Limestone, LTD to its successor, Kokosing Materials, Inc., for the purchase and delivery of hot and cold asphalt mix for use by the Service Department; for Ordinance No. 2008-267, authorizing the sale of certain obsolete and surplus vehicles no longer needed for any municipal purpose; for Ordinance No. 2008-268, authorizing the sale of a confiscated and/or forfeited vehicle no longer needed for any municipal purpose; and for Resolution No. 2008-269, granting permission to repurchase certain certificates for burial rights in the Strongsville Municipal Cemetery.

Recreation and Community Services Committee: Chairman Gallagher recommended suspension and adoption for Ordinance No. 2008-270, amending Ordinance No. 2006-254 and the annual membership fees for the Walter F. Ehrnfelt Recreation and Senior Center effective February 1, 2009; and for Resolution No. 2008-271, advertising for bids for the purchase of youth sports wearing apparel for use by the Recreation Department.

Economic Development and Technology Committee: Chairman Daymut recommended suspension and adoption for Ordinance No. 2008-272, consenting to the assignment and transfer of a site lease with option agreement in connection with a telecommunications tower on City-owned premises located at 21211 Drake Road from T-Mobile Central LLC to Mobilite Investments II, LLC. Mr. Daymut stated he would give a brief committee report on the Council floor.

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Committee-of-the-Whole: Councilman Coyne moved, seconded by Councilman DeMio, to adjourn from open session into executive session [Article XI, Section 9, City Charter] for the purpose of discussing personnel matters. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:16 p.m. with the following members present: Coyne, Daymut, DeMio, Dooner, Gallagher, Haseley 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 at 7:54 p.m.

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**MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON DECEMBER 15, 2008 IN THE COUNCIL CHAMBER AT THE STRONGSVILLE COMMUNICATIONS CENTER**

**CALL TO ORDER:**

The meeting was called to order at 8:01 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 15, 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; Ken Mikula, City Engineer; Keith Foulkes, Assistant Building Commissioner; Anthony Urankar, Human Resources Director; and Steve Kilo, Recreation Director.

**COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting of December 1, 2008 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS:**

None.

**PUBLIC HEARING (Continuation from Public Hearing held on 12/1/08):**

**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 Ondrejcek, Owner. Proposed Use: Headquarters for transportation of physically/mentally handicapped children in public and private schools.) 1<sup>st</sup> rdg: 9-2-08. Favorable recommendation by Planning Commission 10-9-08. 2<sup>nd</sup> rdg: 10-20-08. Public Hearing: 12-1-08; continued to 12-15-08.

President Gallagher – This evening we have an extension of a Public Hearing for the purposes of allowing Mr. James Ondrejcek to have his say. At the public meeting that was held at our last meeting, we granted that stay of execution, shall we say, to allow him to come in and have his say this evening. So, I will open the public meeting.

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

Mayor Perciak – Mr. President, if I may.

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – I think the residents in question are in a side room over there; I think maybe they should be asked to step in.

Mr. Gallagher – Chief, would you please?

Mr. Gallagher – For those of you that were not in attendance here when we opened the Public Hearing regarding Ordinance 2008-186, this is an extension granted to Mr. Ondrejcek to have his say, the Council voted to allow that, and only Mr. Ondrejcek. Mr. Ondrejcek, if you would please approach the microphone and if you could give us your name and address for the record.

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

James Ondrejcek, 18489 Pearl Road, Strongsville – Yes. My name is James Ondrejcek; I'm the owner of Cleveland Costume and Display and Suburban Transportation, and the property mentioned at 18489 Pearl Road in Strongsville. And I am here to answer any questions pertaining to the improvements that I want to do on the property. I apologize for not being here at the last meeting, I was out of the country and could not be here. And I did meet with some of the other councilmen and the Mayor and Building Department people, and I'm working with you guys to see what we need to do so I can stay in business and stay working here and keep my company in Strongsville. I've owned the building since 1998 in July, we moved the Costume Company from Cleveland to here, and I moved – slowly, but surely moved my other company, Suburban Transportation, which has been in business for twenty years, into that facility also, to make it a little more easier for me to manage my companies. And I'm here to answer any questions from anybody and if there is anybody here who has any questions, so I can get this zoned for what I need it to be zoned for.

Mr. Gallagher – Well, actually, this isn't a time for you to speak, but if I may ask a question. Have you met with the residents and they are somewhat comfortable with what's going on?

James Ondrejcek – I believe so. I met with some of the residents are here tonight and I did explain to them, we went out to the side and we talked a little bit here and I hope I've answered their questions. I don't know – well, whatever else I need to do.

Mr. Gallagher – The concern was...

James Ondrejcek – The concern was I'm expanding it and I had moved some trees on the property and it opened up an area where the view is not as nice as it was before. Okay? And I understand what – you know, if I lived in their homes, I would have the same feelings, too; I'd be concerned what's going on in back of my property. But I also, in the same token, I'm not – you know, I like the area of Strongsville and I like doing business here and I'll make sure that it's done right. And with the help of the City, and I've been working with the City Engineering Department and the lady from the Forestry Department; I'm here to work with them, I'm not here to work against anybody. Okay? And that's just the type of person I am and the type, the way I do business. So, that's what I'm here for, I'm here to do what I need to do to stay, keep my company here and to do business in Strongsville.

Mr. Gallagher – I do believe that you will do that. We will not be voting on this this evening. So I would suggest by the time we do vote on this at the next Council meeting, which will be in two weeks, that – or two and a half weeks, I believe it is, is that this will be all taken care of and that we can just move forward and, while everyone is not always happy with everything, at least we can come to a reasonable middle ground. And it sounds to me, through your meeting with the Mayor and Mr. Haseley, Planning, you've actually been doing that and I appreciate that. But I would ask you personally if you would wrap this up; I would contact the residents and Mr. Haseley will also, and once this is all settled, hopefully by the next meeting when we do vote on this, we'll be all set.

Mr. Coyne – Mr. Gallagher.

Mr. Gallagher – Mr. Coyne.

Mr. Coyne – Just for the record, I will not be voting in favor of this until I have confirmation from the residents that they're completely satisfied with what they need to do to make it right over there.

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

Mr. Gallagher – Right. So, we still have a couple more weeks to do that and we'll be (unintelligible).

Mr. Coyne – And, to be quite honest with you, this should have been resolved long before it came to us, and this has been going on for months that I've received calls from residents and now the push has come to make this happen and everybody's being put up against the wall. It could have been resolved a long time ago and Council and the administration were put in the middle of it and we should never have been put in that place if it would have been properly handled. That's my opinion.

James Ondrejcek – Well, I probably made some mistakes, I think everybody does and I...

Mr. Gallagher – Well, hopefully, we can...

James Ondrejcek - ...made a mistake, okay? And if I didn't follow the exact channels, I don't do this every day, I run a business of transportation and a costume company, I don't do this on an everyday basis, I'm not a builder, I'm not an engineer. Okay?

Mr. Coyne – And my response to that is I'm a councilman every day and I get complaints every day, my residents expect me to respond every day. And your customers expect you to respond every day. So that's my response to that.

Mr. Gallagher – So if we can move forward, I'd appreciate it. You'll be in contact with Mr. Haseley and I'm certain the administration and we will pass on anything that comes our way to the councilmen so they're comfortable at the next meeting to either vote for or against this.

James Ondrejcek – Okay.

Mr. Gallagher – Fair enough?

James Ondrejcek – All right, thank you.

Mr. Gallagher – All right, thank you for your time.

James Ondrejcek – Okay.

Mr. Gallagher – Thank you.

Hearing no further comments in regard to Ordinance No. 2008-186, President Gallagher declared the public hearing on said Ordinance closed.

**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher:** There is a meeting Wednesday, I will be attending and it will be an interesting meeting, Mayor, and I'll talk to you Thursday morning.

Mayor Perciak – Thank you.

Mr. Gallagher - If anybody has any questions, I'll answer them.

(None)

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

**SCHOOL BOARD – Mr. Roth:** Thank you, Mr. Gallagher. I was in attendance at December 11<sup>th</sup>'s School Board meeting. They had Mr. Paul Moses, the Athletic Director, bring forward the girls' soccer finalists and they were honored, and rightfully so. They brought forward our football team, it was in the regional finals, and they brought forward every senior and they were honored for a fantastic season. And it was Dr. Gray's last meeting as Superintendent and, as everyone knows, there is an Interim Superintendent after January 1<sup>st</sup>. So, that's it.

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

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Gallagher:** Before Recreation this evening we have Ordinance 2008-270, the recommendation is suspension and adoption; vote your conscience, and Resolution 2008-271, suspension and adoption. And I'll answer any questions that you may have.

(No questions)

**PUBLIC SERVICE AND CONSERVATION – Mr. Dooner:** Yes, Mr. Gallagher. Public Service met this evening and before us we have Ordinance 2008-266; this is an ordinance assigning a contract from C&S Limestone to Kokosing Materials, Inc. Kokosing bought C&S Limestone and we have to give that contract to them, we have to assign that to them, so we will be voting to suspend and adopt that. Ordinance 2008-267 and 268, both of those are for the sale of obsolete surplus vehicles that are no longer in use for the City, so both of those will be suspended and adopted. And then last we have 2008-269, repurchasing certificates for burial rights in Strongsville Municipal Cemetery.

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

(None)

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** Thank you, Mr. Gallagher. Today we have three pieces of legislation; one is a resolution. Ordinances 262 and 263, those are issues which have to do with the police facility, I believe that all of Council is aware of the budget of the police facility and will support those two ordinances. Resolution 264 is a resolution that is hopefully guiding our legislators to understand the importance of home rule, if you will, allowing us to run our City the way we see fit, as we are elected in our community and the Mayor is the leader of our community and we would like to have that opportunity to do that. So those are the three pieces of legislation on the agenda.

I will take a moment here, if you don't mind, Mike, and ask for a moment of silence for Mr. Robert Cappy. Not only was he a leader of our community, he was a leader in the special needs athletics, he coached basketball at St. Joe's, he raised three children and has done more good for this community for not one nickel. And we named a baseball field after him years ago. And if I continue on, I won't make the meeting, so I know I share this with all the members here and I'm sure the Clerk as well, that our hearts go out to the Cappy family. It will be at Jardine's from 4 to 9 on Wednesday, and I also believe it will be at ten o'clock at St. Joe's. So if can have a moment of silence, Mike, all the time you want to allow.

(At this time, a moment of silence was observed by the assembly in remembrance of Bob Cappy.)

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

Mr. Gallagher – Questions for Mr. DeMio?

(None)

**PLANNING, ZONING AND ENGINEERING – Mr. Haseley:** Thank you Mr. Gallagher. PZE met this evening; we only have one Ordinance, 2006-237, my recommendation is to place on fourth reading and refer back to committee. That concludes my report; 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're going to adopt two ordinances and one resolution: 2008-258 for current expenses for the year 2009; Resolution 2008-259 to advance funds to the City from the Cuyahoga County Auditor; 2008-260, entering into comprehensive health care benefits for our City employees for 2009, and Ordinance 2008-261, amending several areas of our salary ordinances. If there are any questions or concerns, I'd be more than glad to answer them at this time.

Mr. Gallagher – Questions for Mr. Coyne?

(None)

Mr. Gallagher – Just a comment, Mr. Coyne. I appreciate your leadership on Finance this year. Considering the year that we have and the problems that we're all struggling with, (unintelligible) with cities, counties, states and the nation itself, as well as the world. We're no different. And this was a rough budget, we got done with it pretty quickly because there really wasn't any discussion on our part as to where funds would be going, as I believe we cut two million out of this year's budget, as opposed to last year's. We're feeling the pain as well as everybody; we did the best that we could and put the dollars where we thought they would be best used. We don't always make the best decisions, but I think in this instance we took our time and we were wise in the distribution of the funds. I just want to let people know that we're doing the best that we can with what we have and I appreciate the Mayor's input on this; quite honestly, I don't think we'd be where we're at today, I think there would be an audience full of people up here wondering where all the money is and why streets and police are being laid off and firemen are being laid off; we're really on the precipice of whether or not we're going to make it or not. Cities are going to start to go under and that's going to happen soon. And because of the leadership of Mr. Coyne, the Mayor and certainly Mr. Batke – I appreciate your input, Mr. Batke, and leadership on this – it will not be Strongsville, at least this year. We can get it through this year, but we have to keep a watchful eye as we do. But thank you, Mr. Coyne.

Mr. Coyne – Thank you.

**ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut.** Thank you Mr. Gallagher. We gave favorable recommendation to Ordinance 2008-272 on this evening's agenda.

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

Mr. Daymut (cont'd) - I'd like to report that we started the final review of our retail service providers survey, it will go out in January; as soon as we've completed that review, it will be distributed to Council for your review. Our next breakfast meeting will be Thursday, January 15<sup>th</sup>, at 7 a.m. at the Recreation Center and I'd like to proudly announce that Euthenics will be our sponsor for that particular breakfast meeting.

Our next regular meeting will be scheduled for Monday, January 26<sup>th</sup>, at 7 p.m. here at the Communications Center. That's all I have this evening, Mr. Gallagher. Thank you very much.

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

(None)

**BUILDING AND UTILITIES – Mr. Roth.** Thank you Mr. Gallagher. Just received a response back, this has been going on since March of '07. We'd like to see soon the establishment of a buffer behind Fair Road up against the Turnpike that was promised those residents; see a lot of trees going up at all our entrances all around town and hoping that that buffer can get reestablished. There's a lot of discussion about wetlands back there, I'm not discussing that, as you see, even since – for over a year there I've been talking about the damage that the trucks did when they decimated that area and how the deep ruts are a mosquito haven for those residents in that vicinity, let alone the noise pollution.

I spoke briefly before the meeting with Mr. Walker in regards to Creekside Board; Mayor, me and you got a letter and, hopefully, maybe you can answer them regarding the main issue, Mayor. But as far as the signage in that area, I think Mr. Walker and I are clear now what needs to go there.

And I just sent a memo through the pipes, but at 21962 Westwood, you know, there's been some business trucks – definitely business trucks, unsightly business trucks in that area.

Mayor Perciak – What's the address of the property?

Mr. Roth – 21962, Mayor, Westwood, and that's one of the clear...

Mr. Gallagher – Mr. Roth, you sent a...

Mr. Roth – Yeah, I just did, and the only reason I bring it up is, you know, I just want you to know that it's not a recreational vehicle or a boat we're talking about here, this is a business truck, okay, so I just wanted to clarify that point.

Ordinance 2008-265 is up for adoption.

And when anything is finalized within the Idlewood Trail group home, certification or staffing, registration, or whatever happens, could you just please keep me apprised so that some – when the t's are crossed and the i's are dotted that I'll be able to go back to the residents. Okay, that's all I have within this committee.

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

(None)

**COMMITTEE OF THE WHOLE – Mr. Gallagher:** There is no legislation before the Committee-of-the-Whole this evening.

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

Mayor Perciak – Thank you, Mr. President; this evening I have several items. First of all, I would like to extend the administration's sympathy and the Council's sympathy to the entire Biondillo family. Most of you know here that our Building Commissioner's father passed away and we attended his funeral this morning. So to Tony and to Lori and to all the Biondillos, understand you are in our prayers; it's a very difficult time, especially this time of year, when something like this happens and it's unexpected.

Next, I know Joe DeMio spoke with deep affection about the Cappy family, but I need to also extend the sympathies of not only the Council, but the administration and, also, of our entire athletic association, whether it be at the high school, whether it be through the muni leagues, whether it be through the Strongsville Athletic Association or every year their annual Strongsville banquet, Bob was very much a part of that. But, Joe, the thing that you didn't have to face is when Cappy was pitching these high fastballs at you and you were trying to bat the ball out of the park and every time you came up to the plate Cappy was truly someone to take on, especially when he was on the pitching mound, and he truly used to drive me crazy. So, we will miss him and we will miss his commitment and I'm sure no one will miss him more than his wife and his three children. And, as Joey said, the funeral mass will be Thursday at 10 a.m. at St. Joseph Church.

I want to talk a little bit about the budget tonight. I've been watching the newspapers very carefully and listening to the news media about all the things that are going on and what we – and I've been receiving several calls from the residents and from everybody, 'What are you going to be doing with your budget, Mr. Mayor?' And I told them that this is a budget that the administration and the Council works on together. So, I put something together here tonight and I just want to read it to you so that everybody understands the position of this City. Tonight the Council will vote on the 2009 City budget. The City budget, as prepared, reflects this administration's anticipated expenses and revenues. This year's budget is very lean because of the economic environment we are all experiencing. Reductions have been made in all departments to make certain that expenses do not exceed revenue. However, all of us here believe we will be able to continue to serve the needs of our residents and this community with the budget as presented here tonight. Should the economy continue to slow, and I mean slow even further, be assured this administration will continue to make and recommend whatever adjustments that are needed. I want to assure all of our residents and all of our employees and all of our business men and women in this community that the financial condition of this City is good and City services, which are regularly performed will continue to be performed on a normal basis. That's my comment about the budget and I want to stress, the financial condition of this City is good.

I also would like to move on to another subject now. I want to extend to Jim Gray, the Superintendent of Schools, a happy retirement. I was over to see Jim at his farewell party on Thursday and, on behalf of all of us here, we wish him well, we wish him health, and we wish him a very, very happy retirement.

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

Mayor Perciak (cont'd) - And, lastly, it's Christmas and just want to take the time to voice the fact that Christmas is a time of hope and we have a lot to hope for this coming year. We have a new president coming into office with a bunch of brand new ideas, and I hope each and every one of them work because we're going to need some creativity in the year 2009. But because it is Christmas, we want to take time to reflect that there is nothing more important than who we are here in Strongsville, a good, strong faith community and, because we are who we are, we will – we will sustain and we will come through next year. And I just want to wish everybody a Merry Christmas and a happy, prosperous New Year and I know if we continue to work together and to remain focused as a community we will – we will succeed next year and have a good, happy New Year. So, again, Merry Christmas to each and every one of you.

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

(None)

**FINANCE DEPARTMENT - Mr. Batke:** Yes, thank you, Mr. President. That's a tough act to follow, so I won't even try to do that, absolutely. But the Mayor is correct, we will be watching carefully, as we always do, along with you gentlemen, as you know that, too, so that will continue, no question about that. But, I can say that funds will, in fact, 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. All is well in the world when we hear that from you. Questions for Mr. Batke?

(None)

Mr. Gallagher – Again, Don, thanks for your work on the budget.

Mr. Batke – Thank you.

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

Just a couple of other announcements. The City's Records Commission will be meeting this Thursday, December 18<sup>th</sup>, at nine o'clock in the Mayor's Conference Room to consider certain schedules and requests for destruction of records in accordance with state law.

I would also like to indicate that the legislation deadline for requests for legislation will be this Friday, December 19<sup>th</sup>, at noon, in view of the Christmas and New Year's holidays. Thank you, Mr. President.

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

(None)

**AUDIENCE PARTICIPATION:**

Mr. Gallagher – Ladies and gentlemen, for those in attendance, this is Audience Participation, the point in the agenda where anyone in the audience wishing to come speak with Council is encouraged to do so. If you would step to the microphone, give us your name and address for the record; you have five minutes. First on the list is Mr. Tony Zubek.

Tony Zubek, 16689 Timberline Drive, Strongsville – Tony Zubek; 16689 Timberline Drive, Strongsville, Ohio. To each of you, a very Merry Christmas and Happy New Year, and all the rest of the citizens echo the hopes of our Mayor. I want to spend a moment discussing 2008-261, which the Chairman of the Finance Committee has indicated that you in caucus have decided to pass, as is; that is the ordinance for compensations for specific positions, which goes into effect. First of all, the Council itself is to be commended for, based on the information available to me, gathering it off the internet this evening, for freezing its compensation at 2008 levels, as well as holding the compensation for some positions throughout the agentive items for certain positions, raising some, I think at approximately 3.2 percent, reducing a few, in an overall pattern. Time is not available to me to attempt to understand totally the philosophy behind it. The only comment I might – I want to make in regard to it, with the brevity of time that I had to look at this, is that in the salary category, although it is predetermined at this point, apparently, that you might pass this as it is; the salary positions 15 through 18 have been allocated a wage increase adjustment and, with Council taking the position of freezing its own wages in this area and the difficulty of the marketplace and the City, and knowing, when I attended the Finance Committee meeting regarding the budget, that Mr. Batke had indicated that in February items would be discussed and, as the Mayor has said, that if things get worse, we'll do something, but (unintelligible) these categories would change, consideration might be given to having those upper echelon positions frozen at the 2008 level for the immediate future. Thank you.

Mr. Gallagher – Thank you, Tony. Next on the list I have Charles Redrup. Charles Redrup?

Mr. DeMio – He left. He was part of the original group.

Mr. Gallagher – Is there anyone in the audience wishing to speak with Council?

Bill Vassil, 18271 Fox Hollow Drive, Strongsville – Bill Vassil; 18271 Fox Hollow Drive. In the last several weeks we've had some water main breaks on Route 42. Now, let's come back to the one closest to the High School. We had two consecutive breaks and yet it (unintelligible) water for weeks. I called the Water Department and threatened to go to Channel 5, Channel 8 and Channel 3 if they didn't get out there and do something; the next day it was taken care of. Now you got a big hole in the street; I see our vehicles are there, so I don't know if that's ours or if that's the Water Department's, that huge, humongous hole that's about, what, sixteen, eighteen feet long, Joe? Is that ours?

Mr. Walker – That's the Cleveland Water Department's; we're assisting with traffic control to secure the hole there.

Bill Vassil – Okay. Also, you go down another couple hundred yards, you got another water main break, and it's leaking right now. Got a piece of metal across it, and this is on the east side of the street, and it's leaking. What happens to the street being undermined from all this water that's in that hole, plus what's flowing on top that's working its way under. When's the street going to collapse?

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

Mr. Gallagher – Now you see the challenges before us.

Bill Vassil – Pardon?

Mr. Gallagher – Now you see the challenges before us.

Bill Vassil – Yeah, but that's the Water Department, that's not us. Are they paying for this?

Mr. Gallagher – Joe, that's the Water Department, isn't it?

Mr. Walker – In those areas where we've had water breaks, we do have to open those holes up to see what kind of damage was done, you know, below the pavement and we do get reimbursed from the Water Department for pavement rehabilitation, yes.

Bill Vassil – Well, the water main broke across from my house and it ran for two weeks before they finally fixed it, and then they hit live power lines where the water was.

Mr. Gallagher – You've been here a longer time than I and we're...

Bill Vassil – Well, that's Mo Shave. When Mo Shave built...

Mr. Gallagher – We're not at the top of their list.

Bill Vassil – When Mo Shave built those houses, he put the power lines with the water lines. I mean, you just don't do that anymore. So, our inspections in 1974 and '75, there wasn't any, let's put it that way. But, seriously, you know, why don't they fix these things? Water costs money. No?

Mr. Walker – Those are – if you want an answer on that, that line there, Bill, was installed, I believe, in the late twenties, 1920s...

Bill Vassil – Oh sure, I know, I understand that.

Mr. Walker – And when those things break – that's a twenty four inch water main; when that water main breaks or the valves that go with it, they're not a stock item, they...

Bill Vassil – You have to get them; okay.

Mr. Walker – They have to get them and so they throttle it down as much as they can; the parts were ordered immediately for that, but it's not uncommon for that size pipe to take sometimes ten days to get the replacements.

Bill Vassil – Just, you know, just wondered about it, that's all.

Mr. Walker – Yeah.

Bill Vassil – Thank you.

Mr. Walker – It's a mess.

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

Bill Vassil – See? I didn't pick on you.

Mr. Gallagher – Merry Christmas. Thanks, Bill. Is there anyone else in the audience wishing to speak with Council?

Karl Schmidt, 18794 Stony Point Drive, Strongsville – Good evening. My name is Karl Schmidt; live at 18794 Stony Point. I was here before the Council on November 3<sup>rd</sup>, November 17<sup>th</sup>, trying to get the City to help us repair our lawns in our development of Chandler Commons. Our neighborhood feels very strongly that it was caused by a City trucker spreading de-icing salt that did not have a guard on his truck, resulting in the overspray going on to our sidewalks. We, as homeowners, then deposited the concentration of salt onto either side of our sidewalks with our snow blowers, causing the burnout of our lawns on either side of our sidewalks. On November 7<sup>th</sup> Joe Walker and I went through the development and said that the cause was a cable company unearthing subsoil when they laid their cables into open trenches. Well, did find out that when the cable company did come out they used directional boring, there wasn't any trenches. Then, back on November 17<sup>th</sup> when I had pointed this out to the City and to Joe, he then changed his opinion of the problem, saying that it was from when the sidewalks were put down. I got a letter, I sent a letter to the Mayor and to my councilman to see what was going to be done about it and it came back from the Office of the Law Director with a couple of points saying, 'Moreover, since salting procedures are uniform throughout the City, if this were the causative factor, then the conditions observed would not be limited to your subdivision.' However, that does not take the (unintelligible) into account that you could have broken down equipment that doesn't work. 'The City has concluded that there are subsoils present in the affected areas which are too close to the surface and, therefore, not conducive for proper lawn establishment.' Well, we do have nice lawns, all in exception of either side of the sidewalk. Okay? And, number three, 'The observed conditions were not caused by any City wrongdoing, error or omission and are, therefore, not the City's responsibility or liability in any way.' He talks about subsoil; well, we don't believe that, that it's a subsoil problem, okay? It would have to be on either side of our driveways, it would have to be above all of our underground sprinkling lines that were laid down, those are open trenches. My home – I'm not a part of the new development; my home was built in 1985 and never had the problem until the other residents got it, as well. No subsoil issues from 1985 to 2006, twenty-one years later. Come on. Okay? We know for a fact that the City of Strongsville repaired three of our residents' lawns and admitted at the time that it was caused by road salt; in the spring of 2007 at 18181 Stony Point, Harold Carver's residence, 18135 Stony Point, Jim Mayer's residence, and in the fall of 2007 at 14444 Savannah Court, Terry Kaiser's residence. We have residents here tonight to present our dissatisfaction with the City for first admitting there was a problem in 2007, making the repairs, and now declining to take responsibility. During the time back in 2007 when the City repaired these three lawns because of the salt damage, which they told the homeowners it was, they also said that they would not arbitrarily repair all of the lawns, only the ones whose homeowners complained. Well, myself and a couple of guys got together and we got signatures, forty-six signatures representing eighty-four percent of our development that are dissatisfied that would like to complain and say that we would like our lawns fixed like the three lawns that were fixed last year.

Mr. Gallagher – Mr. Schmidt, you have thirty seconds.

Karl Schmidt – Who should I give this to, Mr. President?

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

Mr. Gallagher – If you would give it to the Chief, please.

Karl Schmidt – That's all I have to say.

Mr. Gallagher – Thank you.

Karl Schmidt – Thank you.

(A copy of the petition submitted by Karl Schmidt is attached to the original transcript of these Minutes.)

Mr. Gallagher – Is there anyone else in the audience wishing to speak before Council? If you'd just step to the microphone. Your name and address, please.

Terry Kaiser, 14424 Savannah Court, Strongsville – Terry Kaiser at 14424 Savannah Court, regarding the lawn issues. Myself, everybody in our development – our development consists of fifty homes, we're looking at thirty, almost thirty-five homes plus now, and this is continuously ongoing. People drive through the neighborhood looking at this going, 'What's going on with the lawns?' Well, our hands are up, we have asked the City to help us out, try to figure this out, and the City, last letter just came back and said, no, we're not going to even touch it. We need some help, that's what I'm asking for. I mean, it's growing, it's going on its fourth year. The City admitted to the problem one year, last year, fixed my lawn, it's still coming back, even in the infected – in the area that they fixed, it came back through. There's something wrong with the soil. It doesn't help with the selling of homes, the beautification of the neighborhood. We're just asking for the City's help. It looks atrocious; if you drive through, you can't miss it. Thank you.

Mr. Gallagher – Thank you. Is there anyone else in the audience wishing to speak before Council? If you would just come to the microphone.

Brent Kimball, 616 Center Drive, Suite 200, Newport Beach, California – Hello. My name is Brent Kimball; I work for the company called Mobilitie.

Mr. Gallagher – Your address?

Brent Kimball – The address; I can give you a business card, if that's fine.

Mr. Gallagher – I'll need the address for the record.

Brent Kimball – It's 616 Newport Drive – Circle – Center Drive, Suite 200, Newport Beach, California.

Mr. Gallagher – Thank you.

Brent Kimball – I meant to speak with Ken this morning about the tower consent for the T-Mobile tower, which we are purchasing and I hadn't had a chance to speak to see if he had made progress or if he needed assistance with it, but the reason I stood up was to let you know that our company also does buyouts of leases. Doesn't matter whether it's this lease or another property, we'd be interested in taking a look at those assets and could do a lump sum payment for leases, just as an offer to the community. We hold about seventeen hundred sites currently and we've done about sixty-four of these nationwide, so if that's a financial tool that you'd be interested in, we can certainly address that.

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

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – Do you have any type of procedure in place as to how you'd go about that? I mean, are you just acting as a servicing agent then and then just forwarding the money, or?

Brent Kimball – Well, we treat it very much like we do with any purchase of a tower, we just, it's a financial treatment of the income stream for that property. So, it's pretty straightforward, it takes us approximately a week or two to negotiate it, make sure that we can organize all the due diligences and then it takes approximately thirty to sixty days to close on that kind of contract.

Mayor Perciak – Could you work with the Law Department and identify the procedure which he could use so we can better understand what you're talking about...

Brent Kimball – Absolutely.

Mayor Perciak – Because when you're talking of buying out leases and -- Some of the contractual obligations we have, I'm not sure we can even do that, if we want to..

Brent Kimball – We've done that with other cities, and just to kind of throw out a little bit more – just a little bit more detail, obviously, the legality is very detailed, but just on a practical manner, what is an option would be to take, if there's, say, a thirty year income stream and you were looking for a specific lump sum, we could try to work towards that specific lump sum and then leave the income stream -- remaining of the income stream to function for you over time.

Mr. Gallagher – Thank you, sir. Anyone else in the audience wishing to speak to Council?

Mike Martin, 18826 Stony Point Drive, Strongsville – Hello, how are you guys? I live at 18826 Stony Point Drive. My name is Mark Martin. I also have the lawn problem, next to Karl Schmidt. And sorry I'm late, I was running here. There seems to be a definite issue with the grass and how it's just died on us all, so, hopefully you guys take a good look at that. Thank you.

Mr. Gallagher – Thank you, Mr. Martin. Is there else in the audience wishing to address Council?

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2006-237** by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 876 "USE OF PUBLIC WAYS BY SERVICE PROVIDERS" OF TITLE TWO OF PART EIGHT OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AND DECLARING AN EMERGENCY. 1<sup>st</sup> rdg: 11-6-06. 2<sup>nd</sup> rdg: 11-20-06. 3<sup>rd</sup> rdg: 12-3-07.

**Fourth reading. Referred to the Planning, Zoning and Engineering Committee.**

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

**Ordinance No. 2008-258** by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2009.

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

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

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

**Nays: Roth.**

**Motion carries.**

**Ordinance No. 2008-258 ADOPTED.**

**Resolution No. 2008-259** by Mayor Perciak. A RESOLUTION REQUESTING THE AUDITOR OF CUYAHOGA COUNTY TO ADVANCE FUNDS TO 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.

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

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

**Resolution No. 2008-259 ADOPTED.**

**Ordinance No. 2008-260** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR A COMPREHENSIVE HEALTH BENEFITS PLAN FOR CITY EMPLOYEES FOR THE YEAR 2009, WITHOUT PUBLIC BIDDING, 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. 2008-260 ADOPTED.**

**Ordinance No. 2008-261** by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE TO ENACT NEW SECTION 5-093 TO ESTABLISH, ALLOCATE AND FIX THE COMPENSATION OF THE POSITION OF HUMAN RESOURCES DIRECTOR IN THE DEPARTMENT OF HUMAN RESOURCES; TO ABOLISH THE POSITION OF HUMAN RESOURCES DIRECTOR UNDER GENERAL ADMINISTRATION (5-036); TO AMEND SECTIONS 6-003, 9-003, 9-004, 9-005 AND 9-007 TO AMEND CERTAIN PROVISIONS CONCERNING SALARY AND HOURLY PAY RANGE SCHEDULES; TO FIX THE COMPENSATION OF CERTAIN SALARIED AND HOURLY EMPLOYEES; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; 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. 2008-261 (cont'd):**

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

**Roll Call: Ayes: Dooner, Gallagher, Haseley, Daymut, Coyne, DeMio.  
Nays: Roth.  
Motion carries.**

**Ordinance No. 2008-261 ADOPTED.**

**Ordinance No. 2008-262** by Mayor Perciak and All Members of Council. AN ORDINANCE REQUESTING PARTICIPATION IN UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACTS FOR THE PURCHASE OF EQUIPMENT, INCLUDING INSTALLATION, FOR THE POLICE DEPARTMENT'S NEW FIRING RANGE AS PART OF THE RENOVATED POLICE FACILITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

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

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

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

**Ordinance No. 2008-262 ADOPTED.**

**Ordinance No. 2008-263** by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES IN CONNECTION WITH CONSTRUCTION OBSERVATION AND MATERIAL TESTING FOR THE STRONGSVILLE POLICE FACILITY RENOVATION AND ADDITION 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. 2008-263 ADOPTED.**

**Resolution No. 2008-264** by Mayor Perciak and All Members of Council. A RESOLUTION URGING THE OHIO GENERAL ASSEMBLY TO AMEND HOUSE BILL 278 AND RELATED PROVISIONS, BY REINSTATING THE HOME RULE AUTHORITY OF MUNICIPALITIES TO REGULATE AND CONTROL AT LEAST THE SAFETY-RELATED AND OTHER LOCAL ASPECTS OF OIL AND GAS WELL DRILLING WITHIN MUNICIPALITIES IN THE STATE OF OHIO.

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. 2008-264 ADOPTED.**

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

**Resolution No. 2008-265** by Mayor Perciak and All Members of Council. A RESOLUTION ENCOURAGING THE OHIO PUBLIC UTILITIES COMMISSION TO REQUEST THAT FIRST ENERGY CONTINUE AND/OR EXTEND THE NOPEC GENERATION DISCOUNT FOR ELECTRICITY PURCHASES AND PROVIDE OTHER INCENTIVES TO NOPEC CUSTOMERS.

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. 2008-265 ADOPTED.**

**Ordinance No. 2008-266** by Mayor Perciak and Mr. Dooner. AN ORDINANCE CONSENTING TO AND RATIFYING ASSIGNMENT OF A CONTRACT FROM C&S LIMESTONE, LTD TO ITS SUCCESSOR, KOKOSING MATERIALS, INC. FOR THE PURCHASE AND DELIVERY OF HOT AND COLD ASPHALT MIX FOR USE BY THE SERVICE DEPARTMENT OF THE CITY, 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. 2008-266 ADOPTED.**

**Ordinance No. 2008-267** by Mr. Dooner. 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. 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. 2008-267 ADOPTED.**

**Ordinance No. 2008-268** by Mayor Perciak and Mr. Dooner. AN ORDINANCE AUTHORIZING THE SALE OF A CONFISCATED AND/OR FORFEITED VEHICLE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, 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. 2008-268 ADOPTED.**

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

**Resolution No. 2008-269** by Mr. Dooner. A RESOLUTION GRANTING PERMISSION TO REPURCHASE CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY. (White)

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. 2008-269 ADOPTED.**

**Ordinance No. 2008-270** by Mayor Perciak and Mr. Gallagher. AN ORDINANCE AMENDING ORDINANCE NO. 2006-254 AND THE ANNUAL MEMBERSHIP FEES FOR THE WALTER F. EHRNFELT RECREATION AND SENIOR CENTER EFFECTIVE FEBRUARY 1, 2009, AND DECLARING AN EMERGENCY.

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

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

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

**Ordinance No. 2008-270 ADOPTED.**

**Resolution No. 2008-271** by Mr. Gallagher. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF STRONGSVILLE.

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

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

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

**Resolution No. 2008-271 ADOPTED.**

**Ordinance No. 2008-272** by Mayor Perciak and Mr. Daymut. AN ORDINANCE CONSENTING TO THE ASSIGNMENT AND TRANSFER OF A SITE LEASE WITH OPTION AGREEMENT IN CONNECTION WITH A TELECOMMUNICATIONS TOWER ON CITY-OWNED PREMISES LOCATED AT 21211 DRAKE ROAD IN THE CITY OF STRONGSVILLE FROM T-MOBILE CENTRAL LLC TO MOBILITIE INVESTMENTS II, LLC; AUTHORIZING THE MAYOR TO ENTER INTO ANY NECESSARY AGREEMENTS IN FURTHERANCE THEREOF; 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. 2008-272 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

**Application for Liquor Permit – STCK– D5-D6 – To: Food & Fun, Inc. 19654 W. 130<sup>th</sup> St., Strongsville, OH 44136.** (Responses must be postmarked no later than 12/19/2008)

Mr. Gallagher – We have a conditional objection by the Building Department. Mr. Law Director, would you frame that motion for me, please?

Mr. Kraus – Yes, Mr. President. The motion would be a motion to enter an objection to the application for a liquor permit; however, if the requirements of the Building Department are sufficiently satisfied, the Clerk will be instructed to withdraw the objection in Columbus.

Mr. Gallagher – So moved.

Mr. DeMio – Second.

Mr. Gallagher – Call the roll, please.

Roll Call: All ayes. Motion carries.

**Application for Liquor Permit – STCK– D5-D6 – To: WGRANF LLC, dba Gran Fiesta, 18737 Royaltan Road, Strongsville, OH 44136.** (Responses must be postmarked no later than 01/02/2009)

There were no objections to the above application.

**MISCELLANEOUS BUSINESS:**

None.

**ADJOURNMENT:**

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 9:00 p.m.

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

January 5.. 2009  
Approval Date