

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JUNE 16, 2008

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building, 18688 Royalton Road, on Monday, June 16, 2008 at 7:00 p.m.

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

The following Committees met to review legislation on the agenda:

Planning, Zoning and Engineering Committee: Chairman Haseley recommended that Ordinance 2008-037 be amended by substitution, suspended and adopted as amended. Law Director Kraus explained that although the Ordinance had been read twice previously in its original version, the amendments are substantial and, therefore, his recommendation is to suspend the rules and adopt as amended after moving to amend by substitution. The amended version of the ordinance accepts the subdivision plat of VAM Ltd. for dedication to public use of a portion of PPNs 396-14-003 and 396-14-012, located on Royalton Road. Mr. Haseley also recommended that Ordinances 2008-126, 2008-127 and 2008-128, all companions to Ordinance 2008-037, be suspended and adopted. Ordinances 2008-126 and 2008-127 accept grants of easement of sidewalk purposes in connection with the Plaza at Southpark project, and 2008-128 accepts a grant of easement for a water main in connection with VAM Ltd. Subdivision and the Plaza at Southpark project. Suspension and adoption was also recommended for Ordinance 2008-129, accepting for dedication a portion of PPN 391-13-002, offered to the City by the owners of said parcel, located on the easterly side of Priem Road. Mr. Haseley recommended that Ordinances 2008-130 and 2008-131 be placed on first reading and referred to Planning Commission. Discussion took place about the scheduling of special Council meetings in order to expedite the process for the rezonings which are the subject of Ordinances 2008-130 and 131. The developer has requested that Council consider the ordinances prior to its August recess, if possible.

Public Service and Conservation Committee: Chairman Kaminski recommended suspension and adoption for Ordinances 2008-132, authorizing entering into a contract for uniform rental service for use by the Service Department, Ordinance 2008-133, authorizing the disposal of Dept. of Public Service vehicle parts no longer needed for any municipal purpose, and Ordinance 2008-134, authorizing the sale of certain obsolete and surplus vehicles no longer needed for any municipal purpose.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Resolution 2008-135, accepting two donations of \$1,000.00 each from Swagelok Company to be used for education and training for the Police and Fire Departments.

Recreation and Community Services Committee: Chairman Gallagher recommended suspension and adoption for Resolution 2008-136, accepting a prize of \$10,000 and a walk-behind lawn mower from Briggs & Stratton Corp. won by resident Jack Berney for the Recreation Department.

Mayor Perciak announced that a ceremony for Jack Berney will be held on Tuesday, June 24th, at 2 p.m. at Finley Field. The Mayor and Council have prepared a proclamation for Master Berney, which will be presented at that time. Everyone is invited to attend.

Committee-of-the-Whole: Council President Gallagher recommended second reading for Ordinances 2008-119, 2008-120, 2008-121, 2008-122, 2008-123 and 2008-124, all proposing amendments to certain sections of the Charter, as recommended by the City's Charter Review Commission. Mr. Gallagher also recommended suspension and adoption for Resolution 2008-125, in connection with a 1.5 mill replacement fire levy. This resolution, requesting the County Auditor to certify the estimated amount to be raised from such levy, is the first step in the 1.5 mill replacement fire levy (reduction from 1.7 mill). Suspension and adoption was also the recommendation for Resolution 2008-137, supporting the renewal of the Clean Ohio Fund, and for Resolution 2008-138, urging the National Credit Union Administration, the Federal Reserve Board and the Office of Thrift Supervision to adopt the reforms proposed for the Federal Trade Commission Act, Truth in Savings Act, and Truth in Lending Act to protect consumers from unfair and abusive practices by the credit card industry.

President Gallagher asked if any of the Council members had any questions and or issues to be brought to the attention of any of the department directors. Councilman Roth inquired about streets in Ward 3 in need of repair. The Mayor noted that our concrete crew has been out there fixing several streets in Ward 3, including Oxford, Creek Bend, Pebblebrook, Jonathan, Montclare, Ashwood and Cricket. Mr. Roth thanked the Mayor and Service Director for the attention to those streets. Mr. Roth also thanked the Building Commissioner for addressing a concern on Fairtree.

Councilman Daymut moved to adjourn from open session into executive session [Article XI, Section 9, City Charter] for the purpose of discussing legal issues and pending litigation with the Law Director. The motion was seconded by Councilman DeMio. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:24 p.m. with all Council members present. Also present were Mayor Perciak, Law Director Kraus, Finance Director Batke and Fire Chief Moody. Motion was made, seconded and unanimously approved to conclude the Executive Session and reconvene in open session, with the Clerk noting the time as 7:51 p.m.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON
JUNE 16, 2008 IN THE COUNCIL CHAMBERS

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.)

CERTIFICATION OF POSTING:

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

ROLL CALL:

Present were: Council Members: Patrick J. Coyne, Joseph C. DeMio, James A. Kaminski, 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; Robert Moody, Chief of Fire; Charles Goss, Chief of Police; John Bedford, Communications and Technology Director; Ken Mikula, City Engineer; Anthony J. Biondillo, Building Commissioner; and Steve Kilo, Recreation Director.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on June 2, 2008 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

Mayor Perciak – Mr. President, yes, we have three officers today that will be sworn in as lieutenants for the Strongsville Police Department. Chief.

Chief Goss – We ask that Jeff Mason to come up first, and his wife. Jeff Mason joined the Strongsville Police Department back in 1994. Prior to that, he was an Auxiliary Officer in the City of Lakewood with the Lakewood Police Department and a Special Police Officer in Lorain. He also served in the United States Coast Guard where he received an honorable discharge. During his tenure with the Strongsville Police Department, Jeff Mason has worked as a Patrol Officer in the Uniformed Division and as a Motorcycle Officer in our Traffic Unit. He's a fire arms instructor and he's attended numerous fire arms schools.

Chief Goss – Cont'd. - Back in 1997 he finished the FBI's observer sniper school where he earned the top gun award for shooting five consecutive perfect scores on the FBI's sniper course. He was promoted to Sergeant in 2001 where he supervised Uniformed Officers in the Field Division, and he also served as the Department's Training Coordinator and Accreditation Manager. He also helped organize and run our Volunteer Program, the VIP's. He's currently supervising the Communication Center, the Records Room and our Jail. Sergeant Mason has a Bachelor of Science in Human Services and a Master Degree in Science and Criminal Justice. He's also a graduate of the Police Executive Leadership College held at the Ohio State University. He's here with his wife Debby. They celebrated their 29th Anniversary yesterday; and she'll be pinning on his badge tonight.

At this time Mayor Perciak administered the Oath of Office to Jeffrey S.Mason.

(Applause)

Chief Goss – John Janowski want to come up and stay with your family? John Janowski graduated from Brecksville High School back in 1986 after which he went to Cornell College, from 1986 through 1990. John graduated with dual majors in philosophy and political science and he also had a minor in international relations. He continues education by attending Cleveland Marshall College of Law from 1991 through 1994 where he obtained his jurisdoctorate in 1994 and went on to pass the Ohio State bar exam later that same year. In 1996 John joined the Strongsville Police Department and was assigned to the Patrol Unit until his promotion to Sergeant in 2005. John is a member of the bomb squad at Southwest Enforcement Bureau which covers eighteen cities in the southwest part of the county and really one-third of the county. It's one of the busiest bomb squads in the United States. In 2007 he attended the Hazardous Device School in Redstone Arsenal in Huntsville, Alabama. And after months of training and testing, he became he became a hazardous device technician, commonly called a Bomb Tech. And really there's only about 2,000 Bomb Tech's in the United States. John has been married to his wife Barbie for thirteen years, and they have two children, John Ryan who is eight ears old and Erin who is six. His father, John Janowski, a retired Brecksville Police Officer will be pinning on his badge.

Mayor Perciak – This is the first time I'm going to be administering the Oath of Office to an Officer of the Court to an Attorney. A first all the time

Mayor Perciak administered the Oath of Office to John Janowski.

(Applause)

Chief Goss – Tony and Jim and Anthony. Next officer is a man who needs no introduction, but out of a sense of fairness, I'll introduce him just the same as the others. Tony Zacharyasz graduated from the Berea High School back in 1984 and went on to be a graduate from Ohio State University with a Bachelor of Arts in 1990. In 1992 he graduated from the Ohio Peace Officers Training Academy in London, Ohio. And in 1995 he was assigned to our newly formed Traffic Unit where he served until the year 2004. He has certification in Police Motorcycle operations, technical traffic crash reconstruction, and he's a certified child safety seat installation technician. In 2005 Tony served in the Strongsville Police Department Detective Bureau and from that year through the present he has served as a Sergeant in the Patrol Division in the field. He is a 2006 step-graduate, that's the Supervisor's Training and Education program, also held down at Ohio State University. He's been married to his wife Kim for fourteen years and he's here with his son Anthony who is five years old. I'd like to point out a little bit about Anthony's educational background. He's a recent graduate of the Strongsville Police Safety Town Program, so we're very proud of that.

(Applause)

And he's spending the summer readying himself for kindergarten next year, as his teacher is as well. So.

Mayor Perciak - This is the first time I get to swear-in a Lieutenant where I was at their wedding. A lot of firsts tonight.

Mayor Perciak administered the Oath of Office to Anthony Zacharyasz.

(Applause)

Mr. Gallagher – Anything further Mayor?

Mayor Perciak – No sir.

Mr. Gallagher – Congratulations to the three gentlemen, your families; thank you for all you've done, we appreciate it. And I would imagine you want to go and celebrate. You can stay if you wish, but we're going to carry on with the council business. Thanks again.

PUBLIC HEARING:

Ordinance No. 2008-072. AN ORDINANCE AMENDING SECTION 1252.22 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH AREA REQUIREMENTS FOR PRIVATE GARAGES. 1st rdg: 4-7-08. Favorable recommendation by Planning Commission – 4-24-08. 2nd rdg: 5-5-08.

Mr. Gallagher - Is there anyone in attendance in favor?

(None)

Mr. Gallagher – Seeing none. Anyone in attendance opposed?

Voice from Audience – Can't hear you.

Mr. Gallagher – This is regarding the Ordinance that was just read. Are you in favor of it?

Voice from Audience – Couldn't hear it.

Mr. Gallagher – This is a public hearing. Leslie, would you please read that again.

Ms. Seefried - Ordinance No. 2008-072. AN ORDINANCE AMENDING SECTION 1252.22 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH AREA REQUIREMENTS FOR PRIVATE GARAGES. 1st rdg: 4-7-08. Favorable recommendation by Planning Commission – 4-24-08. 2nd rdg: 5-5-08.

Mr. Gallagher – Regarding this ordinance, is anyone in the audience in favor of this ordinance, willing to talk, wishing to talk to council.

(None)

Mr. Gallagher – Seeing none, opposed to this ordinance?

(None)

Mr. Gallagher – Seeing none, (gavel) public hearing closed.

REPORTS OF COUNCIL COMMITTEES:

Southwest General Health System – Mr. Gallagher. There will be a meeting in July. I will have a report at that time. I will take any questions.

School Board – Mr. Roth. Thank you Mr. Gallagher. A report will be coming, forthcoming after the next regular session of the school board meeting.

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

Recreation and Community Services – Mr. Gallagher. We have Resolution No. 2008-136 on the agenda this evening, recommendation of the committee is suspension and adoption. I'll take any questions.

Public Service and Conservation – Mr. Kaminski. Yes, Public Service met this evening, discussed 2008-132, 133 and 134. And all three of those ordinances are up for suspension and adoption this evening. And that concludes my report.

Mr. Gallagher – Thank you Mr. Kaminski. Questions for Mr. Kaminski

Public Safety and Health – Mr. DeMio. Thank you Mr. Chair, Mr. Gallagher. Tonight we have a Resolution No. 2008-135 receiving a donation of \$1,000.00 for the Police and Fire for education and training. And I believe it's Swagelock Company.

Mayor Perciak – Swagelock.

Mr. DeMio – Swagelock Company, and we thank them very much. I'm sure that Police and Fire will put it to good use. That's the only resolution on the docket tonight, but I will field questions if there's any safety or health issues.

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

Planning, Zoning and Engineering – Mr. Haseley. Thank you Mr. Gallagher. Ordinance No. 2008-037 was discussed in Planning, Zoning and Engineering meeting this evening, recommendation is to suspend by substitution, or amend by substitution, suspend and then adopt as amended. Ordinance 2008-126 recommendation is to suspend and adopt. 2008-127 suspend and adopt, 2008-128 suspend and adopt, 2008-129 likewise suspend and adopt. 2008-130 place on first reading, refer to Planning Commission and back to committee. 2008-131 place on first reading, refer to Planning Commission and back to committee. That concludes my report. I'll field any questions if there are any.

Mr. Gallagher – Questions for Mr. Haseley?

Finance - Mr. Coyne. Thank you Mr. Chairman. I have no report this evening.

Mr. Gallagher – Questions for Mr. Coyne?

Economic Development and Technology – Mr. Daymut. Thank you Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. Our breakfast meeting will be held this Thursday on June 19th at 7:00 a.m. at the Recreation Center. I'd like to thank again First Federal of Lakewood for sponsoring that particular breakfast. And the speaker will now be Dennis Stapleton from the office of the Ohio Consumers Counsel and the topic will be the impact of Senate Bill 221, Ohio's new electricity law and the effect on Ohio businesses and manufacturing in our community. Our next meeting will be Monday, June 23rd at 7:00 p.m. here in Council Chambers. That's all I have this evening Mr. Gallagher. Thank you very much.

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

Building and Utilities – Mr. Roth. Thank you Mr. Gallagher. No ordinances or resolutions tonight. Just two brief comments: one, I want to really thank Mr. Walker and the Mayor. Was aware of two or three streets that were getting repaired and there's going to be activity forthcoming on nine or ten of them, a magnitude I wasn't aware of. I'm very... the residents of Ward 3 are very thankful to both of you for this cooperation. And just a clarification in regards to the building of the subdivision adjacent to Meadowood. I met with forty-five residents of Meadowood at their rec. building. All of Council should have received twenty letters from the other residents there. And I met personally with the resident that directly abuts the guard rail. They're all sending me to all of you to go for this vacation. They're the reason why I'm coming forth; they've asked me to resolve this situation. And being their representative, I'm coming forth with this request. That's all Mr. Gallagher.

Mr. Gallagher – Thank you Mr. Roth. Questions for Mr. Roth? And I do believe we all received those letters, and I've read those myself. Thank you Mr. Roth.

Committee-Of-The-Whole – Mr. Gallagher. In front of us was Ordinance No. 2008-119 thru 124. Those are issues regarding the Charter, those will all be placed on second reading. Resolution No. 2008-125 recommendation was suspension and adoption, and Resolution 2008-137 and 138 recommendation was suspension and adoption. I'll take any questions.

Reports and communications from the Mayor, Directors of departments and other officers:

Mayor Perciak – Thank you Mr. President. Three items this evening, the first, I'd like to invite everybody on Tuesday, June 24th at 2:00 p.m. to Finley Field where our young, Mr..., I should say master Jack Berney will be accepting a \$10,000.00 cash prize and a walk-behind lawn mower from Briggs & Stratton for winning the contest.

Mayor Perciak – Cont'd. - And again, that's going to be Tuesday, June 24th at 2:00 p.m. at Finley Field. Come and honor Mr., young Mr. Jack Berney and his family as they accept this donation on behalf of the City of Strongsville's Recreation Department.

Secondly, Mr. President, I just want to inform all of our residents that, of course, they can see on the commons that our Rib Burn off begins Thursday. So it's going to be Thursday, Friday and Saturday, so please come join the City Club and have a good time here on the Commons.

And lastly, to our residents, I ask all of you please, school is out. Please, please, please slow it down in our subdivisions. We get so many calls this time of the year because the children are out playing and really not paying attention to who's driving up and down our roads. You're going to see an increased amount of police patrols in our neighborhood throughout this summer because we understand the need to protect our young ones. So, please ladies and gentlemen and all the drivers in this community, slow it down in our subdivisions. Our kids are out of school and we need to keep an extra close eye on them. That ends my report Mr. President.

Mr. Gallagher – Thank you Mayor. Any questions for the Mayor?

Finance Department - Mr. Batke - Yes, 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?

Law Department – Mr. Kraus. Thank you Mr. President. All resolutions and ordinances before City Council this evening are in proper legal form. That completes my report.

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

Audience Participation

Mr. Gallagher – This is a portion of our evening for Audience Participation. You have five minutes to address council, it's statements. Give us your name, address, and if you would speak into the microphone, that would help us out greatly with reporting and hearing.

Bruce Piroski, 21297 Little Brook Way – And I'm talking about the Hickory Branch Subdivision. I know you guys got the letters that were sent out. And we want to thank Mr. Roth for all his help; he was very enthusiastic in helping us, and we appreciate all the help that he has given us. What I'm just going to say is probably just going to reiterate what was in all those letters.

Bruce Piroski – Cont'd. - We abut right up against that subdivision there. Those trees that are there in that subdivision are like fifty to seventy-five feet high, it's a beautiful background to the whole Meadowood area as you come down the street. And we know that what's probably going to happen is that Meadowood is right up against the background, or the edge of this new subdivision, so they're going to be putting sewers right along, and drainage pipes, right along the edge of the property line. So more than likely they're going to wipe out all the trees there. And we're kind of concerned because all that backdrop and tree beauty and all that wildlife back there is going to be affected. It's probably going to look like Breckenridge and Castlewood and this new area with Castlewood, I mean, where Cosco is going to be built, and just wipe out that whole area there. And those new subdivisions that Breckenridge and Castlewood on Prospect, I know that those... they wiped those trees out over there and it's going to take several years for them to put those properties in there. And in the mean time, that area is just going to be probably bare and not be very attractive, and probably affect the area. And the other thing too, is we talked to Bob Schmitt's brother, Mike Schmitt, and he said that the Schmitt's had looked at that property and they decided that that area was not suitable for building over there and that's why they declined to purchase that. And some of the people on Hickory Branch Trail said that they are having troubles with their foundations over there. One person said that to correct their foundation problems it would cost them about \$70,000.00. So that area has wetlands in it, and we're kind of worried about the shifting grounds. Already we have some flooding in our back yard. And if they're going to be tearing down all the trees, that's going to affect, you know, probably the drainage, and some of the wetland areas that are back there. So we're a little bit concerned about that too. And also if that... Meadowood, if there's going to be any possibly liabilities because of the building back there and foundation problems, and all that, Meadowood Association probably would not want to accept them into the Association. Therefore, that new area there, the little subdivision, with only eighteen homes, it would probably have to form their own association and if they have a small association and if there is problems involved with foundations, or something like that, they probably wouldn't have enough finances to take care of it. So we're kind of concerned because of the destruction of the trees, the possible foundation problems, and... we don't want to... We know those people back there have a right to sell all their properties, but it just seems like they might have provided a bigger buffer area between their division and Meadowood so that the beauty of the area could be preserved. Thank you very much.

Mr. Gallagher – Thank you. Is there anyone else wishing to address Council this evening?

Audience - Good evening Mr. Mayor, Mr. President and Council Members. I'd like to...

Mr. Gallagher – Could we have your name please?

Bob Holton (accompanied by his wife Ann), 11594 Elizabeth Circle – I'd like to distribute these pictures for you.

Mr. Gallagher – If you'd hand those to the Chief.

Bob Holton – The one copy is for the Mayor to keep. That's the property that's adjacent to our residence. And we, actually our neighbors and us, we've been concerned about this for a while. This has been an ongoing process past year and even this year. And as you can see, you probably can't find the fire hydrant there; it's hidden with the grass. But the neighbors did contact the owner of the lot over two weeks ago and they never showed up to cut the grass. We called the city and they told us this is a thirty day process, this is the information we got when we first called, so we thought we better come in and voice our opinion about that. I'm not sure if my wife has something to say.

Ann Holton – Just basically that we're concerned because as you can see the way the property appears, and we have children actually playing in the lot and we're very concerned for their safety because as children that they are, they don't know any better so they're going in there and playing in the lot. And you can't hardly see them because they're so little and the weeds are so high, that they're hidden there and they play constantly. And then in addition to that, we feel that there is a health too because, you know, you're going to have animals come and you can't see. And it's safety for the fact that a fire department could come down there and probably couldn't find a fire hydrant because it's hidden by the weeds, as you can tell. So I thought I would bring the pictures so you can see the condition that the property is in. It's right adjacent to us. I feel that just like everyone here takes pride living in Strongsville, I'd like to also feel the same way. And we've been a resident of Strongsville for some years now, and I'd like to continue to live in Strongsville, but at the same time I'd like to feel that my neighborhood looks to par. And like I said, there is a concern for health and the safety as well. And in addition to that, I also feel that the street, the condition that it's in, I think if you notice on the second page, there's a picture there of the street. And that happens to be right, right there, as I'm coming out of the driveway actually. It has continued to get worse rather than getting better, of course, because there's nothing being done to kind of minimize the concrete being broken up. So, that's another thing that I feel that as a taxpayer I would like to expect that the city would maintain their street in a certain way to prevent that from happening.

Bob Holton – It's getting worse.

Ann Holton – Getting worse.

Mr. Gallagher – You did call the concern regarding the height, grass and weeds?

Ann Holton – Yes we have.

Mr. Gallagher – Mr. Biondillo, could you...

Mr. Biondillo – Mr. President, I spoke to Mr. and Mrs. Holton and advised them it is not a thirty... they were misinformed. It's not a thirty day process. We'll have someone out there tomorrow, at tops it should take a minimum of five days to see the property cut, but we will get on it first thing.

Mayor Perciak – Also, Mr. Walker would you send somebody out from our Service Department tomorrow and take a look at that street? And would you both get back to me please, Tony and Joe? Thank you.

Bob Holton – I do want to clarify, we did not talk to Mr. Biondillo over the phone, so I want to clarify that.

Mayor Perciak – We understand.

Ann Holton – Right, right.

Bob Holton – We spoke to him this evening. Okay.

Mr. Roth – Mr. Gallagher, Mr. Gallagher.

Mr. Gallagher – Mr. Roth.

Mr. Roth – This Mr... Just to help.... Mr. Walker, this is the expansion joint that's been cracked in front of their house that I sent some memos, several memos last year on, Mr. Walker, if you remember.

Mr. Walker – Correct, yeah, and we responded to those last year.

Mr. Gallagher – I think that should take care of you hopefully.

Bob Holton – Okay. Thank you very much.

Ann Holton – We appreciate your attention. Thank you.

Bob Holton – Thank you.

Mr. Gallagher – Is there anyone else wishing to address Council? Please step to the microphone please.

Michelle Pavlik – 21333 Little Brookway – Thank you. My house also abuts up to the back of the proposed subdivision, Hickory Branch. And I'd also like to thank Mark Roth for coming to our meeting. My letter is included in one of the twenty that, hopefully, you all will get a chance to read. And I also ask for your full support...

(Unintelligible comment)

Michelle Pavlik – Oh, thank you. I did that on purpose. I'd also like the Mayor and the Council to please give your full support to Mark in his plea for our development. I'm also concerned about the drainage issues; I do have some flooding in my backyard which is right at the bottom of the hill that butts up to the property line for the proposed division. Another concern of ours is the additional traffic that we're going to be having in our development is the only entrance to the subdivision is through our subdivision as opposed to coming through Prospect. So I would also like to vote for the proposals to vacate Hickory Branch Trail. And I concur with all of these same issues that Bruce Piroosko mentioned. Thank you.

Mr. Gallagher – Thank you. Anyone else wishing to address Council?

Tracy Stanek, 21297 Little Brookway – I agree also with everything Michelle Pavlik and Bruce Piroosko have stated. Thank you for taking the time to listen to our concerns. Thanks Mark for coming to the meeting. I also have included a letter, so hopefully you'll have a chance to read that. Not to go into repeating anything, but just a few other concerns that I had were, if they're going to put that retention basin in I'm a little concerned with some of the retention basins that are going in with these new developments that there's water and flooding in them, and none of them are fenced, so I'm concerned because I have children and they ride their bikes and play around. You know we try to watch them, but we can't always guarantee they're not going to go over to these areas and get hurt. One of the other things too is the cut-thru. It's going to increase the traffic already as it is, you know, through the development and the people coming in and out. Most of the residents don't really want to annex with this development. We're happy with the size of our development as it is and we don't want to adopt any of their problems. One of the main reasons that I purchased my home here was because I'm in a ranch community and so I have great privacy. You know if I want to put up a fence, I can put up a fence. I don't have neighbors on the second level looking down into my yard. If I wanted to build somewhere I didn't worry about the privacy issue, I wouldn't have bought my home. Most of the homes going up in Strongsville nowadays are colonials and that land sits higher than my property, plus more than likely it's going to be a colonial going up there, so I lose all privacy. When I bought my home, I bought it knowing butted up against somebody else's backyard. I'm sorry, this really upsets me. I know it's a minor issue.

Tracey Stanek – Cont'd. - And I agree, the people have the right to sell their land, but when you buy a house you don't expect seven homes to sell. Is there somebody else to build there? So aside from the loss of trees and the wildlife that we've enjoyed since 1981, and I know it's not our property, but we enjoy it. And it's private and we have plenty other developments that are going up. We really do not need eighteen more homes on this patch of land. Thank you.

Mr. Gallagher – Thank you. Is there anyone else wishing to address Council?

(None)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2008-037 by Mayor Perciak and Mr. Haseley. AN ORDINANCE ACCEPTING FOR RECORDING PURPOSES ONLY THE SUBDIVISION AND CONSOLIDATION PLAT OF VAM, LTD. SUBDIVISION, AND FOR DEDICATION TO PUBLIC USE OF A PORTION OF PERMANENT PARCEL NUMBERS 396-14-003 AND 396-14-012 LOCATED ON ROYALTON ROAD (US 82) IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY. 1st rdg: 2-4-08. 2nd rdg: 2-19-08.

Motion to amend by substitution by Mr. Kaminski, second by Mr. DeMio. All members present voted aye and the motion carries.

Motion to suspend by Mr. Kaminski, second by Mr. DeMio. All members present voted aye and the motion carries.

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

Roll Call: All ayes. Motion carries. Ordinance No. 2008-037 ADOPTED.

Ordinance No. 2008-119 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE I ENTITLED "NAME, BOUNDARIES AND POWERS OF THE MUNICIPALITY" OF THE CHARTER OF THE CITY IN SECTION 3 TO PROVIDE THAT THE CHARTER, ORDINANCES AND RULES AND REGULATIONS OF THE CITY BE CONSTRUED BROADLY IN FAVOR OF THE CITY'S HOME RULE POWERS. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Ordinance No. 2008-120 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE II ENTITLED "THE MAYOR" OF THE CHARTER OF THE CITY IN SECTION 5(g) TO PROVIDE THAT THE MAYOR'S APPOINTMENT OF THE CHIEF OF POLICE SHALL BE MADE AFTER CIVIL SERVICE COMMISSION EXAMINATION FROM THOSE OFFICERS RANKING ABOVE SERGEANT IN THE CITY'S POLICE DEPARTMENT. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Ordinance No. 2008-121 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE IV SECTION 7 ENTITLED "CIVIL SERVICE COMMISSION" OF THE CHARTER OF THE CITY TO PROVIDE FOR THE TERM OF OFFICE AND REMOVAL OF MEMBERS OF THE CIVIL SERVICE COMMISSION; THE DIVISION OF EMPLOYEES INTO THE CLASSIFIED AND UNCLASSIFIED SERVICE; THE AUTHORITY OF THE CIVIL SERVICE COMMISSION TO ADOPT RULES AND REGULATIONS IN ACCORDANCE WITH HOME RULE WHICH MAY DIFFER FROM STATE LAW; AND REMOVING ANY PROVISIONS DEALING WITH THE SUSPENSION OF CIVIL SERVICE MEMBERS. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Ordinance No. 2008-122 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE V ENTITLED "FINANCE" OF THE CHARTER OF THE CITY IN SECTION 5(a) TO PROVIDE FOR A PUBLIC BIDDING THRESHOLD AMOUNT FOR EXPENDITURES OF THE CITY. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Ordinance No. 2008-123 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE V ENTITLED "FINANCE" OF THE CHARTER OF THE CITY IN SECTION 5(b) TO PROVIDE THAT COUNCIL BY A TWO-THIRDS VOTE OF ITS MEMBERS MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Ordinance No. 2008-124 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE OF CERTAIN AMENDMENTS TO ARTICLE VI ENTITLED "TAXATION" OF THE CHARTER OF THE CITY IN SECTION 1 TO PROVIDE THAT ANY LEVIES SUBMITTED TO THE VOTERS SHALL BE LIMITED IN DURATION TO THE TIME ALLOWED BY LAW. 1st rdg: 6-2-08.

Second reading; referred to Committee-of-the-Whole.

Resolution No. 2008-125 by Mayor Perciak and All Members of Council. A RESOLUTION DECLARING IT NECESSARY TO REPLACE A PORTION OF AN EXISTING 1.7 MILL TAX LEVY FOR THE PURPOSE OF PAYMENT FOR FIREFIGHTERS' SALARIES AND OPERATING EXPENSES FOR THE SATELLITE STATION AT PRIEM AND ALBION ROADS AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Resolution No. 2008-125 ADOPTED.

Ordinance No. 2008-126 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FROM VAM, LTD. FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, REPAIRING, AND MAINTAINING A SIDEWALK IN CONNECTION WITH THE PLAZA AT SOUTHPARK PROJECT, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-126 ADOPTED.

Ordinance No. 2008-127 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FROM TK OHIO PROPERTIES, LLC FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, INSTALLING, REPAIRING, AND MAINTAINING SIDEWALKS IN CONNECTION WITH THE PLAZA AT SOUTHPARK PROJECT, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-127 ADOPTED.

Ordinance No. 2008-128 by Mr. Haseley. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FROM VAM, LTD. FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN IN THE CITY OF STRONGSVILLE, IN CONNECTION WITH VAM, LTD. SUBDIVISION AND THE PLAZA AT SOUTHPARK PROJECT, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-128 ADOPTED.

Ordinance No. 2008-129 by Mayor Perciak and Mr. Haseley. AN ORDINANCE ACCEPTING FOR DEDICATION TO PUBLIC USE A PORTION OF PERMANENT PARCEL NUMBER 391-13-002 LOCATED ON THE EASTERLY SIDE OF PRIEM ROAD IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-129 ADOPTED.

Ordinance No. 2008-130 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 21138 ROYALTON ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICE) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 392-16-002) AND FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 392-16-002) AND FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION (PART OF PPN 392-16-002), AND DECLARING AN EMERGENCY. (Catanzarite Investment Co., Owner. Stephen W. Funk, Atty., for Applicant Sheetz, Inc.)

First reading. Referred to Planning Commission and to the Planning, Zoning and Engineering Committee.

Ordinance No. 2008-131 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE LOCATED AT 21034 ROYALTON ROAD IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 392-16-003), AND DECLARING AN EMERGENCY. (Edno Clubs, Inc., Owner. Stephen W. Funk, Atty., for Applicant Sheetz, Inc.)

First reading. Referred to Planning Commission and to the Planning, Zoning and Engineering Committee.

Ordinance No. 2008-132 by Mayor Perciak and Mr. Kaminski. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR UNIFORM RENTAL SERVICE FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-132 ADOPTED.

Ordinance No. 2008-133 by Mayor Perciak and Mr. Kaminski. AN ORDINANCE AUTHORIZING THE DISPOSAL OF DEPARTMENT OF PUBLIC SERVICE VEHICLE PARTS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-133 ADOPTED.

Ordinance No. 2008-134 by Mayor Perciak and Mr. Kaminski. AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN OBSOLETE AND SURPLUS VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

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

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

Roll call: All ayes. Motion carries. Ordinance No. 2008-134 ADOPTED.

Resolution No. 2008-135 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING TWO DONATIONS OF \$1,000.00 EACH FROM SWAGELOK COMPANY TO THE CITY OF STRONGSVILLE TO BE USED FOR EDUCATION AND TRAINING FOR THE STRONGSVILLE POLICE AND FIRE DEPARTMENTS.

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

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

Roll call: All ayes. Motion carries. Resolution No. 2008-135 ADOPTED.

Resolution No. 2008-136 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A PRIZE OF \$10,000 AND A WALK-BEHIND LAWN MOWER FROM BRIGGS & STRATTON CORPORATION WON BY RESIDENT JACK BERNEY FOR THE CITY OF STRONGSVILLE RECREATION DEPARTMENT FOR USE AT THE CITY'S LOCAL BASEBALL FIELDS.

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

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

Roll call: All ayes. Motion carries. Resolution No. 2008-136 ADOPTED.

Resolution No. 2008-137 by Mayor Perciak and All Members of Council. A RESOLUTION SUPPORTING THE RENEWAL OF THE CLEAN OHIO FUND.

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

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

Roll call: All ayes. Motion carries. Resolution No. 2008-137 ADOPTED.

Resolution No. 2008-138 by Mayor Perciak and All Members of Council. A RESOLUTION URGING THE NATIONAL CREDIT UNION ADMINISTRATION, THE FEDERAL RESERVE BOARD AND THE OFFICE OF THRIFT SUPERVISION TO ADOPT THE REFORMS PROPOSED FOR THE FEDERAL TRADE COMMISSION ACT, TRUTH IN SAVINGS ACT, AND TRUTH IN LENDING ACT TO PROTECT CONSUMERS FROM UNFAIR AND ABUSIVE PRACTICES BY THE CREDIT CARD INDUSTRY.

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

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

Roll call: All ayes. Motion carries. Resolution No. 2008-138 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

None

MISCELLANEOUS BUSINESS:

Mr. Roth – Yes, Mr...

Mr. Gallagher – Yes, Mr. Roth.

Mr. Roth – Mr. Gallagher. Just real briefly, first thing is we have a city owned lot Mr. Walker, on northern Marks Road, there's some land owned near the towers. Well anyways, there's a public sidewalk that heads toward the strip center that the kids use infrequently. Anyways, if we could just kind of trip the high grass in that area. It's really, really high. It's a city owned lot and it's overgrown the sidewalk, at your convenience.

And I'd like to do something for Leslie. Her record is still in tact, I want everyone to know that. The minutes that I corrected her on two meetings ago, she was correct. Me, Rocky Balboa, said the wrong street name.

Mr. DeMio – Rocky Balboa.

Mr. Roth – So, yeah. So I said the wrong street name, she was... her record is still perfect for the minutes.

Mr. Coyne – He was confused too.

Mr. Gallagher – She's our Apollo, she's our Apollo Creed.

Mr. Roth – Yo, Adrienne.

Mr. Gallagher – Mark, is that all?

Mr. Roth – That's it.

Mr. Gallagher – Mr. DeMio.

Mr. DeMio – Can I get Mayor, if you could, in my packet Friday, the Hickory Branch with the engineering plans. If you could get that, make sure someone from Engineering...

Mayor Perciak – Sure. Mr. Mikula.

Mr. DeMio – Thank you. That's all I have.

Mr. Gallagher – Anyone else? Mayor, are we vacating for a while?

Mayor Perciak – Yes we are. You may make that announcement sir.

Mr. Gallagher – The Council Meetings, this is our last one in this room. Mr. Vassil, take it all in, we'll...

Mr. DeMio - Put a new microphone in for you.

Mr. Gallagher - We will have new microphones. And actually we're going to have a metal detector, got to take your hat off for that one.

(Voice from audience) My name isn't Arthur.

Mr. Gallagher – Council meetings will be at the old library, which is our Communications Center, same time. And that's all we have. Thank you.

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:55 p.m.

Signature on File
Patricia J. Stewart, CMC
Assistant Clerk of Council

July 7, 2008
Approval Date