

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JULY 21, 2008

The Council of the City of Strongsville met in the Caucus Room at the Strongsville Communications Center, 13213 Pearl Road, on Monday, July 21, 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, Asst. City Engineer Lori Daley, 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 Council members vote their conscience on Ordinance No. 2008-092, a rezoning request on Pearl Road. The Ordinance received an unfavorable recommendation from the Planning Commission. Mr. Haseley recommended adoption this evening for Ordinance No. 2008-093, and recommended suspension and adoption for Ordinance 2008-160.

Finance Committee: Chairman Coyne recommended second reading for Resolutions 2008-140 and 2008-141; exhibits for the two resolutions are being prepared.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Ordinances 2008-154, 2008-155, 2008-156, 2008-157, 2008-158 and 2008-159.

Public Service and Conservation Committee: Chairman Kaminski recommended suspension and adoption for Ordinance 2008-161.

Economic Development and Technology Committee: Chairman Daymut reminded all present that his July committee meeting has been cancelled and that, due to Council's August recess, the next committee meeting would take place on Monday, September 22nd, at 7 p.m. He also reminded all present that the next business network breakfast meeting will take place on Thursday, September 25th, at 7 a.m. in the Event Center at the WFE Recreation Complex.

Committee-of-the-Whole: Council President Gallagher recommended suspension and adoption this evening for Ordinances 2008-162 and 2008-163, and for Resolution No. 2008-164. Mr. Kaminski stated he was absent from last week's committee meeting and this is the first time he has seen 2008-163. It was indicated that the matter would be discussed in executive session.

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. There were no issues discussed.

Councilman DeMio moved to adjourn from open session into executive session [Article XI, Section 9, City Charter] for the purpose of discussing personnel matters. The motion was seconded by Councilman Kaminski. Roll Call: All ayes. Motion carried. Council adjourned into executive session at 7:14 p.m. with all Council members present. Also present were Mayor Perciak and Law Director Kraus. The Law Director advised that at 7:45 p.m. a motion was made by Mr. Gallagher, seconded by Mr. Roth, and unanimously approved to conclude the Executive Session and reconvene in open session.

MINUTES OF THE REGULAR STRONGSVILLE COUNCIL MEETING HELD ON JULY 21, 2008 IN THE COUNCIL CHAMBERS AT THE COMMUNICATIONS CENTER

CALL TO ORDER:

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

Mr. Gallagher – Welcome, ladies and gentlemen, to the Monday, July 21, 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, 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; Lori Daley, Assistant City Engineer; Anthony J. Biondillo, Building Commissioner; and Steve Kilo, Recreation Director.

Mayor Perciak – Mr. President, if I may.

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – Yes, good evening, ladies and gentlemen. At this time I would like to ask all of our Council and everybody here present and all of our residents here in Strongsville for a moment of silence. We've experienced a tragedy in our community, the passing of two young individuals in an automobile accident yesterday; Samantha Archer, who just graduated in the Class of 2008, and a young gentleman going into our junior class at the high school, Marco DaDante. Please keep them and their families in your prayers.

(A moment of silence was observed by the assembly.)

Mr. Gallagher – Thank you, Mayor.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on July 7, 2008 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

Patrick Russo, Robert Barsa, and Thomas O'Deens were sworn in as Sergeants for the Strongsville Police Department by Mayor Perciak.

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Gallagher: There is no report. There is a meeting Thursday at seven o'clock and Mr. Daymut will be going in my stead, and I appreciate Mr. Daymut for batting for me. Mike, thank you very much.

Mr. Daymut – Quite all right.

SCHOOL BOARD – Mr. Roth: Thank you, Mr. Gallagher. There is no – A report will be forthcoming after the next School Board meeting.

Mr. Gallagher – Questions for Mr. Roth?

(None)

Mr. Gallagher – Thank you, Mr. Roth.

RECREATION AND COMMUNITY SERVICE – Mr. Gallagher: There is no legislation before Recreation this evening, although I'll take any questions.

(None)

PUBLIC SERVICE AND CONSERVATION – Mr. Kaminski: Yes, Public Service met this evening, discussed Ordinance 2008-161, which is a change order for Howe and Drake improvements; recommendation is suspension and adoption. And that concludes my report.

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

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you. Before the docket tonight we have 2008-154 through 2008-159, all of which are vital to the expansion of the police station, so we'd like to suspend and adopt all those ordinances and if the Council will go forward with doing that tonight, the committee and the administration would be very happy. That's all I have.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

PLANNING, ZONING AND ENGINEERING – Mr. Haseley: Thank you Mr. Gallagher. Planning, Zoning and Engineering met this evening with the following recommendations: Ordinance 2008-092, vote your conscience; Ordinance Number 2008-093, recommendation is to adopt; and Ordinance 2008-160, recommendation is to suspend and adopt. That concludes my report; I'll answer any questions if there are any.

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

(None)

FINANCE - Mr. Coyne. Thank you Mr. Gallagher. The Finance Committee met this evening to discuss Resolution 2008-140 and Resolution 2008-141, and we'll place both these Resolutions on second reading. That's all I have in my committee this evening.

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

(None)

ECONOMIC DEVELOPMENT AND TECHNOLOGY – Mr. Daymut. Thank you Mr. Gallagher. We have no ordinances or resolutions on this evening's agenda. I'd like to announce that the meeting scheduled for next Monday, the 28th, has been cancelled and we will not meeting in August because of the recess. And our next regular meeting will be Monday, September 22nd, at 7 p.m. here at the Communications Center. And our breakfast meeting has been set for September 25th at 7 a.m. at the Recreation Center. Our next meeting will be the 22nd here in 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. If the administration could just simply get back to me on a couple flooding problems on Creekside, the one I met with Mr. Mikula a couple weeks ago on and, previous to that, the one on Adams Drive. If they can just give me a response, maybe what caused the flooding and what's been done to alleviate it.

And I just want to make just a brief statement that, you know, many people call me from all four wards and with the next six weeks being a hiatus from action from formal meetings I would just appreciate the administration just kind of going through my memos and maybe answering or addressing some of the past ones. That's all, Mr. Gallagher.

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

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

COMMITTEE OF THE WHOLE – Mr. Gallagher: Committee-of-the-Whole this evening met and there are three issues, three legislation: Ordinance 2008-162, recommendation was suspension and adoption; Ordinance 2008-163, likewise, suspension and adoption was the recommendation; and Resolution 2008-164, recommendation was suspension and adoption. That concludes Council-As-A-Whole. Any questions?

(None)

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

Mayor Perciak – Thank you Mr. President; just one short thank you to the Strongsville Chamber of Commerce for a very successful Strongsville Homecoming again. I'd like to thank the General Chairman, Tom Burichin, and his co-chairs, and Mike Kalinich and the entire board of trustees at the Chamber for putting on another successful event. Even though the weather was very, very hot, we had record turnouts, especially Wednesday night with the parade and with some of the entertainment. And it was good to see so many of our friends and neighbors on the Commons, and it was also good to see so many of our residents socializing with each other and dancing to the music there in the center of town. So, a sincere thank you to everyone who worked hard, to all the volunteers and to our community in general for supporting this worthwhile Homecoming event.

At this time, if I may, Mr. President, I'd like to allow Jimmy Kaminski to make a statement this evening.

Mr. Gallagher – Mr. Kaminski.

Mr. Kaminski – All right. Well, I do have a letter I would like to read as part of the official record here. This is to the President and Members of Council and to the Mayor: 'Due to my employer, The Kellogg Company, transferring me and my family to Battle Creek, Michigan, I have no choice but to regrettably tender my resignation from the Strongsville City Council as a Councilman-At-Large to be effective at the close of business on August 15, 2008. I have greatly enjoyed the opportunity to serve my constituents and the Strongsville community for the past seven years. It has been a pleasure to work with my colleagues on Council for the betterment of the City, along with the late Mayor, Walter Ehrnfelt, Acting Mayor Ray Haseley, and especially Mayor Tom Perciak as well as the entire City Administration. My best wishes to you, Mayor Perciak and the City of Strongsville for continued success in realizing the vision for the future.' And I just wanted to again thank everyone who has helped me with both my original first campaign back in 2001 and my re-election campaign; there are a lot of great memories and a lot of people, and new relationships that both my wife and I started in the City of Strongsville. It's going to be very difficult for us to leave, but, again, it's a good opportunity for me with The Kellogg Company and one that I'm looking forward to pursuing. And, as far as coming back, we'll be back often to visit; we have two of our – our oldest sons, Jamie and Mike, will be staying here attending the University of Akron and Baldwin-Wallace College, so you'll be seeing quite a bit of us still in the City of Strongsville. But, unfortunately, we will be relocating in August to Battle Creek, Michigan. So that concludes my comments.

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

Mr. Gallagher – Thank you, Jim, and from all of Council – I think I speak for everybody in saying you'll be greatly missed and we appreciate everything that you have done for the Council as a member and as a friend to each and every one of us. Thank you very much.

Mr. Daymut – Mr. Gallagher.

Mr. Gallagher – Mr. Daymut.

Mr. Daymut – I'd like to express a sincere thank you, Jim, for what you've done, as a veteran, for the Veteran's Trail, the Freedom Trail. You know, I'm sure I speak for all veterans here how much we appreciate all the effort that was put into that to bring that to fruition, and that will live well beyond all our times here. So again, we wish you well as a Council and we wish your family well and we look forward to having you relocate back to Strongsville again.

Mr. Kaminski – Thank you, Mike.

Mayor Perciak – Mr. President, if I may.

Mr. Gallagher – Mr. Mayor.

Mayor Perciak – Jimmy – I've always called him Jimmy because that's what his mom calls him, that's what his sister, Sandra, calls him, and everybody I know in town calls him Jimmy – and Jimmy I'm going to miss you personally, even though you didn't go to Benedictine and (unintelligible), but... Truly, we've formed a bond over the years, long before I became Mayor; got to know your entire family for many years when I first came to town in 1979. But, in addition to thanking Jimmy, I'd like to thank Mary, Mary Branick Kaminski for being there for Jimmy and for doing all the things you – Mary, why don't you stand up here a little bit – and we thank you; we thank you for being at Jimmy's side, for doing...

(Applause)

Mayor Perciak - ...for doing everything because all of us up here understand that we can't get much done unless we have the support of our wives, so Mary, I thank you. Jamie and your brother, your brothers and your sister, I'm sure, you know, your dad thanks you for all you've done to support him here in his career, and I know there were times that he just couldn't be everywhere and sometimes he had to come here and take care of City business and mom stepped in, but we hope you kids are very proud of your dad because your dad was a very important part of the growth of this City of Strongsville. So thank you, Mary, and thank you all the Kaminski kids.

Mr. DeMio – Michael.

Mr. Gallagher – Mr. DeMio.

Mr. DeMio – I know we often talk about how much we're really going to miss Mary; we're going to miss you, Jim. I think that Pat and I, when we first – we kind of ran as a team almost because we all were walking in teams of the same neighborhoods in the at-large race way back in 2001.

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

Mr. DeMio (cont'd) - But, you know, seeing you as a coach with the kids in wrestling, watching your boys work in different restaurants and watching everyone grow up. I'm sure your parents – and I mean the Branics, too because they're both good parents...

Mr. Kaminski – That's right.

Mr. DeMio – They really are, it's very obvious; they're very proud of you, and very proud of Mary. I'm sure there's a couple times she wanted to knock us all out because she's probably the toughest of the Kaminski clan, I learned that real quick. We all wish you – She's not disagreeing with me, by the way, I just want everybody to know that.

Mr. Gallagher – Neither is Jim.

Mr. DeMio – Yeah, neither is Jim. But, unfortunately, we have business here and I do have to make this motion, regrettably, to accept your resignation, effective August 15, 2008 at the end of business. So that is my motion today; I do need a second.

Mr. Gallagher – A motion on the floor; do I have a second?

Mr. Haseley – Second.

Mr. Gallagher – Second by Mr. Haseley. Leslie, call the roll.

Roll Call: All ayes. Motion carries to accept the resignation of Councilman-At-Large James A. Kaminski, effective August 15, 2008 at the close of business.

Mr. Gallagher – Thank you.

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

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

(None)

LAW DEPARTMENT – Mr. Kraus: Yes, Mr. President. All resolutions and ordinances before City Council this evening are in proper legal form. I have nothing further to report.

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

(None)

AUDIENCE PARTICIPATION:

Mr. Gallagher – We come to the portion of the meeting where residents can participate here in the Council meeting. You have five minutes. If you'd state your name clearly for the record, and address. First on the list this evening is Angelo Ritson.

AUDIENCE PARTICIPATION (cont'd):

Angelo Ritson, 18925 Saratoga Trail, Strongsville - Angelo Ritson; 18925 Saratoga Trail. My friend, Janna Kousel (*sp?*), to help me tonight. And with all due respect, and I have lots of friends who are Padua Bruins and Benedictine Bengals, I'd be remiss if I did not mention my alma mater, Mr. Gallagher's, St. Ed's Eagles. That aside, I'll move on to more serious business. I want to thank the Chief in the City for the increased patrol on Saratoga Trail. Since the last meeting, in the week of July 7th through the 14th there were 56 citations issued on Saratoga Trail. This is follow up to the traffic concerns dating back to the – done by the City in 2005. Also following the recent near-fatal accident involving an ice cream truck, a car and a seven year old boy. Pictures 1 and 2. On June 27th my son was hit by a car on Saratoga Trail, knocked out of his shoes and thrown approximately thirty feet down the street. He was life-flighted to University Hospital and spent a number of days in the ICU. The driver of the car which hit the boy has not been charged for crossing left of center heading into a curved portion of the street that was not completely visible. Picture 3. One cause of the accident was a lure of children by the ice cream truck. This lure is somewhat similar to Pavlov's theory. That theory is that a dog associates a bell with food. The idea that we associate one thing with another, that eventually the same thing will happen again. Four, five and six. Every year children are injured in similar situations with ice cream trucks in California, Florida, New York; closer to home this year – or this summer, in Brunswick Hills and in Strongsville. Some Cleveland suburbs do not allow these trucks to operate out of safety concerns from the residents and the children. I encourage a similar view and ban of ice cream trucks in the City of Strongsville. Like Pavlov's theory, eventually the same thing will happen again. My goal here tonight is two things: First, I strongly encourage the City to ban these trucks to prevent this from happening in Strongsville again. Secondly, I encourage the City to work with the residents on Saratoga Trail to address the years of concern regarding traffic and moving violations on that street. I welcome any comments from the City. Thank you.

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

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2008-092 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 11220 PEARL ROAD (PPN 392-20-011 AND 392-20-012) IN THE CITY OF STRONGSVILLE FROM OB (OFFICE BUILDING) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION. (Gene L. Piazza, Owner. Proposed small business with retail.) 1st rdg: 4-21-08. Unfavorable recommendation by Planning Commission 5-22-08. 2nd rdg: 6-2-08. Public Hearing: 7-7-08.

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

Roll Call: All nays. Motion fails.

Ordinance No. 2008-092 DEFEATED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-093 by Mayor Perciak and Mr. Haseley. AN ORDINANCE AMENDING SECTION 1262.04 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING MAIN USES IN GENERAL INDUSTRIAL DISTRICTS, AS AMENDED. 1st rdg: 4-21-08. Amended by sub. 5-19-08. 2nd rdg: 5-19-08. Favorable recommendation by Planning Commission 5-22-08. 3rd rdg: 6-2-08. Public Hearing: 7-7-08.

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

Roll Call: All ayes. Motion carries. Ordinance No. 2008-093 ADOPTED.

Resolution No. 2008-140 by Mr. Coyne. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY UNPAID PROPERTY MAINTENANCE NUISANCE ABATEMENTS FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY. 1st rdg: 7-7-08.

Second reading; referred to Finance Committee.

Resolution No. 2008-141 by Mr. Coyne. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY UNPAID SEWERAGE RENTAL CHARGES FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY. 1st rdg: 7-7-08.

Second reading; referred to Finance Committee.

Ordinance No. 2008-154 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE DEMOLITION AND DESTRUCTION OF A STRUCTURE LOCATED ON CITY-OWNED PROPERTY AT 18600 ROYALTON ROAD 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. 2008-154 ADOPTED.

Resolution No. 2008-155 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR GENERAL TRADES WORK IN CONNECTION WITH THE CONSTRUCTION OF RENOVATIONS AND AN ADDITION TO THE STRONGSVILLE POLICE DEPARTMENT FACILITY LOCATED AT 18688 ROYALTON ROAD.

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. 2008-155 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2008-156 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR ELECTRICAL WORK IN CONNECTION WITH THE CONSTRUCTION OF RENOVATIONS AND AN ADDITION TO THE STRONGSVILLE POLICE DEPARTMENT FACILITY LOCATED AT 18688 ROYALTON ROAD.

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. 2008-156 ADOPTED.

Resolution No. 2008-157 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR FIRE PROTECTION WORK IN CONNECTION WITH THE CONSTRUCTION OF RENOVATIONS AND AN ADDITION TO THE STRONGSVILLE POLICE DEPARTMENT FACILITY LOCATED AT 18688 ROYALTON ROAD.

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. 2008-157 ADOPTED.

Resolution No. 2008-158 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR PLUMBING WORK IN CONNECTION WITH THE CONSTRUCTION OF RENOVATIONS AND AN ADDITION TO THE STRONGSVILLE POLICE DEPARTMENT FACILITY LOCATED AT 18688 ROYALTON ROAD.

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. 2008-158 ADOPTED.

Resolution No. 2008-159 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR HEATING, VENTILATING AND AIR CONDITIONING WORK IN CONNECTION WITH THE CONSTRUCTION OF RENOVATIONS AND AN ADDITION TO THE STRONGSVILLE POLICE DEPARTMENT FACILITY LOCATED AT 18688 ROYALTON ROAD.

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. 2008-159 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2008-160 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SITE LEASE WITH OPTION AGREEMENT WITH T-MOBILE CENTRAL LLC FOR PREMISES LOCATED AT 21211 DRAKE ROAD IN THE CITY OF STRONGSVILLE, OHIO; CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE AND LANDSCAPING PLANS; 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. 2008-160 ADOPTED.

Ordinance No. 2008-161 by Mayor Perciak and Mr. Kaminski. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE HOWE-DRAKE INTERSECTION IMPROVEMENTS C.R.-105 PROJECT 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. 2008-161 ADOPTED.

Ordinance No. 2008-162 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH JOSEPH A. GAMBINO TO PROVIDE MAGISTRATE SERVICES TO THE STRONGSVILLE MAYOR'S COURT, 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. 2008-162 ADOPTED.

Ordinance No. 2008-163 by All Members of Council. AN ORDINANCE RETAINING SPECIAL LEGAL COUNSEL FOR THE LIMITED PURPOSE OF RENDERING ADVICE TO CITY COUNCIL WITH REGARD TO ITS EMPLOYMENT PRACTICES AND RELATED MATTERS, 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. 2008-163 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2008-164 by All Members of Council. A RESOLUTION DECLARING THE MONTH OF AUGUST, 2008 AS COUNCIL RECESS MONTH.

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. 2008-164 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

Matter of the Review by the Council* of the findings and determination of the Board of Zoning and Building Code Appeals at its meeting of June 25, 2006 concerning Edna Vaughn, Owner, property located at 18758 Prospect Road, PPN 394-14-008, zoned R1-75. (*Motion requesting review by the Council was made, seconded and unanimously approved on June 27, 2008.)

Mr. Gallagher – Mr. Kraus, do you have a motion for...

Mr. Kraus – Yes, Mr. President. The motion would be a motion to withdraw and rescind the prior request for review as passed by this City Council for review of a variance granted by the Board of Zoning Appeals since a new more limited variance has been passed by the BZA and for which the building permit should be issued.

Mr. DeMio – So moved.

Mr. Daymut – Second.

Mr. Gallagher – Motion on the floor made by Mr. DeMio through Mr. Kraus, seconded by Mr. Daymut. Call the roll, please.

Roll Call: All ayes. Motion passed to withdraw and rescind prior request for review.

MISCELLANEOUS BUSINESS:

Mr. Gallagher – Miscellaneous Business? Anyone?

(No comments)

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Gallagher at 8:41 p.m.

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

September 2, 2008
Approval Date