



City of Strongsville

16099 Foltz Parkway
Strongsville, Ohio 44149-5598
Phone: 440-580-3110
Council Office Fax: 440-572-1648
www.strongsville.org

City Council

Michael J. Daymut
President of Council
Ward 1

Matthew A. Schonhut
Ward 2

James E. Carbone
Ward 3

J. Scott Maloney
Ward 4

Joseph C. DeMio
At-Large

Kenneth M. Dooner
President Pro Tem
At-Large

Duke Southworth
At-Large

Aimee Pientka, CMC
Clerk of Council
aimee.pientka@strongsville.org

Tiffany Mekeel
Assistant Clerk of Council
tiffany.mekeel@strongsville.org

February 11, 2015

MEETING NOTICE

City Council has scheduled the following meetings for **Tuesday, February 17, 2015**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road:***

Caucus will begin at 7:30 p.m. All committees listed will meet immediately following the previous committee:

7:30 P.M.

Finance Committee will meet to discuss Ordinance Nos. 2015-026, 2015-027, 2015-028 and Resolution No. 2015-029.

Planning Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2015-021, 2015-030 and 2015-031.

Public Safety and Health Committee will meet to discuss Ordinance No. 2015-032.

Recreation and Community Services Committee will meet to discuss Ordinance Nos. 2015-033 and 2015-034.

Public Service and Conservation Committee will meet to discuss Ordinance Nos. 2015-035 and 2015-036.

Economic Development Committee will meet to discuss items pertinent to the Committee.

8:00 P.M.

Regular Council Meeting

Any other matters that may properly come before this Council may also be discussed.

BY ORDER OF THE COUNCIL:

Aimee Pientka, CMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 17, 2015 AT 8:00 P.M.
Mike Kalinich Sr. City Council Chamber
18688 Royalton Road, Strongsville, Ohio

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Council Meeting – February 2, 2015*
6. APPOINTMENTS AND CONFIRMATIONS:
7. REPORTS OF COUNCIL COMMITTEES:
 - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth:
 - SCHOOL BOARD – Mr. Carbone:
 - BUILDING AND UTILITIES – Mr. Schonhut:
 - COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:
 - ECONOMIC DEVELOPMENT – Mr. Daymut:
 - FINANCE – Mr. Dooner:
 - PLANNING, ZONING AND ENGINEERING – Mr. Maloney:
 - PUBLIC SAFETY AND HEALTH – Mr. DeMio:

- PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:
 - Motion to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section C, Lot #168, Graves F & H.
 - Motion to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section F, Lot #85, Graves D, F, H & J; and Lot #100, Graves H & J.
 - Motion to ratify, approve and note the burial of Kelly Marie Kinney in Section F, Lot #85, Grave B, based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery.
- RECREATION AND COMMUNITY SERVICES – Mr. Southworth:
- COMMITTEE-OF-THE-WHOLE – Mr. Daymut:

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

- MAYOR PERCIAK:
- FINANCE DEPARTMENT:
- LAW DEPARTMENT:

9. AUDIENCE PARTICIPATION:

10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2015-021 by Mr. Maloney. 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 13621 ROYALTON ROAD (PPN 398-29-019) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 02-02-15.*
- Ordinance No. 2015-026 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,525,000 FOR THE PURPOSE OF PAYING COSTS OF ADVANCE REFUNDING CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT BONDS, SERIES 2006, DATED AS OF SEPTEMBER 14, 2006, WHICH PORTION WAS ISSUED FOR THE PURPOSE OF (i) CONSTRUCTING, EQUIPPING, FURNISHING, IMPROVING THE SITE OF, AND OTHERWISE IMPROVING A NEW FIRE STATION, (ii) RENOVATING, EQUIPPING, FURNISHING, AND OTHERWISE IMPROVING THE EXISTING MUNICIPAL SERVICE CENTER COMPLEX, AND (iii) RENOVATING, EQUIPPING, FURNISHING, AND OTHERWISE IMPROVING THE EXISTING POLICE/CITY HALL COMPLEX, AND DECLARING AN EMERGENCY.

- Ordinance No. 2015-027 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$18,105,000 FOR THE PURPOSE OF PAYING COSTS OF ADVANCE REFUNDING CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2009, DATED AS OF MAY 13, 2009, WHICH PORTION WAS ISSUED FOR THE PURPOSE OF (i) RENOVATING, EXPANDING, CONSTRUCTING AN ADDITION TO, IMPROVING THE SITE OF, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING THE MUNICIPAL COMPLEX LOCATED AT 18688 ROYALTON ROAD TO HOUSE POLICE, JAIL AND LAW ENFORCEMENT FACILITIES AND OTHER MUNICIPAL OFFICES AND FUNCTIONS, (ii) IMPROVING, IN COOPERATION WITH CUYAHOGA COUNTY, THE INTERSECTION OF DRAKE ROAD AND HOWE ROAD AND THE APPROACHES TO THAT INTERSECTION IN THE CITY BY GRADING, DRAINING, WIDENING, PAVING, CONSTRUCTING CURBS, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, FIRE HYDRANTS AND TRAFFIC CONTROL DEVICES, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS THEREIN, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, (iii) IMPROVING THE CITY'S RECREATION SYSTEM BY ACQUIRING REAL ESTATE AND INTERESTS THEREIN, AND (iv) IMPROVING, IN COOPERATION WITH CUYAHOGA COUNTY, THE INTERSECTION OF ROYALTON ROAD AND WEST 130TH STREET AND THE APPROACHES TO THAT INTERSECTION IN THE CITY BY GRADING, DRAINING, WIDENING, PAVING, LIGHTING, CONSTRUCTING CURBS, INSTALLING SANITARY SEWERS, STORM SEWERS, CATCH BASINS, MANHOLES AND TRAFFIC CONTROL DEVICES, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS THEREIN, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-028 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2015 AND REPEALING 2015-019.
- Resolution No. 2015-029 by Mayor Perciak and Mr. Dooner. A RESOLUTION AMENDING RESOLUTION NOS. 2013-254, 2013-104, 2012-139 AND 2011-033 TO DESIGNATE AN ADDITIONAL DEPOSITORY FOR ACTIVE AND INTERIM FUNDS OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-030 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND CITY ENGINEER TO FILE AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING ASSISTANCE UNDER THE OHIO DEPARTMENT OF TRANSPORTATION AND OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION'S TURNPIKE MITIGATION PROGRAM, IN CONNECTION WITH THE CITY'S SOUTH LAGUARDIA PARKWAY AND TIMBER EDGE/PINE TREE PLACE NOISE BARRIER WALL PROJECT, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-031 by Mayor Perciak and Mr. Maloney. AN ORDINANCE AMENDING SECTION 1252.16 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING PROJECTIONS INTO YARDS.

- Ordinance No. 2015-032 by Mayor Perciak and Mr. DeMio. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF ONE (1) 2015 CHEVY TAHOE VEHICLE, FOR USE BY THE FIRE DEPARTMENT OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-033 by Mayor Perciak and Mr. Southworth. AN ORDINANCE APPROVING THE FILING OF AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING FROM NOACA THROUGH THE ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, FOR THE PURCHASE OF A VEHICLE TO PROVIDE TRANSPORTATION SERVICES FOR THE CITY'S SENIOR WHEELS PROGRAM; AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-034 by Mr. Southworth. AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION, OF CERTAIN OBSOLETE PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY'S RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-035 by Mr. Carbone. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2015 FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-036 by Mr. Carbone. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR HEATING, VENTILATING AND AIR CONDITIONING AND PLUMBING MAINTENANCE GENERAL SERVICES FOR CERTAIN MUNICIPAL BUILDINGS OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 021

By: Mr. Maloney

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 13621 ROYALTON ROAD (PPN 398-29-019) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located at 13621 Royalton Road (PPN 398-29-019), in the City of Strongsville, from LB (Local Business) classification to R-RS (Restaurant-Recreational Services) classification, which property is more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto and incorporated herein by reference.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to rezone such property in order to provide for the orderly development of lots and lands within the City, to afford the applicant an opportunity to submit plans and commence construction, and to enhance economic development within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 - 021
Page 2

elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: February 2, 2015 Referred to Planning Commission
Second reading: _____ February 3, 2015
Third reading: _____ Approved: _____
Public Hearing: _____

President of Council
Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

C 7 D. No. 2015-021 Amended: _____
1st Rdg. 02-02-15 Ref: PC/PZF
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

127
Dec

SUBMIT

QUIT-CLAIM DEED—with Dower Clause—No. 89-B

487671

The Ohio Legal Blank Co. Cleveland
Publishers and Dealers Since 1887

Know All Men by these Presents

First. FLORENCE SARCYK, a Married Person

VOL. 93-03909 PAGE 36

who claim ^o title by or through instrument , recorded in Volume , Page ,
County Recorder's Office, for the consideration of
Ten and no/100— Dollars (\$ 10.00—)
received to her full satisfaction of FLORENCE SARCYK TRUST

the Grantee ,
whose TAX MAILING ADDRESS will be 9940 Forest View Terrace
Brecksville, Ohio 44141

have Given, Granted, Released, Released and Released and do by these
presents absolutely give, grant, remise, release and forever quit-claim unto the said
grantee , its successors and assigns forever, all such right and
title as she , the said grantor , have or ought to have in and to the
following described piece or parcel of land, situated in the City of
Strongsville County of Cuyahoga and State of Ohio :

ALL OF MY RIGHT, TITLE AND INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

And known as being a part of Original Strongsville Township Lot No. 6 and bounded and described as follows:
Beginning in the westerly line of West 130th Street at the Northeast corner of land conveyed to the Tremarco Corporation by deed recorded in Volume 8632, Page 279 of Cuyahoga County Deed Records; thence South 88°-57'55" West 150.00 feet along the Northerly line of land so conveyed to the Tremarco Corporation to the Northwestern corner thereof; thence South 01°-02'-05" East along the Westerly line of land so conveyed to Tremarco Corporation 5.80 feet to a point therein and principle place of beginning; Thence continuing South 01°-02'-05" East along the Westerly line of land so conveyed to the Tremarco Corporation, 144.20 feet to the Northerly line of Royalton Road; Thence Westerly on the said Northerly line of Royalton Road on the arc of a curve deflecting to the right 157.17 feet and having a radius of 779.02 feet, the chord of which bears South 82°-18'07" West 156.91 feet to a point of tangency therein; Thence continuing along the said Northerly line of Royalton Road South 01°-55'-05" East 10.00 feet to a point therein; Thence continuing South 88°-04'-55" West along the said Northerly line of Royalton Road 64.29 feet to a point therein; Thence North 01°-02'-05" West and parallel to the Westerly line of land conveyed to the Tremarco Corporation as aforesaid 170.00 feet; Thence North 88°-04'-55" East and parallel with the center line of said Royalton Road 220.00 feet to a point in the Westerly line of land conveyed to the Tremarco Corporation as aforesaid and the principal place of beginning.

Permanent Parcel No.: 398-29-019

PARCEL NO.

CONVEYANCE IS IN COMPLIANCE WITH SEC. 319.202 O.R.C.

PAID

APR 2 91993

Conveyance Fee

TYPE

J. TIMOTHY MCCONNACH, Cuyahoga County Auditor

Receipt for

AMOUNT PAID

THOMAS J. MCCONNACH, CUYAHOGA COUNTY AUDITOR

COMM. EXPIRES 12/31/93

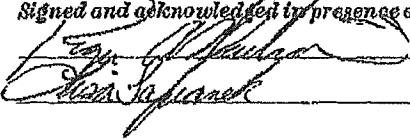
EXPLANATION OF ABBREVIATIONS FOR THE AUDITOR

EXHIBIT A

To Have and to Hold the premises aforesaid, with the appurtenances thereunto belonging to the said grantee, its successors, heirs and assigns, so that neither the said grantor, nor her heirs, nor any other persons claiming title through or under her, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.
And for valuable consideration

do hereby remise, release and forever quit-claim unto the said grantee, heirs and assigns, all right and expectancy of ~~power~~ in the above described premises.

In Witness Whereof, I have hereunto set my hand, the 27th day of April, nine hundred and ninety-three.
Signed and acknowledged in presence of


FLORENCE SARCYK

State of Ohio, ss. Before me, a Notary Public
Cuyahoga County, in and for said County and State, personally appeared
the above named FLORENCE SARCYK

who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Brecksville, Ohio, this 27th day of April, A. D. 1993

Prepared by:

ROGER A. WADSWORTH, ARMBY
NOTARY PUBLIC
NOTARY PUBLIC
NOTARY PUBLIC

ROGER A. WADSWORTH, ESQ., 14th, S.C.
8927 Brecksville Road
Brecksville, Ohio 44141
(216) 526-6722



93 APR 29 PM 12:00

FLORENCE SARCYK, a Married Person

TO

FLORENCE SARCYK TRUST

Transferred 19

COUNTY AUDITOR

State of Ohio

County of ss

Recorded for Record on the

day of 19

at o'clock M.

and Recorded 19 in

Deed Book Page

COUNTY RECORDER

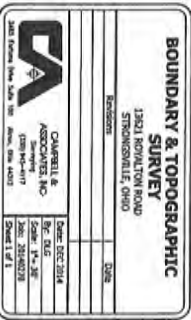
Recorders Fee \$

This instrument prepared by:

ROGER A. WADSWORTH

8927 BRECKSVILLE RD.

BRECKSVILLE, OH 44141

EXHIBIT B

PETITION FOR ZONING CHANGE

Ordinance Number: 2015-021

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class LB use to a class R-RS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: The current zoning of LB gives commercial use

but limits this type if only in a multi-tenant building.

This site is too small for a multi-tenant building. Furthermore
the use is consistant with the area

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: _____

The proposed use is consistant with other
area uses

Please list other supporting documents (if any) which accompany this petition:

1. floor plan
2. site plan
3. elevations

THE PROPOSED USE OF THE PROPERTY IS: Dunkin' Donuts

Name, address and **telephone number** of applicant or applicant's agent:

Name: Ken Blum

Address: 2595 Center Road, Hinckley, Ohio 44232

Telephone Number: (508) 688-4820

[Signature]
Signature of Owner(s)

State of Ohio)
County of ~~Cuyahoga~~) PORTAGE

Sworn to and subscribed in my presence this 8th day of JANUARY, 2015

[Signature]
Notary Public
My commission expires: _____

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

TRUS JACKMAN, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration
Date: Section 147.03 R.C.



PROPERTY DESCRIPTION FORM

Ordinance Number: 2015-021

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 13621 Royalton Road

Permanent Parcel No.: 398 29 019

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Road (south)

Number and type of buildings which now occupy property (if any): none / vacant

Acreage: .82 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): none

Said deed restrictions (will) (have) expire(d) on: n/a

Said property is presently under lease or otherwise encumbered as follows: n/a

Owner(s)	Percent of Ownership:
1. <u>Vila Franca Realty, LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

Kenneth A. Blum Meyer
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 5th day of JANUARY, 2015.



Titus Jackman
Notary Public
My Commission Expires _____
Date, Section 147.03 R.C.

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: January 14, 2015

SUBJECT: Rezoning Application
Ken Blum, Purchaser of Property;
PPN 398-29-019
From LB to R-RS (Proposed Dunkin Donuts)

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

akp
Attachments

cc: Thomas P. Perciak, Mayor
Kenneth A. Kraus, Law Director
Daniel J. Kolick, Asst. Law Director
George Smerigan, City Planner
All Members of Council
Carol Oprea, Planning Commission Secretary

City of Strongsville

Memorandum

To: Ken Kraus, Law Director

CC: Mayor Thomas Perciak
Aimee Pientka, Clerk of Council

From: Lori Daley, Engineering

Date: January 14, 2015

Re: Rezoning Application
Ken Blum, Purchaser of Property
PPN 398-29-019
From LB to R-RS (Proposed Dunkin Donut)

Ken,

The legal description included in the Clerk of Council's January 14, 2015 memo regarding the above referenced parcel appears to accurately describe the area be rezoned.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Aimee Pientka, Clerk of Council

DATE: February 3, 2015

SUBJECT: Referral from Council: Ordinance No. 2015-021

At its regular meeting of February 2, 2015, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

Ordinance No. 2015-021 by Mr. Maloney. 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 13621 ROYALTON ROAD (PPN 398-29-019) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY.

A copy of the ordinance is attached for Planning Commission review.

AKP
Attachment

City of Strongsville

Memorandum

To: Ken Kraus, Law Director

CC: Mayor Perciak
Dan Kolick, Assistant Law Director
Aimee Pientka, Clerk of Council

From: Lori Daley, Design Engineer

Date: February 9, 2015

Re: Ord. 2015-021
Rezoning Application
Ken Blum, Purchaser of Property
PPN 398-29-019
From LB to R-RS (Dunkin Donuts)

Ken,

Please note, the permanent parcel number referenced above is a vacant parcel and should be referenced as such in Ord. 2015-021. An official address will be assigned after building plans are submitted along with a permit application.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 021

By: Mr. Maloney

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 13621 ON~~ ROYALTON ROAD (PPN 398-29-019) IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY, **AS AMENDED**.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located ~~at 13621 on~~ Royalton Road (PPN 398-29-019), in the City of Strongsville, from LB (Local Business) classification to R-RS (Restaurant-Recreational Services) classification, which property is more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto and incorporated herein by reference.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to rezone such property in order to provide for the orderly development of lots and lands within the City, to afford the applicant an opportunity to submit plans and commence construction, and to enhance economic development within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 021
Page 2

elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: February 2, 2015 Referred to Planning Commission
Second reading: _____ February 3, 2015 _____
Third reading: _____ Approved: _____
Public Hearing: _____

President of Council
Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

C.D. No. 2015-021 Amended: _____
1st Rdg. 2-2-15 Ref: PC/P2E
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

To Have and to Hold the premises aforesaid, with the appurtenances thereunto belonging to the said grantee, its successors ~~heirs and assigns~~, so that neither the said grantor, nor her ~~heirs~~, nor any other persons claiming title through or under her, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

And for valuable consideration

do hereby remise, release and forever quit-claim unto the said grantee, heirs and assigns, all right and expectancy of ~~power~~ in the above described premises.

In ~~Witness Whereof~~, I have hereunto set my hand, the 27th day of April, nine hundred and ninety-three.

Signed and acknowledged in presence of

[Signature]
FLORENCE SARCYK

State of Ohio, ss. Before me, a Notary Public
Cuyahoga County, in and for said County and State, personally appeared
the above named FLORENCE SARCYK

who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In ~~Testimony Whereof~~ I have hereunto set my hand and official seal, at Brecksville, Ohio, this 27th day of April, A. D. 1993

Prepared by: ROGER A. WADSWORTH, Attorney
NOTARY PUBLIC
8927 Brecksville Road
Brecksville, Ohio 44141
(216) 526-6722



93 APR 29 PM 12:08

FLORENCE SARCYK, a Married Person

TO

FLORENCE SARCYK TRUST

Transferred 19

COUNTY AUDITOR

State of Ohio

County of 25

Recorded for Record on the

day of 19

at o'clock M.

and Recorded 19 in

Deed Book Page

COUNTY RECORDER

Recorders Fee \$

This instrument prepared by:
ROGER A. WADSWORTH
8927 BRECKSVILLE RD.
BRECKSVILLE, OH 44141

To Have and to Hold the premises aforesaid, with the appurtenances thereunto belonging to the said grantee, its successors, heirs and assigns, so that neither the said grantor, nor her heirs, nor any other persons claiming title through or under her, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

And for valuable consideration

do hereby remise, release and forever quit-claim unto the said grantee, heirs and assigns, all right and expectancy of her in the above described premises.

In Witness Whereof, I have hereunto set my hand, the 27th day of April, in the year of our Lord one thousand nine hundred and ninety-three.

Signed and acknowledged in presence of

[Signature]
FLORENCE SARCYK

State of Ohio, ss. Before me, a Notary Public in and for said County and State, personally appeared the above named FLORENCE SARCYK

who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Brecksville, Ohio, this 27th day of April, A. D. 1993

Prepared by:

ROGER A. WADSWORTH, Attorney
NOTARY PUBLIC
8927 Brecksville Road
Brecksville, Ohio 44141
(216) 526-6722



93 APR 29 PM 12:00

FLORENCE SARCYK, a Married Person

TO

FLORENCE SARCYK TRUST

Transferred 19

COUNTY AUDITOR

State of Ohio

Camin of 55

Received for Record on the

day of 19

at o'clock M.

and Recorded 19 in

Book Page

COUNTY RECORDER

Recorders fees \$

This instrument prepared by:
ROGER A. WADSWORTH
8927 BRECKSVILLE RD.
BRECKSVILLE, OH 44141

PETITION FOR ZONING CHANGE

Ordinance Number: 2015-021

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class LB use to a class R-RS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: The current zoning of LB gives commercial use

but limits this type if only in a multi-tenant building.
This site is too small for a multi-tenant building. Furthermore
the use is consistent with the area.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: _____

The proposed use is consistent with other
area uses

Please list other supporting documents (if any) which accompany this petition:

1. floor plan
2. site plan
3. elevations

THE PROPOSED USE OF THE PROPERTY IS: Dunkin' Donuts

Name, address and **telephone number** of applicant or applicant's agent:

Name: Ken Blum

Address: 2595 Center Road, Hinckley, Ohio 44233

Telephone Number: (508) 688-4820

[Signature]
Signature of Owner(s)

State of Ohio)
County of Cuyahoga) PORTAGE

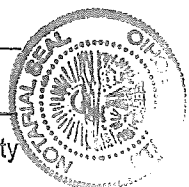
Sworn to and subscribed in my presence this 8th day of JANUARY, 2015

[Signature]
Notary Public

My commission expires: _____

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

TTUS JACKMAN, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration
Date: Section 147.03 R.C.



PROPERTY DESCRIPTION FORM

Ordinance Number: 2015-021

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 13621 Royalton Road

Permanent Parcel No.: 398 29 019

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Road (south)

Number and type of buildings which now occupy property (if any): none/ vacant

Acreage: .82 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): none

Said deed restrictions (will) (have) expire(d) on: n/a

Said property is presently under lease or otherwise encumbered as follows: n/a

Owner(s)	Percent of Ownership:
1. <u>Vila Franca Realty, LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

[Signature]
Signature of Owner(s) Kenneth A. Blum Mager

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 5th day of January, 2015.



[Signature]
Notary Public
TITUS JACKMAN, Attorney at Law
Notary Public, State of Ohio
My Commission expires _____
Date: Section 147.03 R.C.

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: January 14, 2015

SUBJECT: Rezoning Application
Ken Blum, Purchaser of Property;
PPN 398-29-019
From LB to R-RS (Proposed Dunkin Donuts)

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

akp
Attachments

cc: Thomas P. Perciak, Mayor
Kenneth A. Kraus, Law Director
Daniel J. Kolick, Asst. Law Director
George Smerigan, City Planner
All Members of Council
Carol Oprea, Planning Commission Secretary

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015-026

BY: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,525,000 FOR THE PURPOSE OF PAYING COSTS OF ADVANCE REFUNDING CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT BONDS, SERIES 2006, DATED AS OF SEPTEMBER 14, 2006, WHICH PORTION WAS ISSUED FOR THE PURPOSE OF (i) CONSTRUCTING, EQUIPPING, FURNISHING, IMPROVING THE SITE OF, AND OTHERWISE IMPROVING A NEW FIRE STATION, (ii) RENOVATING, EQUIPPING, FURNISHING, AND OTHERWISE IMPROVING THE EXISTING MUNICIPAL SERVICE CENTER COMPLEX, AND (iii) RENOVATING, EQUIPPING, FURNISHING, AND OTHERWISE IMPROVING THE EXISTING POLICE/CITY HALL COMPLEX, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2006-144, passed July 5, 2006, (with respect to Project No. 5), Ordinance No. 2006-146, passed July 5, 2006 (with respect to Project No. 6), and Ordinance No. 2006-147, passed July 5, 2006 (with respect to Project No. 7) (collectively, the Original Bond Legislation), the City issued its Various Purpose Improvement Bonds, Series 2006, dated as of September 14, 2006 (the 2006 Bonds), as a consolidated issue pursuant to Section 133.30(B) of the Revised Code in the aggregate principal amount of \$11,740,000, for various purposes, including those identified in Section 2 as Project No. 5, Project No. 6 and Project No. 7, with the principal amount of the Series 2006 Bonds attributable to Project No. 5 being \$8,000,000, Project No. 6 being \$1,000,000, and Project No. 7 being \$550,000; and

WHEREAS, on April 1, 2014 this City issued bonds the proceeds of which advance refunded the 2006 Bonds maturing on December 1 in the years 2018, 2019, 2020, 2021 and 2026; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to advance refund at a lower overall interest cost all or a portion of the 2006 Bonds maturing on December 1, 2017, December 1, 2022 and December 1, 2023, which 2006 Bonds were issued for, and include only Projects identified as Project No. 5, Project No. 6 and Project No. 7 in Section 2, all as set forth and further described in the Original Bond Legislation, and to issue the Bonds described in Section 2 to provide funds sufficient, together with any other amounts available to the City, for that purpose, including the payment of expenses related to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of Project No. 5, Project No. 6 and Project No. 7 as described in Section 2 is at least five years, that the estimated maximum maturity of the bonds described in Section 2 with respect to each of Project No. 5, Project No. 6 and Project No. 7 is at least December 1, 2026;

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2015-026

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, CUYAHOGA COUNTY, OHIO, that:

Section 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (a) with respect to Capital Appreciation Bonds, if any, the denomination equal to the principal amount that, when interest is accrued and compounded thereon at the applicable compounding interest rate on each Interest Accretion Date to the stated maturity of those Bonds, will result in a Maturity Amount of \$5,000 or any integral multiple thereof and (b) with respect to Current Interest Bonds, the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds appointed pursuant to Section 4 until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Book-entry form” or “book-entry system” means a form or system under which (a) the ownership of book-entry interests in Bonds and the principal of and interest on Bonds may be transferred only through a book-entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds deposited with and maintained in the custody of the Depository or its agent. The book-entry maintained by others than the City is the record that identifies the owners of book-entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds designated as such in the Certificate of Award, maturing on the Principal Payment Dates, being in the principal amounts and having the Maturity Amounts, all as set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

“Certificate of Award” means the certificate authorized by subsection (a) of Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds, which date shall not be later than August 1, 2016.

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2015-026

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“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount of a Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for that Bond on the immediately preceding Interest Accretion Date plus (b) the product of (i) the difference between (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date minus (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Continuing Disclosure Agreement” means the agreement authorized by subsection (c) of Section 6, which, together with the agreements of the City set forth in that subsection, shall constitute the Continuing Disclosure Agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Current Interest Bonds” means, collectively, the Current Interest Serial Bonds and the Term Bonds.

“Current Interest Serial Bonds” means those Current Interest Bonds designated as such and maturing on the Principal Payment Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 7.

“Escrow Trustee” means the escrow trustee for the refunding of the Refunded Bonds appointed pursuant to Section 7 until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Interest Accretion Dates” means, as to any Capital Appreciation Bonds, each June 1 and December 1 in the years during which any Capital Appreciation Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award.

“Interest Payment Dates” means (a) as to Current Interest Bonds, June 1 and December 1 of each year during which the Current Interest Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award, which first date shall not be later than December 1, 2016, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal of and interest on that Bond due and payable at its stated maturity.

“Original Purchaser” means The Huntington Investment Company, or such other entity or entities as may be designated by the Director of Finance in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years designated by the Director of Finance in the Certificate of Award, commencing no later than December 1, 2016 and ending no later than December 1, 2023.

“Purchase Agreement” means the Bond Purchase Agreement between the City and the Original Purchaser, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 6.

“Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 4.

“Rule” means Rule 15c2-12 prescribed by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

“Term Bonds” means those Current Interest Bonds designated as such and maturing on the Principal Payment Date or Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. It is necessary to issue bonds of this City in a maximum aggregate principal amount of \$2,525,000 (the Bonds) for the purpose of paying costs of advance refunding certain of the City’s Various Purpose Improvement Bonds, Series 2006, dated as of September 14, 2006 (the Refunded Bonds), which portion was issued for

the purpose of (i) constructing, equipping, furnishing, improving the site of, and otherwise improving a new fire station (Project No. 5), (ii) renovating, equipping, furnishing, and otherwise improving the existing municipal service center complex (Project No. 6), and (iii) renovating, equipping, furnishing, and otherwise improving the existing police/city hall complex (Project No. 7), and to pay expenses related to the issuance of the Bonds and the advance refunding of the Refunded Bonds. For internal accounting purposes of the City, that maximum principal amount of Bonds is hereby allocated and attributed to the extent of a maximum of: \$2,278,000 with respect to Project No. 5, \$161,000 with respect to Project No. 6, and \$86,000 with respect to Project No. 7.

The principal maturities of the 2006 Bonds to be advance refunded shall be selected by the Director of Finance (and which principal maturities so selected thereupon shall constitute Refunded Bonds hereunder as defined in the preambles hereto) and set forth in Certificate of Award based on market conditions existing at that time and which he shall determine to be in the best interest of and financial advantages to the City, which principal maturities must be all or a portion of the Bonds maturing on December 1, 2017, December 1, 2022 and December 1, 2023.

The aggregate principal amount of Bonds to be issued shall not exceed \$2,525,000 and shall be in an amount determined by the Director of Finance to be the aggregate principal amount of Bonds that is required to be issued, taking into account the purchase price of the Bonds, in order to effect the purpose for which the Bonds are to be issued, and also taking into account his determination of the 2006 Bonds to be Refunded Bonds, including the payment of expenses relating to the advance refunding of the Refunded Bonds and the issuance of the Bonds, which amount shall be set forth in the Certificate of Award.

Subject to the limitations set forth in this ordinance, the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this ordinance are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be designated as "Various Purpose Improvement Refunding Bonds, Series 2015," or such other designation as set forth in the Certificate of Award, and shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are issued as Capital Appreciation Bonds) shall be determined by the Director of Finance in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as of the Closing Date, or such other date as may be established by the Director of Finance in the Certificate of Award, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Current Interest Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 6.0% per year for any stated maturity, as shall be specified by the Director of Finance (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from

CITY OF STRONGSVILLE, OHIO

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the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 10.0% per year for any stated maturity, accrued and compounded on each Interest Accretion Date and payable at maturity, which will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Director of Finance (subject to the provisions of subsection (c) of this Section) in the Certificate of Award; provided, that all Capital Appreciation Bonds of the same maturity shall bear the same compounding rate of interest. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

(b) Principal Payment Schedule. (i) The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in the following principal amounts (based on an estimated principal amount of \$2,390,000):

<u>Year</u>	<u>Principal Amount</u>
2015	\$30,000
2016	5,000
2017	505,000
2018	5,000
2019	5,000
2020	5,000
2021	5,000
2022	910,000
2023	920,000

; provided that, subject to the limitations set forth in Section 2 and subsection (c) of this Section, the principal amount of Bonds payable on any one or more of the Principal Payment Dates may be increased or decreased and the Principal Payment Dates may be adjusted consistent with the terms and parameters of this ordinance, as specified by the Director of Finance in the Certificate of Award. The Director of Finance shall allocate the principal payment schedule to each Project in the Certificate of Award in an approximate pro rata basis (which may be rounded to Authorized Denominations) by reference to the respective principal amount then outstanding for each Project, consistent with the Original Bond Legislation and the related certificate of award for the 2006 Bonds, and subject to the maximum principal amount for each Project set forth in Section 2.

(ii) Consistently with the provisions of (b)(i) above and (c) below and in accordance with that officer's determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (A) the aggregate principal amount of Bonds to be issued, (B) the aggregate principal amount of Bonds to be issued as Current Interest Bonds, (C) the aggregate principal amount of Current Interest Bonds to be issued as Current Interest

CITY OF STRONGSVILLE, OHIO

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Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (D) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date, and (E) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date, shall be such that (i) there is at least \$5,000 maturing on any Principal Payment Date and (ii) the aggregate principal and interest payments to be made on the Bonds are less than the aggregate principal and interest payments that would remain to be made on the Refunded Bonds in the absence of any call for optional redemption of the Refunded Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the principal corporate trust office of the Bond Registrar, or such other office designated by the Bond Registrar and approved by the Director of Finance. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book-entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book-entry system.

(e) Redemption Provisions. Any Capital Appreciation Bonds shall not be subject to redemption prior to stated maturity. Except as otherwise provided in the Certificate of Award consistently with the determination by the Director of Finance of the best interest of and financial advantages to the City, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Current Interest Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of

100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the forty-fifth day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the City, the Current Interest Bonds or portions thereof as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the City, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the earliest optional redemption date shall not be earlier than December 1, 2019 and the highest redemption price shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of this City Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity and interest rate within a maturity are to be redeemed, the selection of such Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate

principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the

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account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond and to distinguish Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance and the Certificate of Award.

The Huntington National Bank, Columbus, Ohio, is appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Bonds, provided, however, that the Director of Finance is authorized to appoint, in the Certificate of Award, a different Bond Registrar, after determining that any such bank or trust company appointed as Bond Registrar will not endanger the funds or securities of the City and that any such appointment is in the best interest of and financially advantageous to the City. The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book-Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its principal corporate trust office, or such other office designated by the Bond Registrar and approved by the Director of Finance. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute

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owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Subject to any inhibitions during any period in which the Bonds are in book-entry form, any Bond may be (i) exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the principal corporate trust office of the Bond Registrar, or such other office designated by the Bond Registrar and approved by the Director of Finance, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar, and (ii) transferred only on the Bond Register upon presentation and surrender of the Bond at the principal corporate trust office, or such other office designated by the Bond Registrar and approved by the Director of Finance, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book-Entry System. Notwithstanding any other provisions of this ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book-entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book-entry system and, if and so long as a book-entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its designated nominee, as registered owner, and deposited with and retained in the custody of the Depository or its agent, which may be the Bond Registrar; (ii) the owners of book-entry interests in Bonds shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book-entry interests in Bonds shall be shown by book-entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book-entry

interests shall be made only by book-entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to establish a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the book-entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book-entry system for the Bonds, including the execution of a Blanket Issuer Letter of Representations in the form utilized by The Depository Trust Company.

Section 6. Sale of the Bonds.

(a) To the Original Purchaser. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price not less than 97% of the aggregate principal amount thereof plus any accrued interest on the Current Interest Bonds from their date to the Closing Date, as shall be determined by the Director of Finance in the Certificate of Award, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this ordinance to be specified in the Certificate of Award, in accordance with law, the provisions of this ordinance and the Purchase Agreement.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council (including within the meaning of each such office for purposes of this ordinance any person serving in an interim or acting capacity with respect to such office), and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other unvoted bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Purchase Agreement between the City and the Original Purchaser, in substantially the form as is now on file with the Clerk of Council, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchaser. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance or the Certificate of Award and not substantially adverse to the City and that are approved

by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure -- Official Statement. The Mayor and the Director of Finance are authorized and directed, in the name and on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement (including within such term, but not limited to, an annual information statement) relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements as they may deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Director of Finance are authorized and directed, in the name and on behalf of the City and in their official capacities, to complete, sign and deliver the Continuing Disclosure Agreement in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Mayor and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the Director of Law and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating. If, in the judgment of the Mayor or the Director of Finance, the filing of an application for a rating on the Bonds by one or more nationally-recognized rating agencies is in the best interest of and financially advantageous to this City, the Mayor or the Director of Finance may prepare and submit those applications, provide to each such agency such information as may be required for the purpose, and provide further for the payment of the cost of obtaining each such rating, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

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(e) Application of Proceeds from Sale of Bonds. The proceeds from the sale of the Bonds received by the City, except any accrued interest, shall be paid into the proper fund or funds as further described herein, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued, including the refunding and redemption of the Refunded Bonds as further described herein. Any portion of those proceeds received by the City representing accrued interest shall be paid into the Bond Retirement Fund. The expenditure of amounts necessary to pay financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds is authorized and approved.

Section 7. Redemption of Refunded Bonds; Escrow Agreement; Escrow Fund. This City Council determines that, subject to the determination of the Director of Finance that interest rates available on the sale date for the Bonds will enable the City to obtain sufficient debt service savings on the Refunded Bonds, it is necessary and in the best interest of the City to advance refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2016 (the Redemption Date) at a redemption price of 100% of the principal amount thereof, plus any accrued interest to the Redemption Date, all in accordance with the Original Bond Legislation. The Director of Finance is authorized and directed to give to the entity presently serving as the bond registrar and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of the call for redemption of the Refunded Bonds on the Redemption Date, and the Refunded Bonds shall be redeemed in accordance with the provisions of the Original Bond Legislation and the Escrow Agreement on the Redemption Date. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

The Huntington National Bank is authorized and appointed to act as the Escrow Trustee with respect to the advance refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the advance refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from and other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

There is created under the Escrow Agreement a trust fund which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Director of Finance is hereby authorized and directed to pay, or cause to be paid, to the Escrow Trustee for deposit in the Escrow Fund (i) all of the proceeds from the sale of the Bonds, except any proceeds to be used for the payment of any

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expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Director of Finance, any accrued interest, and any amount of those proceeds set forth in the Certificate of Award as representing additional premium from the sale of the Bonds and not needed for deposit in the Escrow Fund or for the payment of those expenses, which amount shall be deposited in the Bond Retirement Fund, and (ii) such amount, if any, as may be set forth in the Certificate of Award as on deposit in the Bond Retirement Fund or otherwise available to be used to provide for the refunding of the Refunded Bonds. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, all as provided in the Escrow Agreement. The securities deposited into the Escrow Fund shall be certified by an independent accounting firm to be selected by the Director of Finance (the "Verification Agent"), to be of such maturities and interest payment dates and to bear such interest as will, without further investment or reinvestment of either the principal amount thereof or interest earnings therefrom together with any such cash deposited with and to be retained in that form by the Escrow Trustee, be sufficient to pay the principal of and interest and any redemption premium on the Refunded Bonds through the date of redemption.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each date on which interest is due from the first such date following the Closing Date to and including their redemption, and (ii) the principal of all of the Refunded Bonds when due following the Closing Date and upon their redemption, as provided in the Escrow Agreement. After the redemption of, and payment in full of the principal of and interest on, the Refunded Bonds, any moneys remaining in the Escrow Fund shall be transferred to the Bond Retirement Fund.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Trustee is hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series and any actions heretofore taken by the Escrow Trustee in connection therewith are hereby ratified, approved and confirmed. If, in the judgment of the Director of Finance, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this City, the Director of Finance or any other officer of the City, on behalf of the City and in his official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved.

If the City determines to refund other outstanding unvoted general obligation bonds (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the

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Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 8. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

Section 9. Federal Tax Considerations. The Director of Finance may, if he determines it to be in the best interest of and financial advantage to the City given current market conditions, determine not to issue any portion of the Bonds as tax-exempt obligations, meaning that the interest on that portion of Bonds is not excluded from gross income for federal tax purposes, any such determination to be indicated in the Certificate of Award. The representations and covenants in this Section apply only to Bonds that are issued as tax-exempt obligations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including designation or treatment of the Bonds as "qualified tax-exempt obligations"), choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as

the City is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 10. Retention of Bond Counsel. In connection with the issuance of the Bonds, the legal services of Squire Patton Boggs (US) LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution thereof by the Mayor, the Director of Finance, the Director of Law, or any one of them, are hereby authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 11. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver promptly a certified copy of this ordinance and a signed copy of the Certificate of Award to the Cuyahoga County Fiscal Officer as soon as each is available.

Section 12. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely access the financial markets in order to refund at a lower interest cost the Refunded Bonds and thereby achieve interest rate savings and a preservation of the funds and the credit of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least five members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

C7D. No. 2015-026 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

FISCAL OFFICER'S CERTIFICATE
(Advance Refunding Series 2006 Bonds)

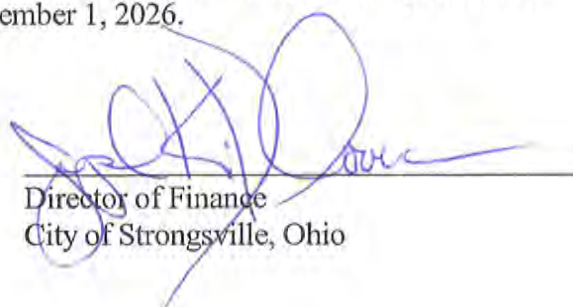
To the Council of the City of Strongsville, Ohio:

As fiscal officer of the City of Strongsville, Ohio, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$2,525,000 (the Bonds) for the purpose of advance refunding certain of the City's outstanding Various Purpose Improvement Bonds, Series 2006, dated as of September 14, 2006, which portion was issued for the purpose of (i) constructing, equipping, furnishing, improving the site of, and otherwise improving a new fire station (Project No. 5), (ii) renovating, equipping, furnishing, and otherwise improving the existing municipal service center complex (Project No. 6), and (iii) renovating, equipping, furnishing, and otherwise improving the existing police/city hall complex (Project No. 7), that:

1. The estimated life or period of usefulness of each of Project No. 5, Project No. 6 and Project No. 7 is at least five years.

2. The estimated maximum maturity of the Bonds for each of Project No. 5, Project No. 6 and Project No. 7, calculated in accordance with Section 133.20 and Section 133.34 of the Revised Code and based on the fiscal officer's certificates that I have previously delivered in connection with each of those Projects, is at least December 1, 2026.

Dated: February 17, 2015



Director of Finance
City of Strongsville, Ohio

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015-027

BY: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$18,105,000 FOR THE PURPOSE OF PAYING COSTS OF ADVANCE REFUNDING CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2009, DATED AS OF MAY 13, 2009, WHICH PORTION WAS ISSUED FOR THE PURPOSE OF (i) RENOVATING, EXPANDING, CONSTRUCTING AN ADDITION TO, IMPROVING THE SITE OF, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING THE MUNICIPAL COMPLEX LOCATED AT 18688 ROYALTON ROAD TO HOUSE POLICE, JAIL AND LAW ENFORCEMENT FACILITIES AND OTHER MUNICIPAL OFFICES AND FUNCTIONS, (ii) IMPROVING, IN COOPERATION WITH CUYAHOGA COUNTY, THE INTERSECTION OF DRAKE ROAD AND HOWE ROAD AND THE APPROACHES TO THAT INTERSECTION IN THE CITY BY GRADING, DRAINING, WIDENING, PAVING, CONSTRUCTING CURBS, INSTALLING STORM SEWERS, CATCH BASINS, MANHOLES, FIRE HYDRANTS AND TRAFFIC CONTROL DEVICES, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS THEREIN, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, (iii) IMPROVING THE CITY'S RECREATION SYSTEM BY ACQUIRING REAL ESTATE AND INTERESTS THEREIN, AND (iv) IMPROVING, IN COOPERATION WITH CUYAHOGA COUNTY, THE INTERSECTION OF ROYALTON ROAD AND WEST 130TH STREET AND THE APPROACHES TO THAT INTERSECTION IN THE CITY BY GRADING, DRAINING, WIDENING, PAVING, LIGHTING, CONSTRUCTING CURBS, INSTALLING SANITARY SEWERS, STORM SEWERS, CATCH BASINS, MANHOLES AND TRAFFIC CONTROL DEVICES, ACQUIRING ANY NECESSARY REAL ESTATE OR INTERESTS THEREIN, AND OTHERWISE IMPROVING THE SAME, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2009-030, passed February 17, 2009, and Ordinance No. 2009-065, passed April 20, 2009 (collectively the Original Bond Legislation), the City issued its Various Purpose Bonds, Series 2009, dated as of May 13, 2009 (the 2009 Bonds), as a consolidated issue pursuant to Section 133.30(B) of the Revised Code in the aggregate principal amount of \$17,985,000, for various purposes, including those identified in Section 2 as Project No. 1, Project No. 2, Project No. 3 and Project No. 4 with the principal amount of the Series 2009 Bonds attributable to Project No. 1 being \$13,000,000, to Project No. 2 being \$1,550,000, to Project No. 3 being \$1,455,000, and to Project No. 4 being \$445,000; and

WHEREAS, the principal amount of the 2009 Bonds allocated to the other improvements funded by the 2009 Bonds has been fully paid and is no longer outstanding; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to advance refund at a lower overall interest cost all or a portion of the 2009 Bonds maturing on and after December 1, 2019, which 2009 Bonds maturing on and after December 1, 2019 were issued for, and include only Projects identified as Project No. 1, Project No. 2, Project No. 3 and Project No. 4 in Section 2, all as set forth and further described in the Original

CITY OF STRONGSVILLE, OHIO

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Bond Legislation, and to issue the Bonds described in Section 2 to provide funds sufficient, together with any other amounts available to the City, for that purpose, including the payment of expenses related to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of each of Project No. 1, Project No. 2, Project No. 3 and Project No. 4, as described in Section 2 is at least five years, that the estimated maximum maturity of the bonds described in Section 2 with respect to Project No. 1 is at least December 1, 2034 and with respect to each of Project No. 2, Project No. 3 and Project No. 4 is at least December 1, 2029;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, CUYAHOGA COUNTY, OHIO, that:

Section 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (a) with respect to Capital Appreciation Bonds, if any, the denomination equal to the principal amount that, when interest is accrued and compounded thereon at the applicable compounding interest rate on each Interest Accretion Date to the stated maturity of those Bonds, will result in a Maturity Amount of \$5,000 or any integral multiple thereof and (b) with respect to Current Interest Bonds, the denomination of \$5,000 or any integral multiple thereof.

“Bond proceedings” means, collectively, this ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds appointed pursuant to Section 4 until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Book-entry form” or “book-entry system” means a form or system under which (a) the ownership of book-entry interests in Bonds and the principal of and interest on Bonds may be transferred only through a book-entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds deposited with and maintained in the custody of the Depository or its agent. The book-entry maintained by others than the City is the record that identifies the owners of book-entry interests in those Bonds and that principal and interest.

“Capital Appreciation Bonds” means any Bonds designated as such in the Certificate of Award, maturing on the Principal Payment Dates, being in the principal amounts and having the Maturity Amounts, all as set forth therein, and bearing interest accrued and compounded on each Interest Accretion Date and payable at maturity.

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“Certificate of Award” means the certificate authorized by subsection (a) of Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds, which date shall not be later than August 1, 2016.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Compound Accreted Amount” means, with respect to any Capital Appreciation Bond, the principal amount thereof plus interest accrued and compounded on each Interest Accretion Date to the date of maturity or other date of determination. The Compound Accreted Amount of a Capital Appreciation Bond as of any date other than an Interest Accretion Date is the sum of (a) the Compound Accreted Amount for that Bond on the immediately preceding Interest Accretion Date plus (b) the product of (i) the difference between (A) the Compound Accreted Amount of that Bond on the immediately preceding Interest Accretion Date minus (B) the Compound Accreted Amount of that Bond on the immediately succeeding Interest Accretion Date, times (ii) the ratio of (C) the number of days from the immediately preceding Interest Accretion Date to the date of determination to (D) the total number of days from that immediately preceding Interest Accretion Date to the immediately succeeding Interest Accretion Date; provided, however, that in determining the Compound Accreted Amount of a Capital Appreciation Bond as of a date prior to the first Interest Accretion Date, the Closing Date shall be deemed to be the immediately preceding Interest Accretion Date and the principal amount of that Bond shall be deemed to be the Compound Accreted Amount on the Closing Date.

“Continuing Disclosure Agreement” means the agreement authorized by subsection (c) of Section 6, which, together with the agreements of the City set forth in that subsection, shall constitute the Continuing Disclosure Agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Current Interest Bonds” means, collectively, the Current Interest Serial Bonds and the Term Bonds.

“Current Interest Serial Bonds” means those Current Interest Bonds designated as such and maturing on the Principal Payment Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 7.

“Escrow Trustee” means the escrow trustee for the refunding of the Refunded Bonds appointed pursuant to Section 7 until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Interest Accretion Dates” means, as to any Capital Appreciation Bonds, each June 1 and December 1 in the years during which any Capital Appreciation Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award.

“Interest Payment Dates” means (a) as to Current Interest Bonds, June 1 and December 1 of each year during which the Current Interest Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award, which first date shall not be later than December 1, 2016, and (b) as to any Capital Appreciation Bonds, their respective maturity dates.

“Maturity Amount” means, with respect to a Capital Appreciation Bond, the principal of and interest on that Bond due and payable at its stated maturity.

“Original Purchaser” means The Huntington Investment Company, or such other entity or entities as may be designated by the Director of Finance in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years designated by the Director of Finance in the Certificate of Award, commencing no later than December 1, 2016 and ending no later than December 1, 2034.

“Purchase Agreement” means the Bond Purchase Agreement between the City and the Original Purchaser, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 6.

“Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and executed by the Director of Finance in accordance with Section 4.

“Rule” means Rule 15c2-12 prescribed by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

“Term Bonds” means those Current Interest Bonds designated as such and maturing on the Principal Payment Date or Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs,

subparagraphs or clauses hereof. Reference to a Section means a section of this ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. It is necessary to issue bonds of this City in a maximum aggregate principal amount of \$18,105,000 (the Bonds) for the purpose of paying costs of advance refunding certain of the City's Various Purpose Bonds, Series 2009, dated as of May 13, 2009 (the Refunded Bonds), which portion was issued for the purpose of (i) renovating, expanding, constructing an addition to, improving the site of, furnishing, equipping and otherwise improving the municipal complex located at 18688 Royalton Road to house police, jail and law enforcement facilities and other municipal offices and functions (Project No. 1), (ii) improving, in cooperation with Cuyahoga County, the intersection of Drake Road and Howe Road and the approaches to that intersection in the City by grading, draining, widening, paving, constructing curbs, installing storm sewers, catch basins, manholes, fire hydrants and traffic control devices, acquiring any necessary real estate or interests therein, and otherwise improving the same, all together with the necessary appurtenances thereto (Project No. 2), (iii) improving the City's recreation system by acquiring real estate and interests therein (Project No. 3), and (iv) improving, in cooperation with Cuyahoga County, the intersection of Royalton Road and West 130th Street and the approaches to that intersection in the City by grading, draining, widening, paving, lighting, constructing curbs, installing sanitary sewers, storm sewers, catch basins, manholes and traffic control devices, acquiring any necessary real estate or interests therein, and otherwise improving the same, all together with the necessary appurtenances thereto (Project No. 4), and to pay expenses related to the issuance of the Bonds and the advance refunding of the Refunded Bonds. For internal accounting purposes of the City, that maximum principal amount of Bonds is hereby allocated and attributed to the extent of a maximum of: \$14,700,000 with respect to Project No. 1; \$1,485,000 with respect to Project No. 2; \$1,525,000 with respect to Project No. 3; and \$395,000 with respect to Project No. 4.

The principal maturities of the 2009 Bonds to be advance refunded shall be selected by the Director of Finance (and which principal maturities so selected thereupon shall constitute Refunded Bonds hereunder as defined in the preambles hereto) and set forth in Certificate of Award based on market conditions existing at that time and which he shall determine to be in the best interest of and financial advantages to the City, which principal maturities must be all or a portion of the Bonds maturing on and after December 1, 2019.

The aggregate principal amount of Bonds to be issued shall not exceed \$18,105,000 and shall be in an amount determined by the Director of Finance to be the aggregate principal amount of Bonds that is required to be issued, taking into account the purchase price of the Bonds, in order to effect the purpose for which the Bonds are to be issued, and also taking into account his determination of the 2009 Bonds to be Refunded Bonds, including the payment of expenses relating to the advance refunding of the Refunded Bonds and the issuance of the Bonds, which amount shall be set forth in the Certificate of Award.

Subject to the limitations set forth in this ordinance, the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this ordinance are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be designated as "Various Purpose Improvement Refunding Bonds,

Series 2015," or such other designation as set forth in the Certificate of Award, and shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The respective principal amounts of the Bonds to be issued as Current Interest Bonds and Capital Appreciation Bonds (if any Bonds are issued as Capital Appreciation Bonds) shall be determined by the Director of Finance in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Current Interest Bonds shall be dated as of the Closing Date, or such other date as may be established by the Director of Finance in the Certificate of Award, and any Capital Appreciation Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Current Interest Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 6.0% per year for any stated maturity, as shall be specified by the Director of Finance (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Current Interest Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Current Interest Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

Any Capital Appreciation Bonds shall bear interest from the Closing Date at the compounding rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 10.0% per year for any stated maturity, accrued and compounded on each Interest Accretion Date and payable at maturity, which will result in the aggregate Maturity Amounts payable at maturity, as shall be specified by the Director of Finance (subject to the provisions of subsection (c) of this Section) in the Certificate of Award; provided, that all Capital Appreciation Bonds of the same maturity shall bear the same compounding rate of interest. The total interest accrued on any Capital Appreciation Bond as of any particular date shall be an amount equal to the amount by which the Compound Accreted Amount of that Capital Appreciation Bond as of that date exceeds the principal amount of that Capital Appreciation Bond.

(b) Principal Payment Schedule. (i) The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in the following principal amounts (based on an estimated principal amount of \$16,525,000):

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2015	\$ 270,000	2025	\$1,220,000
2016	75,000	2026	1,260,000
2017	75,000	2027	1,305,000
2018	75,000	2028	1,350,000
2019	295,000	2029	1,405,000
2020	335,000	2030	1,055,000
2021	385,000	2031	1,095,000
2022	420,000	2032	1,140,000
2023	1,145,000	2033	1,195,000
2024	1,180,000	2034	1,245,000

; provided that, subject to the limitations set forth in Section 2 and subsection (c) of this Section, the principal amount of Bonds payable on any one or more of the Principal Payment Dates may be increased or decreased and the Principal Payment Dates may be adjusted consistent with the terms and parameters of this ordinance, as specified by the Director of Finance in the Certificate of Award. The Director of Finance shall allocate the principal payment schedule to each Project in the Certificate of Award in an approximate pro rata basis (which may be rounded to Authorized Denominations) by reference to the respective principal amount then outstanding for each Project, consistent with the Original Bond Legislation and the related certificate of award for the 2009 Bonds, and subject to the maximum principal amount for each Project set forth in Section 2.

(ii) Consistently with the provisions of (b)(i) above and (c) below and in accordance with that officer's determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (A) the aggregate principal amount of Bonds to be issued, (B) the aggregate principal amount of Bonds to be issued as Current Interest Bonds, (C) the aggregate principal amount of Current Interest Bonds to be issued as Current Interest Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, (D) the aggregate principal amount of Current Interest Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date, and (E) the aggregate principal amount of any Bonds to be issued as Capital Appreciation Bonds and the corresponding aggregate Maturity Amount thereof, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, and the principal amount and corresponding Maturity Amount thereof that shall be payable on each such Principal Payment Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Current Interest Bonds and the compounding rate or rates of interest per year to be borne by any Capital Appreciation Bonds, and the principal amount of Current Interest Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date and the Maturity Amount of any Capital Appreciation Bonds payable on each Principal Payment Date, shall be such that (i) there is at least \$5,000 maturing on any Principal Payment Date, (ii) the aggregate principal and interest payments to be made on the Bonds are less than the aggregate principal and interest payments that would remain to be made on the Refunded Bonds in the absence of any call for optional redemption of the Refunded Bonds, and (iii) the principal amount allocated to each Project shall be retired in full by the maximum maturity date for that portion of the principal amount, as specified above.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Current Interest Bonds, and principal of and interest on any Capital Appreciation Bonds, shall be payable when due upon presentation and surrender of the Bonds at the principal corporate trust office of the Bond Registrar, or such other office designated by the Bond Registrar and approved by the Director of Finance. Interest on a Current Interest Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next

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preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book-entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book-entry system.

(e) Redemption Provisions. Any Capital Appreciation Bonds shall not be subject to redemption prior to stated maturity. Except as otherwise provided in the Certificate of Award consistently with the determination by the Director of Finance of the best interest of and financial advantages to the City, the Current Interest Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Current Interest Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the forty-fifth day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and

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canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the City, the Current Interest Bonds or portions thereof as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the City, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the earliest optional redemption date shall not be earlier than December 1, 2019 and the highest redemption price shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of this City Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity or interest rate within a maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity and interest rate within a maturity are to be redeemed, the selection of such Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations

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greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be

outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond and to distinguish Current Interest Bonds from any Capital Appreciation Bonds, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance and the Certificate of Award.

The Huntington National Bank, Columbus, Ohio, is appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Bonds, provided, however, that the Director of Finance is authorized to appoint, in the Certificate of Award, a different Bond Registrar, after determining that any such bank or trust company appointed as Bond Registrar will not endanger the funds or securities of the City and that any such appointment is in the best interest of and financially advantageous to the City. The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book-Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its principal corporate trust office, or such other office designated by the Bond Registrar and approved by the Director of Finance. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Subject to any inhibitions during any period in which the Bonds are in book-entry form, any Bond may be (i) exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the principal corporate trust office of the Bond Registrar, or such other office designated by the Bond Registrar and approved by the Director of Finance, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar, and (ii) transferred only on the Bond Register upon presentation and surrender of the Bond at the principal corporate trust office, or such other office designated by the Bond Registrar and approved by the Director of Finance, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book-Entry System. Notwithstanding any other provisions of this ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book-entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book-entry system and, if and so long as a book-entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its

designated nominee, as registered owner, and deposited with and retained in the custody of the Depository or its agent, which may be the Bond Registrar; (ii) the owners of book-entry interests in Bonds shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book-entry interests in Bonds shall be shown by book-entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book-entry interests shall be made only by book-entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to establish a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the book-entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book-entry system for the Bonds, including the execution of a Blanket Issuer Letter of Representations in the form utilized by The Depository Trust Company.

Section 6. Sale of the Bonds.

(a) To the Original Purchaser. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price not less than 97% of the aggregate principal amount thereof plus any accrued interest on the Current Interest Bonds from their date to the Closing Date, as shall be determined by the Director of Finance in the Certificate of Award, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this ordinance to be specified in the Certificate of Award, in accordance with law, the provisions of this ordinance and the Purchase Agreement.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council (including within the meaning of each such office for purposes of this ordinance any person serving in an interim or acting capacity with respect to such office), and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other unvoted bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Purchase Agreement between the City and the Original Purchaser, in substantially the form as is now on file with the Clerk of Council, providing for the

sale of the Bonds to, and the purchase of the Bonds by, the Original Purchaser. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance or the Certificate of Award and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure -- Official Statement. The Mayor and the Director of Finance are authorized and directed, in the name and on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement (including within such term, but not limited to, an annual information statement) relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements as they may deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Director of Finance are authorized and directed, in the name and on behalf of the City and in their official capacities, to complete, sign and deliver the Continuing Disclosure Agreement in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Mayor and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the Director of Law and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating. If, in the judgment of the Mayor or the Director of Finance, the filing of an application for a rating on the Bonds by one or more nationally-recognized rating agencies is in the best interest of and financially advantageous to this City, the Mayor or the Director of Finance may prepare and submit those applications, provide to each such agency such information as may be required for the purpose, and provide further for the payment of the cost of obtaining each such rating, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from

any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

(e) Application of Proceeds from Sale of Bonds. The proceeds from the sale of the Bonds received by the City, except any accrued interest, shall be paid into the proper fund or funds as further described herein, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued, including the refunding and redemption of the Refunded Bonds as further described herein. Any portion of those proceeds received by the City representing accrued interest shall be paid into the Bond Retirement Fund. The expenditure of amounts necessary to pay financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds is authorized and approved.

Section 7. Redemption of Refunded Bonds; Escrow Agreement; Escrow Fund. This City Council determines that, subject to the determination of the Director of Finance that interest rates available on the sale date for the Bonds will enable the City to obtain sufficient debt service savings on the Refunded Bonds, it is necessary and in the best interest of the City to advance refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2018 (the Redemption Date) at a redemption price of 100% of the principal amount thereof, plus any accrued interest to the Redemption Date, all in accordance with the Original Bond Legislation. The Director of Finance is authorized and directed to give to the entity presently serving as the bond registrar and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of the call for redemption of the Refunded Bonds on the Redemption Date, and the Refunded Bonds shall be redeemed in accordance with the provisions of the Original Bond Legislation and the Escrow Agreement on the Redemption Date. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

The Huntington National Bank is authorized and appointed to act as the Escrow Trustee with respect to the advance refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the advance refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Director of Finance shall sign and deliver, in the name and on behalf of the City and in that officer's official capacity, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from and other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

There is created under the Escrow Agreement a trust fund which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Director of Finance is hereby authorized and directed to pay, or cause to be paid, to the Escrow Trustee for deposit in the Escrow Fund (i) all of the proceeds from the sale of the Bonds, except any proceeds to be used for the payment of any

expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Director of Finance, any accrued interest, and any amount of those proceeds set forth in the Certificate of Award as representing additional premium from the sale of the Bonds and not needed for deposit in the Escrow Fund or for the payment of those expenses, which amount shall be deposited in the Bond Retirement Fund, and (ii) such amount, if any, as may be set forth in the Certificate of Award as on deposit in the Bond Retirement Fund or otherwise available to be used to provide for the refunding of the Refunded Bonds. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, all as provided in the Escrow Agreement. The securities deposited into the Escrow Fund shall be certified by an independent accounting firm to be selected by the Director of Finance (the "Verification Agent"), to be of such maturities and interest payment dates and to bear such interest as will, without further investment or reinvestment of either the principal amount thereof or interest earnings therefrom together with any such cash deposited with and to be retained in that form by the Escrow Trustee, be sufficient to pay the principal of and interest and any redemption premium on the Refunded Bonds through the date of redemption.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each date on which interest is due from the first such date following the Closing Date to and including their redemption, and (ii) the principal of all of the Refunded Bonds when due following the Closing Date and upon their redemption, as provided in the Escrow Agreement. After the redemption of, and payment in full of the principal of and interest on, the Refunded Bonds, any moneys remaining in the Escrow Fund shall be transferred to the Bond Retirement Fund.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Trustee is hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series and any actions heretofore taken by the Escrow Trustee in connection therewith are hereby ratified, approved and confirmed. If, in the judgment of the Director of Finance, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this City, the Director of Finance or any other officer of the City, on behalf of the City and in his official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved.

If the City determines to refund other outstanding unvoted general obligation bonds (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds

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of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 8. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

Section 9. Federal Tax Considerations. The Director of Finance may, if he determines it to be in the best interest of and financial advantage to the City given current market conditions, determine not to issue any portion of the Bonds as tax-exempt obligations, meaning that the interest on that portion of Bonds is not excluded from gross income for federal tax purposes, any such determination to be indicated in the Certificate of Award. The representations and covenants in this Section apply only to Bonds that are issued as tax-exempt obligations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including designation or treatment of the Bonds as "qualified tax-exempt obligations"), choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such

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compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 10. Retention of Bond Counsel. In connection with the issuance of the Bonds, the legal services of Squire Patton Boggs (US) LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution thereof by the Mayor, the Director of Finance, the Director of Law, or any one of them, are hereby authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 11. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver promptly a certified copy of this ordinance and a signed copy of the Certificate of Award to the Cuyahoga County Fiscal Officer as soon as each is available.

Section 12. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely access the financial markets in order to refund at a lower interest cost the Refunded Bonds and thereby achieve interest rate savings and a preservation of the funds and the credit of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least five members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

C7D. No. 2015-027 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

FISCAL OFFICER'S CERTIFICATE
(Advance Refunding Series 2009 Bonds)


To the Council of the City of Strongsville, Ohio:

As fiscal officer of the City of Strongsville, Ohio, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$18,105,000 (the Bonds) for the purpose of advance refunding certain of the City's outstanding Various Purpose Improvement Bonds, Series 2009, dated as of May 13, 2009, which portion was issued for the purpose of (i) renovating, expanding, constructing an addition to, improving the site of, furnishing, equipping and otherwise improving the municipal complex located at 18688 Royalton Road to house police, jail and law enforcement facilities and other municipal offices and functions (Project No. 1), (ii) improving, in cooperation with Cuyahoga County, the intersection of Drake Road and Howe Road and the approaches to that intersection in the City by grading, draining, widening, paving, constructing curbs, installing storm sewers, catch basins, manholes, fire hydrants and traffic control devices, acquiring any necessary real estate or interests therein, and otherwise improving the same, all together with the necessary appurtenances thereto (Project No. 2), (iii) improving the City's recreation system by acquiring real estate and interests therein (Project No. 3), and (iv) improving, in cooperation with Cuyahoga County, the intersection of Royalton Road and West 130th Street and the approaches to that intersection in the City by grading, draining, widening, paving, lighting, constructing curbs, installing sanitary sewers, storm sewers, catch basins, manholes and traffic control devices, acquiring any necessary real estate or interests therein, and otherwise improving the same, all together with the necessary appurtenances thereto (Project No. 4) that:

1. The estimated life or period of usefulness of each of Project No. 1, Project No. 2, Project No. 3 and Project No. 4 is at least five years.

2. The estimated maximum maturity of the Bonds for Project No.1 is at least December 1, 2034 and for each of Project No. 2, Project No. 3 and Project No. 4 is at least December 1, 2029, calculated in accordance with Section 133.20 and Section 133.34 of the Revised Code and based on the fiscal officer's certificates that I have previously delivered in connection with each of those Projects.

Dated: February 17, 2015



Director of Finance
City of Strongsville, Ohio

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 - 028
BY: MAYOR THOMAS P. PERCIAK

AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER
EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2015 AND REPEALING ORDINANCE
NUMBER 2015-019

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE,
COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1: THAT THERE BE APPROPRIATED FROM THE FOLLOWING FUNDS AND AS FURTHER DETAILED IN
THE SCHEDULE ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN:

General Fund - 101					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
101	Total General Fund	\$ 16,014,200.00	\$ 7,734,200.00	\$ 12,675,000.00	\$ 36,423,400.00
Special Revenue Funds - 200					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,301,500.00	\$ -	\$ -	\$ 1,301,500.00
204	Street Construction & Maintenance	5,312,900.00	4,641,600.00	-	9,954,500.00
205	State Highway Maintenance	-	150,000.00	-	150,000.00
206	Motor Vehicle License Tax	-	300,000.00	-	300,000.00
207	Emergency Vehicle Fund	-	1,625,000.00	-	1,625,000.00
208	Fire Levy	7,432,700.00	773,000.00	-	8,205,700.00
209	Fire Pension	1,386,100.00	-	-	1,386,100.00
211	Clerk of Court	-	35,000.00	-	35,000.00
212	Drainage Levy	-	310,000.00	300,000.00	610,000.00
213	FEMA	-	60,359.00	223,944.00	284,303.00
214	Multi-Purpose Complex	3,217,700.00	1,914,400.00	-	5,132,100.00
215	Southwest General Hospital	-	334,902.00	-	334,902.00
216	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
217	Law Enforcement State Seizures	-	2,000.00	-	2,000.00
218	Law Enforcement Drug Fine	-	400.00	-	400.00
219	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
220	Tree Fund	-	100,000.00	-	100,000.00
222	Community Diversion	10,200.00	1,500.00	-	11,700.00
224	Earned Benefits	400,000.00	-	-	400,000.00
200	Total Special Revenue Funds	\$ 19,061,100.00	\$ 10,260,161.00	\$ 523,944.00	\$ 29,845,205.00
Debt Service Funds - 300					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 4,375,525.00	\$ -	\$ 4,375,525.00
333	Pearl Road TIF # 1 Fund	-	2,526,360.00	-	2,526,360.00
334	Royalton Road TIF Fund	-	156,875.00	-	156,875.00
335	Pearl Road TIF # 2 Fund	-	-	-	-
300	Total Debt Service Funds	\$ -	\$ 7,058,760.00	\$ -	\$ 7,058,760.00
Capital Improvement Capital Project Funds - 400					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00
442	General Capital Improvement	-	3,371,000.00	-	3,371,000.00
444	Pearl Road Capital Improvement	-	741,763.00	2,200,000.00	2,941,763.00
400	Total Capital Project Funds	\$ -	\$ 4,212,763.00	\$ 2,200,000.00	\$ 6,412,763.00

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT - page 1 of 2

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 321,900.00	\$ 26,000.00	\$ -	\$ 347,900.00
011411	Mayors Office	339,700.00	15,300.00	-	355,000.00
015412	Police Department	8,915,100.00	972,100.00	-	9,887,200.00
015412	Street Lighting	-	366,700.00	-	366,700.00
011413	Human Resources	225,000.00	99,100.00	-	324,100.00
011414	Finance Department	506,600.00	23,400.00	-	530,000.00
011415	Legal Department	462,900.00	136,400.00	-	599,300.00
011416	Communication & Technology	644,500.00	779,400.00	-	1,423,900.00
011417	Building Department	981,600.00	225,700.00	-	1,207,300.00
011418	Mayors Court	137,300.00	80,000.00	-	217,300.00
011420	Rubbish Department	-	2,311,500.00	-	2,311,500.00
011421	Cemetery Department	113,500.00	13,900.00	-	127,400.00
011421	County Board of Health	-	175,500.00	-	175,500.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	105,000.00	61,000.00	-	166,000.00
011424	Civil Service	-	47,000.00	-	47,000.00
011425	Board of Appeals	-	11,000.00	-	11,000.00
011428	Parks Department	103,500.00	225,100.00	-	328,600.00
011430	General Miscellaneous	-	1,713,700.00	-	1,713,700.00
011435	Economic Development	143,100.00	144,600.00	-	287,700.00
015414	Corrections Officers	764,400.00	138,700.00	-	903,100.00
011435	Joint Dispatch Center	2,092,500.00	156,100.00	-	2,248,600.00
011452	Public Safety	157,600.00	6,000.00	-	163,600.00
011468	Non Government Transfers	-	-	12,675,000.00	12,675,000.00
	Total General Fund	\$ 16,014,200.00	\$ 7,734,200.00	\$ 12,675,000.00	\$ 36,423,400.00
031000	Police Pension	1,301,500.00	-	-	1,301,500.00
046419	Street Repairs	4,410,400.00	2,441,100.00	-	6,851,500.00
046426	Traffic Signal Maintenance	225,800.00	230,500.00	-	456,300.00
046427	Snow Removal	-	1,085,000.00	-	1,085,000.00
046433	Municipal Garage	676,700.00	885,000.00	-	1,561,700.00
056000	State Highway Maintenance	-	150,000.00	-	150,000.00
066000	Motor Vehicle License Tax	-	300,000.00	-	300,000.00
075000	Emergency Vehicle Fund	-	1,625,000.00	-	1,625,000.00
085000	Fire Levy	7,432,700.00	526,000.00	-	7,958,700.00
085001	Fire Station Ward 1	-	39,000.00	-	39,000.00
085002	Fire Station Ward 2	-	81,000.00	-	81,000.00
085003	Fire Station Ward 3	-	31,000.00	-	31,000.00
085004	Fire Station Ward 4	-	96,000.00	-	96,000.00
095000	Fire Pension	1,386,100.00	-	-	1,386,100.00
111000	Clerk of Court	-	35,000.00	-	35,000.00
121000	Drainage Levy	-	310,000.00	300,000.00	610,000.00
131000	FEMA	-	60,359.00	223,944.00	284,303.00
143304	Sports Programs	268,800.00	168,600.00	-	437,400.00
143305	Recreation Administration	462,100.00	626,900.00	-	1,089,000.00
143306	Fitness	437,600.00	134,900.00	-	572,500.00
143309	Ice Rink	-	282,500.00	-	282,500.00
143310	Aquatics	737,400.00	102,300.00	-	839,700.00
143311	Recreation Programs	219,000.00	32,800.00	-	251,800.00
143430	Special Events	-	17,100.00	-	17,100.00
143431	Old Town Hall	10,200.00	12,300.00	-	22,500.00
143439	Senior Services	569,800.00	319,000.00	-	888,800.00
143451	Recreation Maintenance	512,800.00	168,000.00	-	680,800.00
143500	Program Refunds	-	50,000.00	-	50,000.00
152000	Southwest General Hospital	-	334,902.00	-	334,902.00
165000	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
175000	Law Enforcement State Seizures	-	2,000.00	-	2,000.00
185000	Law Enforcement Drug Fine	-	400.00	-	400.00
195000	Law Enforcement DWI/DUI	-	10,000.00	-	10,000.00
204000	Tree Maintenance	-	100,000.00	-	100,000.00
225000	Community Diversion	10,200.00	1,500.00	-	11,700.00
224000	Earned Benefits	400,000.00	-	-	400,000.00
3	Total Special Revenue Funds	\$ 19,061,100.00	\$ 10,260,161.00	\$ 523,944.00	\$ 29,845,205.00

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT - page 2 of 2

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	4,375,525.00	-	4,375,525.00
333000	Pearl Road TIF # 1	-	2,526,360.00	-	2,526,360.00
334000	Royalton Road TIF	-	156,875.00	-	156,875.00
335000	Pearl Road TIF # 2	-	-	-	-
	Total Debt Service	\$ -	\$ 7,058,760.00	\$ -	\$ 7,058,760.00
413000	Recreation Capital Improvement	-	100,000.00	-	100,000.00
421000	General Capital Improvement	-	3,371,000.00	-	3,371,000.00
446200	Pearl Road Capital Improvement Phase II	-	741,763.00	2,200,000.00	2,941,763.00
	Total Capital Projects	\$ -	\$ 4,212,763.00	\$ 2,200,000.00	\$ 6,412,763.00
512501	Engineering and Administration	640,000.00	848,000.00	-	1,488,000.00
512502	Plant Expenditures	-	2,011,000.00	-	2,011,000.00
512503	Line Expenditures	683,500.00	765,000.00	-	1,448,500.00
512504	Sewer Capital Improvements	-	1,020,000.00	-	1,020,000.00
512505	Sewer Debt Payments	-	325,734.00	-	325,734.00
	Total Sanitary Sewer	\$ 1,323,500.00	\$ 4,969,734.00	\$ -	\$ 6,293,234.00
664000	Workers Compensation	\$ -	\$ 320,000.00	\$ -	\$ 320,000.00
	GRAND TOTAL	\$ 36,398,800.00	\$ 34,555,618.00	\$ 15,398,944.00	\$ 86,353,362.00

Enterprise Funds - 500					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,323,500.00	\$ 4,969,734.00	\$ -	\$ 6,293,234.00

Internal Service Fund - 600					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
664	Workers' Compensation Reserve	\$ -	\$ 320,000.00	\$ -	\$ 320,000.00
Grand Total All Funds		\$ 36,398,800.00	\$ 34,555,618.00	\$ 15,398,944.00	\$ 86,353,362.00

Itemized list of Transfers and Advances by Fund	
Description	Amount
General Fund to Street Construction Fund	\$ 3,370,000.00
General Fund to Fire Levy Fund	2,665,000.00
General Fund to Multi-Complex Fund	1,900,000.00
General Fund to Police Pension Fund	840,000.00
General Fund to Fire Pension Fund	900,000.00
General Fund to Earned Benefits Fund	1,000,000.00
General Fund to General Capital Improvement	2,000,000.00
Total Transfers	\$ 12,675,000.00
Drainage Levy to General Fund	300,000.00
FEMA Fund to General Fund	223,944.00
Pearl Road Capital Improvement Fund Phase II to General Fund	2,200,000.00
Total Advances and Advance Repayments	\$ 2,723,944.00
Total Transfers, Advances and Advance Repayments	\$ 15,398,944.00

Section 2: That all expenditures within the fiscal year ending December 31, 2015 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4: AS AN ORDINANCE providing for the appropriation of monies and consistent with the City's Charter Article III, Section 13, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, or otherwise at the earliest time allowed by law.

President of Council

Approved: _____
Mayor

Date Passed

Date Approved

Attest: _____
Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

ORD. No. 2015-028 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2015 – 029

By: Mayor Perciak and Mr. Dooner

A RESOLUTION AMENDING RESOLUTION NOS. 2013-254, 2013-104, 2012-139 AND 2011-033 TO DESIGNATE AN ADDITIONAL DEPOSITORY FOR ACTIVE AND INTERIM FUNDS OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, through passage of Resolution No. 2011-033, this Council, among other items, designated various financial institutions as depositories for active and interim funds of the City for a five-year period commencing March 15, 2011 to March 14, 2016; and

WHEREAS, through passage of Resolution Nos. 2012-139, 2013-104 and 2013-254, various other entities were added as additional depositories; and

WHEREAS, at this time, the Director of Finance recommends addition of another depository, Independence Bank of Independence, Ohio, in order to afford the City competitive interest rates, flexibility in investment deposits, and continued protection of City funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 2 of Resolution No. 2011-033, is hereby further amended to read in its entirety as follows:

“Section 2. That the following depositories be and they are hereby designated by the Council of the City of Strongsville for the deposit of public monies in compliance with the applicable provisions of the laws of the State of Ohio commencing March 15, 2011 to March 14, 2016:

CHARTER ONE
FIFTH THIRD BANK
FIRST FEDERAL OF LAKEWOOD
HSBC BANK USA
HUNTINGTON NATIONAL BANK
INDEPENDENCE BANK
JP MORGAN CHASE BANK
KENNEY BANK AND TRUST
KEY BANK
PNC BANK
TOTAL MERCHANT SERVICES
TRI-STATE CAPITAL BANK”

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2015 - 029
Page 2

Section 2. That Section 1 of Resolution No. 2013-254 is amended accordingly.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City; and for the further reason that it is immediately necessary to provide additional competitive depositories for the safekeeping of monies of the City of Strongsville, and to conserve public funds. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2015-029 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Deleted: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 030

By: Mayor Perciak and All Members of Council

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND CITY ENGINEER TO FILE AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING ASSISTANCE UNDER THE OHIO DEPARTMENT OF TRANSPORTATION AND OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION'S TURNPIKE MITIGATION PROGRAM, IN CONNECTION WITH THE CITY'S SOUTH LAGUARDIA PARKWAY AND TIMBER EDGE/PINE TREE PLACE NOISE BARRIER WALL PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, in November, 2008, the Ohio Turnpike Commission prepared a Noise Mitigation Study to review and study noise impact mitigation measures that may be used along the Ohio Turnpike; and such study identified the Strongsville location areas where barriers would be beneficial to residential homes within such areas; and

WHEREAS, the City of Strongsville is now planning to initiate a project to mitigate certain traffic noise on the north side of the Ohio Turnpike near South Laguardia Parkway and also on the south side of the Ohio Turnpike near Timber Edge and Pine Tree Place, by constructing noise barrier walls at these two locations in order to address audio effects of traffic to residents arising from the flow of traffic on the Ohio Turnpike (the "Project"); and

WHEREAS, the Project consists of the design and construction of two (2) 8-foot high "T"-top noise barrier walls, with the first being approximately 1,500 linear feet and located on the north side of the Ohio Turnpike near mile marker 162, and the second being approximately 1,300 linear feet located on the south side of the Ohio Turnpike near mile marker 163; and

WHEREAS, the City intends to request funding from the Ohio Department of Transportation and Ohio Turnpike and Infrastructure Commission under the Turnpike Mitigation Program in order to assist the City in supporting the Project; and

WHEREAS, in order to avail itself of the aforesaid funding and meet the application filing deadline for financial assistance, the City must proceed with prompt application to the Ohio Department of Transportation and Ohio Turnpike and Infrastructure Commission for funding assistance in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby approves and authorizes the Mayor and City Engineer to file an application with the Ohio Department of Transportation and Ohio

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 030
Page 2

Turnpike and Infrastructure Commission for funds under its Turnpike Mitigation Program in an amount up to \$1,075,200.00, on behalf of the City of Strongsville, for funding of two (2) noise barrier walls, one being on the north side of the Ohio Turnpike near South Laguardia Parkway, and another on the south side of the Ohio Turnpike near Timber Edge and Pine Tree Place, a copy of which application is on file with the City's Engineer and which is, in all respects, hereby approved.

Section 2. That the City's portion of the costs in connection with the Project, estimated to be some \$89,600.00 of the total Project costs, shall be paid from the General Capital Improvement Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reasons that it is immediately necessary to approve and authorize the filing of the application in order to meet the filing deadline and be eligible for the grant program, to alleviate and mitigate undue noise and audio effects of the flow of high-speed traffic within certain areas of the municipality, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-030 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 031

By: Mayor Perciak and Mr. Maloney

AN ORDINANCE AMENDING SECTION 1252.16 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING PROJECTIONS INTO YARDS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 1252.16 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

* * *

1252.16 PROJECTIONS INTO YARDS.

A projection is that part or feature of a building which extends or projects outside of the main building walls. It is intended that certain features may project into required yards but they shall be regulated so as not to substantially interfere with the reception of sun, light, air and the use of adjacent lots. Building features may project into a front, side or rear yard of a dwelling as follows:

- (a) Architectural Features. A belt course, balcony, cornice, gutter or chimney may project into a front and side yard for a distance of two feet provided no part is less than three feet from any side lot line.
- (b) Entrance Features. An open platform, landing, steps, terrace or other feature not extending above the first floor level of a building may extend up to six feet into a **required** front yard and three feet into a **required** side yard.
- (c) Enclosed Shelters. An enclosed entry, enclosed porch or enclosed deck may be constructed as part of the dwelling, but shall not project into any required yard area.
- (d) Unenclosed Shelters. An entrance hood or open but roofed porch may project up to six feet into a **required** front yard or **required** rear yard and three feet into a **required** side yard.
- (e) Unenclosed Patio or Deck. On a lot with a one-family dwelling or two-family dwelling, an unenclosed patio or deck may project up to fourteen feet into a required rear yard provided such deck or patio maintains the same required side yard setback as established for the main building, and is set back not less than five feet from any rear lot line, and does not encroach into any easement.
On a lot with a one-family cluster or a townhouse dwelling, an unenclosed patio or deck may project up to fourteen feet into a required rear yard provided such deck or patio is set back not less than ten feet from the rear

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 031
Page 2

lot line, and does not encroach into an easement, and thirty-five feet from any adjoining side or rear lot line of any single family dwelling lot and does not encroach into any easement; except that, if the Planning Commission has approved the location and arrangement of unenclosed patios or decks for the cluster or townhouse area in conjunction with the approval of the detailed site plan of such area, then such approval shall govern.
(Ord. 2012-085. Passed 9-17-12.)

* * *

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First reading: _____

Referred to Planning Commission

Second reading: _____

Third reading: _____

Approved: _____

Public Hearing: _____

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-031 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 032

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE PURCHASE OF ONE (1) 2015 CHEVY TAHOE VEHICLE, FOR USE BY THE FIRE DEPARTMENT OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 5513.01(B) provides the opportunity for counties, townships and municipal corporations to participate in contracts of the Ohio Department of Administrative Services for the purchase of machinery, materials, supplies or other articles; and

WHEREAS, this Council wishes to take advantage of that opportunity in connection with the purchase of one (1) 2015 Chevy Tahoe vehicle (Contract No. RS901214, Index No. GDC050), for use by the Fire Department;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in the Ohio Department of Administrative Services contracts for the purchase through **BYERS CHEVROLET** of one (1) 2015 Chevy Tahoe vehicle, in a total amount not to exceed \$32,623.00, for use by the Fire Department of the City, as itemized on Exhibit A attached hereto and incorporated herein, which the Department has entered into pursuant to Revised Code Section 5513.01(B).

Section 2. That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

Section 3. That the Mayor and Director of Finance be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Administrative Services Cooperative Purchasing Program.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 032
Page 2

Section 4. That the funds for the purposes of said contract have been appropriated and shall be paid from the Emergency Vehicle Fund.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to participate in such program and purchase such vehicle in order to maintain continuity in the operation of the Fire Department, to provide for the safety and welfare of the public, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

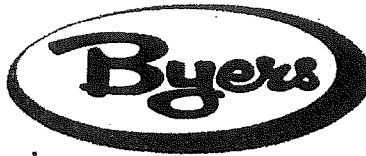
Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-032 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



www.byersauto.com

1/24/15

Brian,

Please find the quote you requested for the Tahoe. We are moving to our new dealership tomorrow so, it may be hard to reach me. We hope to be up and running Monday in our new location.

2015 Special Service 4x4	\$31,669.00
6J3 grill/siren wiring	82.00
6J4 horn/siren wiring	38.00
UT7 grounding stud	80.00
GBE Crystal red paint	435.00
PZX wheels	528.00
6C7 dome lamp	149.00
BTV remote start	167.00
Delete body side mold.	(150.00)
Delete spotlight	(300.00)
Delete XM radio	(75.00)

Total \$32,623.00

Thank you for the opportunity, I hope to hear from you soon.

Regards,

Tom Allen

Byers Chevrolet
614)737-7227



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 033

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE APPROVING THE FILING OF AN APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FUNDING FROM NOACA THROUGH THE ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, FOR THE PURCHASE OF A VEHICLE TO PROVIDE TRANSPORTATION SERVICES FOR THE CITY'S SENIOR WHEELS PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville Department of Recreation & Senior Services coordinates with the Cities of Berea and Brook Park, and other agencies, to operate the Senior Wheels program, which provides transportation services for the elderly and persons with disabilities who reside within those communities; and

WHEREAS, the Senior Wheels program has documented a need to replace a vehicle for use in its transportation services; and

WHEREAS, therefore, the City of Strongsville is desirous of applying for approximately \$100,000.00 in funding to replace such vehicle, from the Northeast Ohio Areawide Coordinating Agency (NOACA) for Cleveland Urbanized Area Federal Transit Administration (FTA) funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program (Section 5310); and

WHEREAS, NOACA is designated recipient of the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program for the Cleveland Urbanized Area authorized to make grants to public bodies, private nonprofit organizations, and other eligible entities; and

WHEREAS the Enhanced Mobility for Seniors and Individuals with Disabilities program is paid on a reimbursement basis requiring the applicant to first expend funds then request reimbursement from NOACA, which will, in turn, request the funds from FTA; and

WHEREAS, the Enhanced Mobility for Seniors and Individuals with Disabilities program will provide eighty percent (80%) federal funds for capital projects, with a twenty percent (20%) match by the City of approximately \$20,000.00; and

WHEREAS, this project is included in the Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio; and

WHEREAS, the City of Strongsville agrees to abide by federal requirements as a sub-recipient of FTA funds, including federal fiscal year 2015 Certifications and Assurances inclusive of provisions of Title VI of the Civil Rights Act of 1964, and all subsequent annual Certifications and Assurances during the length of the agreement, including federal procurement, maintenance, useful life, disposition standards, and ongoing reporting.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby approves the filing of an application with NOACA for Cleveland Urbanized Area Federal Transit Administration funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program (Section 5310), on behalf of the City of Strongsville for funding for a new vehicle, as more fully set forth in the application on file in the office of the Director of Recreation & Senior Services; and further authorizes the Mayor, Director of Finance, Director of Recreation & Senior Services and/or their authorized representatives to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith, including execution of a contract with NOACA if selected for funding.

Section 2. That the funds necessary to carry out the purposes of this Ordinance, and to pay the City's share, have been appropriated and shall be paid from the Multi-Purpose Complex Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to approve the filing of the application in order to continue the Senior Wheels program and to provide an adequate vehicle for transportation service for the elderly and individuals with disabilities, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 033
Page 2

President of Council

Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

ORD. No. 2015-033 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 034

By: Mr. Southworth

**AN ORDINANCE AUTHORIZING THE SALE BY
INTERNET AUCTION, OF CERTAIN OBSOLETE
PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL
PURPOSE BY THE CITY'S RECREATION DEPARTMENT,
AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE,
COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council finds that the Recreation Department of the City of Strongsville is in possession of certain old and obsolete equipment and/or tangible property which is obsolete, surplus, has little monetary value, and is no longer needed for any municipal purpose, as more particularly described in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference, and further finds, therefore, that it will be in the best interest of the City that such property be sold by public internet auction through GovDeals.

Section 2. That pursuant to Ohio Revised Code Section 721.15, the City is authorized to sell or dispose of property by internet auction; and that, pursuant to Article IV, Section 3(e) of the City Charter, the Mayor and Director of Finance be and are hereby authorized to dispose of such obsolete tangible property identified in Exhibit "A," and to perform all acts required in furtherance thereof.

Section 3. That the Director of Finance and the Mayor therefore are authorized to retain the services of **GovDeals** to effectuate the sale of such obsolete property by internet auction through an appropriate user agreement between the City and GovDeals, and in a form to be approved by the Law Director; and that the Director of Finance, Mayor and Director of Recreation & Senior Services be and are further authorized and directed to execute all documents and perform all acts required to complete the sale of such obsolete and unneeded property by public internet auction.

Section 4. That the public internet auction will be conducted through GovDeals in accordance with its rules, regulations and procedures, including listing of the obsolete and unneeded property for sale by auction to the public on the internet. That as required by law, the property will be listed for ten (10) days, including Saturdays, Sundays and legal holidays.

Section 5. That the net proceeds of the operation of this Ordinance shall be deposited into the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 034
Page 2

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the immediate sale of such obsolete and unneeded municipal property is necessary in order to provide necessary storage space for the Recreation Department, to enable the Department to replace obsolete equipment, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-034 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

Equipment to be sold on GovDeals

1. Senior Center pool table (Italardesia – Original Italian Slate)
2. Six (6) Wave Master Kickboxing Bags

EXHIBIT A

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 035

By: Mr. Carbone

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2015 FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the City has advertised and received bids for the purchase of general pavement services for use by the Service Department of the City of Strongsville for a period ending December 31, 2015; and

WHEREAS, Council is desirous of proceeding to award and enter into a contract for such services.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby finds and determines that the bid submitted by **CROSSROADS ASPHALT RECYCLING, INC.**, for the purchase of general pavement services through December 31, 2015 for use by the Service Department of the City of Strongsville meets the specifications on file in the office of the Director of Public Service; is in compliance with the applicable requirements for bids and contracts established by the laws of the City and the State; and is the lowest and best bid for the proposed contract. All other bids for this contract are hereby rejected.

Section 2. That accordingly the Mayor be and is hereby authorized and directed to enter into a contract with the aforesaid lowest and best bidder for the purchase of general pavement services for use by the Service Department of the City, in accordance with the specifications on file in the office of the Director of Public Service and for the unit prices and sums submitted in such bid, but in any event in a total amount not to exceed \$861,792.00 through December 31, 2015, and in a form to be approved by the Law Director.

Section 3. That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the Street Construction, Maintenance and Repair Fund, State Highway Maintenance Fund and Motor Vehicle Fund.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 035
Page 2

committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to authorize execution of said contract in order to improve and render safe various public roadways in the City, provide for the continuity of services and operation of the Department of Public Service, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-035 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 036

By: Mr. Carbone

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR HEATING, VENTILATING AND AIR CONDITIONING AND PLUMBING MAINTENANCE GENERAL SERVICES FOR CERTAIN MUNICIPAL BUILDINGS OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the City has advertised for and received bids for heating, ventilating and air conditioning and plumbing maintenance general services for a period beginning February 1, 2015 and ending December 31, 2017, for certain municipal buildings of the City of Strongsville in accordance with specifications on file in the office of the Director of Public Service; and

WHEREAS, Council is desirous of proceeding to award and enter into a contract for such services;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council hereby finds and determines that the bid submitted by **GEM INC.** for heating, ventilating and air conditioning and plumbing maintenance general services for the period beginning February 1, 2015 and ending December 31, 2017, for various municipal buildings of the City of Strongsville meets the specifications on file in the office of the Director of Public Service; is in compliance with the applicable requirements for bidding and contracts established by the laws of the City and the State; and is the lowest and best bid for the proposed contract. Any and all informalities or minor defects in the bidding process or bid submitted, including but not limited to timely submission of supplementary information, are hereby waived. All other bids for this contract are hereby rejected.

Section 2. That the Mayor be and is hereby authorized and directed to enter into a contract with the aforesaid lowest and best bidder for heating, ventilating and air conditioning and plumbing maintenance general services for the period beginning retroactive to February 1, 2015 and ending December 31, 2017 for certain municipal buildings of the City of Strongsville in accordance with the specifications on file in the office of the Director of Public Service, for the various sums submitted in such bid, and in a total amount not to exceed \$184,358.00 during the entire contract period.

Section 3. That the funds for the purpose of such contract have been appropriated for 2015, and shall be paid from the General Fund; Street Construction, Maintenance and Repair Fund; Sanitary Sewer Fund; and the Fire Levy Fund during the contract period; and the Director of Finance be and is hereby authorized and directed to

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 - 036
Page 2

issue the City's warrants in accordance with the terms and conditions of such bid and contract.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to contract for said services in order to provide for the continuity of services and operation of the various departments of the City, to ensure efficient and safe operation of the City's facilities, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Maloney	_____	_____
Schonhut	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2015-036 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____