

City of Strongsville

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Strongsville, Ohio 44149-5598
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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

January 29, 2015

MEETING NOTICE

City Council has scheduled the following meetings for **Monday, February 2, 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.

Planning Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2014-197, 2015-009, 2015-020, 2015-021 and Resolution No. 2015-022.

Public Safety and Health Committee will meet to discuss Ordinance No. 2015-023.

Recreation and Community Services Committee will meet to discuss Ordinance No. 2015-024.

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

Committee of the Whole will meet to discuss Ordinance No. 2015-025.

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
MONDAY, FEBRUARY 2, 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 – January 20, 2015*
6. APPOINTMENTS AND CONFIRMATIONS:
 - *Special recognitions presented to Eva Pate for winning the 2014 U.S. Figure Skating Solo Dance National Championship.*
 - *Proclamations presented by Mayor Thomas Perciak, Senator Tom Patton, Jackie Hamschild, EMS Coordinator and Albert Matyas, VP of Ambulatory Operations and Business Development for Southwest General Health Center to Fire Chief Jeffrey P. Branich for his thirty-four years of dedicated service to the City of Strongsville.*
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 F, Lot #118, Grave I.
- Motion to ratify, note and approve the burial of Roman Malskyy in Section F, Lot #118, Grave G, based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery.
- Motion to ratify, note and approve the burial of John P. Gromen in Section F, Lot #105, Grave E, 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. 2014-197 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 ROYALTON ROAD AND WEST 130TH STREET, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 399-01-005). *First reading and referred to Planning Commission on 10-20-14. Favorable recommendation by Planning Commission 11-07-14. Second reading 11-17-14. Third reading 01-05-15.*
- Ordinance No. 2015-009 by Mr. Maloney. AN ORDINANCE ACCEPTING CERTAIN LANDS WITHIN FIELDSTONE PRESERVE SUBDIVISION PHASE 2 FOR DEDICATION TO PUBLIC USE; ACCEPTING CERTAIN PUBLIC UTILITIES CONSTRUCTED THEREIN AND AUTHORIZING AND DIRECTING THE ACTS REQUIRED IN FURTHERANCE THEREOF, AND DECLARING AN EMERGENCY. *First reading 01-20-15.*

- Ordinance No. 2015-020 by Mr. Maloney. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 5 FOR A FURTHER INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT PHASE II (CUY-42-0.00), AND DECLARING AN EMERGENCY.
- 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.
- Resolution No. 2015-022 by Mayor Perciak and Mr. Maloney. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2015 IN THE CITY OF STRONGSVILLE.
- Ordinance No. 2015-023 by Mayor Perciak and All Members of Council. AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR REIMBURSEMENT OF EXPENSES WITH THE OHIO EMERGENCY MANAGEMENT AGENCY THROUGH THE STATE DISASTER RELIEF PROGRAM, AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A NOTICE OF AWARD & GRANT AGREEMENT, ALL AS A RESULT OF THE MAY, 2014 FLOODING DAMAGE EXPENSES INCURRED BY THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-024 by Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2015-025 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND ADOPTING REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY FOR THE LAST HALF OF 2014, REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 197

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 ROYALTON ROAD AND WEST 130th STREET, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 399-01-005).

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 Royalton Road and West 130th Street, from LB (Local Business) classification to MS (Motorist Service) classification (PPN 399-01-005), which property is more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and incorporated herein as if fully rewritten.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary change 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 shall take effect and be in force from and after the earliest period allowed by law.

First reading: October 20, 2014 Referred to Planning Commission

Second reading: November 17, 2014 October 21, 2014

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 - 197

Page 2

Third reading: _____ Approved: _____

Public Hearing: January 5, 2014

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. 2014-197 Amended: _____
1st Rdg. 10-20-14 Ref: PL/PZE
2nd Rdg. 11-17-14 Ref: PZE
3rd Rdg. 01-05-15 Ref: PZE

Pub Hrg. 1/5/15 Ref: _____
Adopted: _____ Defeated: _____

PETITION FOR ZONING CHANGE

Ordinance Number: 2014-197

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 MS use.
(Local Business) (Motorist Service)

Such change is necessary for the preservation and enjoyment of a substantial property right because: Local zoning is overly restrictive by precluding a use that is in great demand in the

neighborhood. Rezone to MS would allow development that would provide and enhance
convenience for the neighborhood.

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 fits harmoniously with other adjacent

commercial uses, provides convenience by enhancing neighborhood services, and will include
required screening between adjacent properties.

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

1. _____
2. _____
3. _____

THE PROPOSED USE OF THE PROPERTY IS: Gas Station/Convenience Store

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

Name: Mark Bush - Agent

Address: 361 Summit Blvd. Suite 110, Birmingham, AL 35243

Telephone Number: 205-968-9220

Signature of Owner(s) 

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 14 day of OCTOBER, 2014.


Notary Public

My commission expires: _____ CARLA M. SANTORA
Notary Public - State of Ohio

* 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. Recorded in Cuyahoga County, Ohio on October 2, 2014. My Commission Expires October 2, 2017

PROPERTY DESCRIPTION FORM

Ordinance Number: 2014-197

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: Royalton Rd. (S.R. 82), Strongsville, OH

Permanent Parcel No.: 399-01-005

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Royalton Rd. (S.R. 82) to the north and w. 130th St. to the East.

Number and type of buildings which now occupy property (if any): None

Acreage: 67,125 sqft or 1.541 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): See attached Deed.

Said deed restrictions (will) (have) expire(d) on: December 29, 2007

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Petros Family LTD PA</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 6th day of October, 2014.

Notary Public

My commission expires _____
CARLA M. SANTORA
Notary Public - State of Ohio
Recorded in Cuyahoga County
My Commission Expires December 2, 2017

* 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.

EXHIBIT "A"

SITUATED IN THE TOWNSHIP OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OH OHIO:

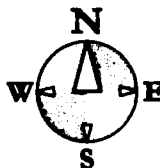
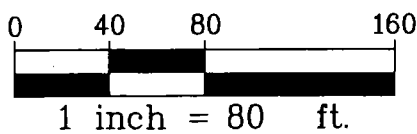
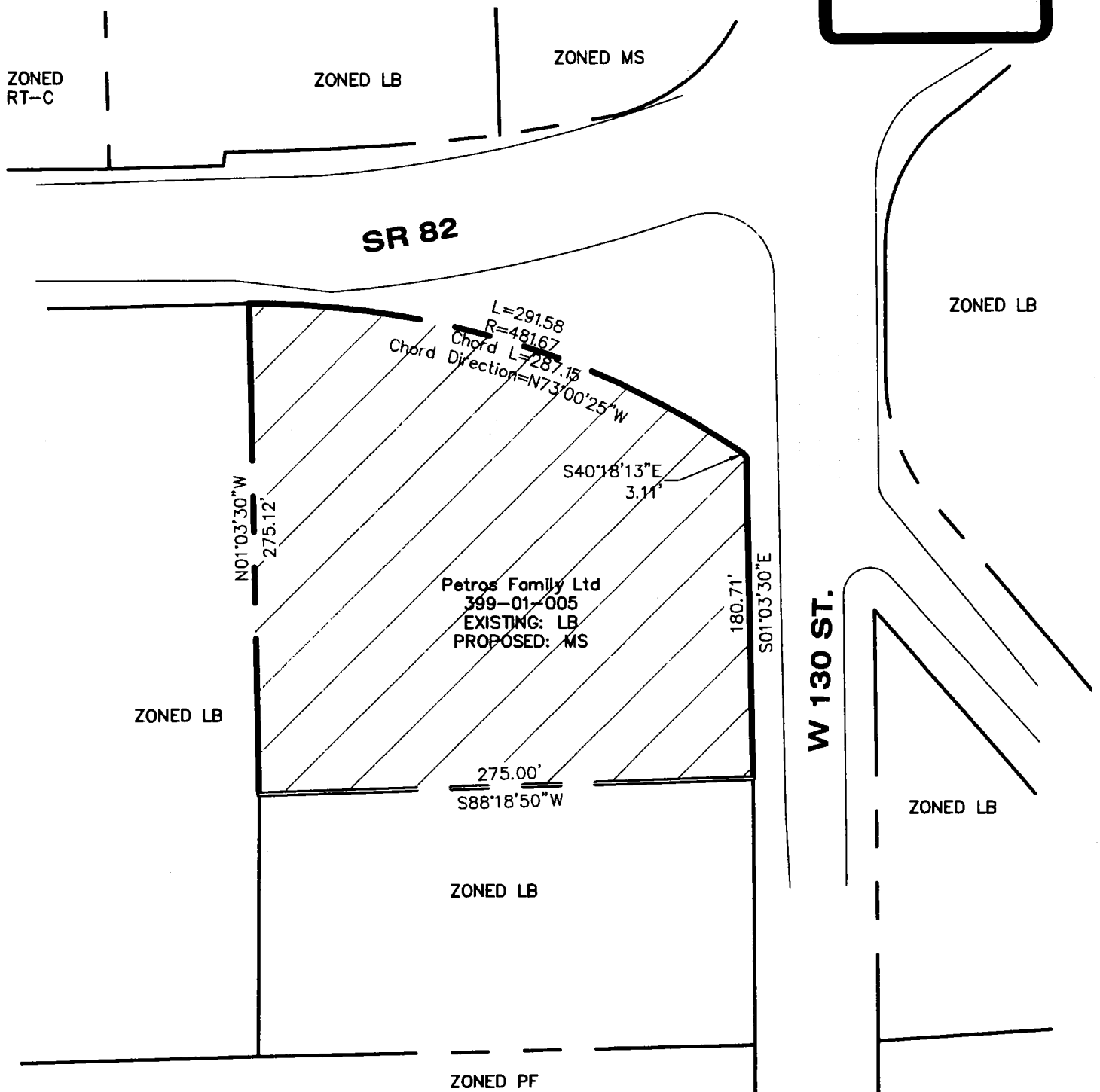
AND KNOWN AS BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT NO. 5 AND
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING IN THE WESTERLY LINE OF WEST 130TH STREET, 80 FEET WIDE, AT THE NORTHEASTERLY CORNER OF A PARCEL OF LAND CONVEYED TO FRANK W. DONNER BY DEED RECORDED IN VOLUME 10122, PAGE 160 OF CUYAHOGA COUNTY RECORDS; THENCE SOUTH 88° 18' 50" WEST ALONG THE NORTHERLY LINE OF SAID LAND, 275.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LAND; THENCE NORTH 1° 03' 30" WEST ALONG THE PROLONGATION NORTHERLY OF THE WESTERLY LINE OF SAID LAND COVED TO FRANK W. DONNER, BEING ALSO THE EASTERLY LINE OF A PARCEL OF LAND CONVEYED TO HARRY NICHOLSON BY DEED RECORDED IN VOLUME 7480, PAGE 644 OF CUYAHOGA COUNTY RECORDS, 275.12 FEET TO A POINT IN THE SOUTHERLY CURVED LINE OF ROYALTON ROAD AS SHOWN BY THE RECORDED PLAT IN VOLUME 125, PAGE 18 OF CUYAHOGA COUNTY RECORDS; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY CURVED LINE OF ROYALTON ROAD, BEING THE ARC OF A CIRCLE DEFLECTING TO THE RIGHT, 291.58 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF EDGERTON ROAD, 60 FEET WIDE; SAID ARC HAVING A RADIUS OF 481.67 FEET AND A CHORD WHICH BEARS SOUTH 73° 00' 25" EAST, 287.15 FEET; THENCE SOUTH 40° 18' 13" EAST ALONG THE SOUTHWESTERLY LINE OF EDGERTON ROAD, 60 FEET WIDE, 3.11 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF WEST 130TH STREET, 80 FEET WIDE; THENCE SOUTH 1° 03' 30" CAST ALONG THE WESTERLY LINE OF WEST 130TH STREET 180.71 FEET TO THE PLACE OF BEGINNING ACCORDING TO THE SURVEY OF WARREN J. ROOT & ASSOCIATES, CIVIL ENGINEERS & SURVEYORS, BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS. THE COURSES USED IN THIS DESCRIPTION ARE GIVEN TO A ASSUMED MERLDIAN, AND ARE USED TO INDICATE ANGLES ONLY.

LESS AND EXCEPT THE DESCRIPTION RECORDED 07/25/2013 IN DOCUMENT NO.
200307250669, AND RE-RECORDED 10/07/2033 IN DOCUMENT NO. 200310071633

TAX I.D. NUMBER: 399-01-005

EXHIBIT B



DIMENSIONS SHOWN ALONG
 PROPERTY, RIGHT-OF-WAY AND/OR
 LEASE LINES ARE PRELIMINARY AND
 SHOWN FOR INFORMATIONAL
 PURPOSES ONLY

HS
 hurley & stewart

hurley & stewart, llc
 2800 south 11th street
 kalamazoo, michigan 49009
 269.552.4960 fax 269.552.4961
 www.hurleystewart.com

Job No.: 14-011
 Date: 10/02/14
 Scale: AS NOTED
 P.M.: TM
 Dft: AS
 QA/QC: 10/02/14

Title:
 Project:
 Client:

**Petition for Rezone
 Zoning Change App
 City of Strongsville**

Drawing No.

1

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: October 10, 2014

SUBJECT: Rezoning Application
Petros Family LTD PA, Owners; Mark Bush, Agent
PPNs 399-01-005
From LB to MS

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

RECEIVED
OCT 10 2014
CITY OF STRONGSVILLE
CITY COUNCIL

To: Ken Kraus, Law Director

CC: Mayor Thomas Perciak
Aimee Pientka, Clerk of Council

From: Lori Daley, Engineering

Date: October 10, 2014

Re: Rezoning Application
Petros Family LTD PA, Owners
Mark Bush, Agent
PPN 399-01-005
From LB to MS

Ken,

The legal description included in the Clerk of Council's October 10, 2014 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: October 20, 2014

SUBJECT: Referral from Council: Ordinance No. 2014-197

At its regular meeting of October 20, 2014, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

Ordinance No. 2014-197 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 ROYALTON ROAD AND WEST 130TH STREET, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 399-01-005). First reading and referred to Planning Commission on 10-21-14.

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

AKP
Attachment

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Ken Kraus, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: November 7, 2014

Please be advised that at its meeting of November 6, 2014 the Strongsville Planning Commission gave Favorable Recommendation to the following;

CLOVER CONSTRUCTION/ Nate Bellinger, Agent

Approval of two (2) Sanitary Sewer Easements and vacation of two (2) Sanitary Sewer Easements, **subject to the receipt by the Law Department of the final easements.**

T-Mobile/ Chris Galloway, Agent

Site Plan approval for the addition of 3 new antennas for the T-Mobile co-location on an existing tower located at 18778 Royalton Road, PPN 396-10-014 zoned Public Facility.

Ordinance No. 2014-197

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1253.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to change the Zoning Classification of Certain Real Estate located at Royalton Road and West 130th Street, in the City of Strongsville from LB (Local Business) Classification to MS (Motorist Service) Classification (Part of PPN 399-01-005).

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 009

By: Mr. Maloney

**AN ORDINANCE ACCEPTING CERTAIN LANDS WITHIN
FIELDSTONE PRESERVE SUBDIVISION PHASE 2 FOR
DEDICATION TO PUBLIC USE; ACCEPTING CERTAIN
PUBLIC UTILITIES CONSTRUCTED THEREIN AND
AUTHORIZING AND DIRECTING THE ACTS REQUIRED
IN FURTHERANCE THEREOF, AND DECLARING AN
EMERGENCY.**

WHEREAS, Pulte Homes of Ohio, LLC (hereinafter referred to as "Developer"), owner of Fieldstone Preserve Subdivision Phase 2, is offering to the City of Strongsville for dedication to public use certain lands for streets, drives, roads, and easements (the "Public Rights-of-way"), as shown on the plat for the Subdivision (the "Subdivision Plat"); and

WHEREAS, the Developer is offering to the City of Strongsville for acceptance certain public utilities, public sanitary and storm sewers, and appurtenances constructed above and beneath the surface of the ground within the aforesaid lands (the "Public Improvements") as shown in the improvements plans for said subdivision approved by the City Engineer on February 27, 2014, and on file with the City Engineer (hereinafter referred to as "Improvement Plans"); and

WHEREAS, the City Engineer has reported that certain of the Public Improvements, including street pavements, curbs, sanitary sewer systems, storm sewer systems, and water mains as shown on the Subdivision Plat and described in the Improvement Plans have been completed, and that the installation of sidewalks, seeding and the pond access drive are not complete.

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

Section 1. That Council finds and determines that it is in the public interest to accept for dedication to public use the Public Rights-of-way prior to the completion of the installation of sidewalks, seeding and the pond access drive, provided that the Developer shall provide separate performance bonds in amounts that shall be no less than 100% of the estimated cost of completing such sidewalk, seeding and pond access drive, as determined by the City Engineer conditioned upon the full completion of the aforesaid improvements to be constructed and/or installed in such Public Rights-of-way no later than May 31, 2015 for the seeding and pond access drive, and January 8, 2017 for the sidewalks; and provided that, upon completion of such sidewalk,

seeding and pond access drive improvements, the Developer provides to the City a bond securing or guaranteeing the maintenance of such sidewalk, seeding and pond access drive improvements for a period not less than two years from and after the effective date of the subsequent ordinance accepting such sidewalk, seeding and pond access drive improvements in a sum no less than 10% of the cost of the installation of such sidewalk, seeding and pond access drive improvements, which in all other respects are hereby approved.

Section 2. That all of the Public Rights-of-way offered to the City of Strongsville be and are hereby accepted by the City of Strongsville and dedicated to public use, subject to the conditions set forth in Section 1 of this Ordinance, and provided that the Developer provides to the City a bond securing or guaranteeing the maintenance of the Public Improvements for a period of not less than two years from and after the effective date of this Ordinance in a sum not less than 10% of the cost of installation of the improvements.

Section 3. That all of the Public Improvements constructed above and beneath the surface of the ground within the aforesaid Public Rights-of-way, all as shown on the Improvement Plans, except private storm and sanitary sewers, utilities, and appurtenances which do not serve the general public, the sidewalks to be constructed, the seeding and the pond access drive in said Subdivision, be and are hereby accepted by the City of Strongsville, subject to the provisions of this Ordinance.

Section 4. That the Clerk of Council be and is hereby authorized and directed to execute the acceptance and dedication on the Subdivision Plat upon determination that the City is in receipt of the required bonds or deposits and the Developer's deposit of such sums as are required to pay existing taxes, liens, or other assessments which are a lien upon any of the lands to be accepted or dedicated by this Ordinance, and to pay the fees to effect recording with the Fiscal Officer of Cuyahoga County.

Section 5. That the City Engineer be and is hereby authorized and directed to cause said Subdivision Plat to be filed for record with the Fiscal Officer of Cuyahoga County as provided by law, upon the Engineer's determination that, as of the date and hour of such filing the City, or its authorized agent, is in receipt of a statement of title guarantee in an amount of One Thousand Dollars (\$1,000.00) issued by a title company approved by said Engineer showing title to all lands dedicated to public use shown on the Subdivision Plat to be good in the name of the City of Strongsville, free and clear of any easements, taxes, liens, assessments, or other encumbrances of any kind except as set forth in this Ordinance, and that any and all required bonds and deposits have been submitted and approved.

Section 6. That this Council further directs that such sums as shall be required to pay existing taxes, liens, or other assessments which are a lien upon any of the lands to be dedicated in this subdivision shall be deposited with the City of Strongsville before the evidence of acceptance of the City of Strongsville is entered upon the dedication.

Section 7. 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 the 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 8. 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 assure proper development of all lots and land within the City of Strongsville. 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. 2015-009 Amended: _____
1st Rdg. 1-20-15 Ref: PZE
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 020

By: Mr. Maloney

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 5 FOR A FURTHER INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT PHASE II (CUY-42-0.00), AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2013-207, Council authorized the Mayor to enter into a contract with Fabrizi Trucking & Paving Co., Inc. for improvements to a section of Pearl Road in connection with the Pearl Road Widening Project Phase II (CUY-42-0.00) (the "Project") in the amount of \$7,052,132.40; and

WHEREAS, by and through Ordinance No. 2014-040, passed March 17, 2014, the City, through the City Engineer, determined it would be in the best interests of the City to approve a change order to include as a part of the Project additional work requested by the City, additional work required due to unforeseen conditions, and additional work required due to conflict with other utilities for an increase in the contract price of \$155,898.05; and

WHEREAS, by and through Ordinance No. 2014-078, passed April 21, 2014, the City, through the City Engineer, determined it would be in the best interests of the City to approve a change order to include as a part of the Project additional work required because of conflict with other utilities, for an increase in the contract price of \$135,330.45; and

WHEREAS, by and through Ordinance No. 2014-131, passed July 7, 2014, the City, through the City Engineer, further determined it would be in the best interests of the City to approve a change order to include as a part of the Project additional work requested by the City which was necessary to avoid delay costs due to conflicts with utilities, unknown field conditions, and a change in material specifications for signal poles, all of which resulted in an increase in the contract price in the amount of \$45,701.90; and

WHEREAS, by and through Ordinance No. 2014-230, passed December 1, 2014, the City, through the City Engineer, again determined and recommended that it would be in the best interests of the City to approve a change order to include as a part of the Project, generally being additional work requested by the City, which was

necessary to avoid delay costs due to, among other things, conflicts with utilities, adjustments for water service, and asphalt pavement installation at Boston Road, all of which resulted in an additional increase in the amount of \$97,699.05; and

WHEREAS, the City's Construction Manager, CT Consultants, Inc., and the City's Engineer now are recommending that it would be in the best interests of the City to include further changes in the work performed or to be performed on the Project by Fabrizi Trucking & Paving Co., Inc., generally being additional work requested by the City, which is necessary to avoid delay costs, to accelerate the opening of the road ahead of schedule and, among other things, provide for a change in the backfill required behind retaining walls, removal and replacement of a drive apron, and repair of sprinkler systems, all as more fully set forth in Exhibit "A" attached hereto and incorporated herein as if fully rewritten, and a full set of supporting documentation for which is on file with the City Engineer, and to provide additional payment for such changes in the work in the amount of \$43,393.24 for a new total Project cost of \$7,530,155.09.

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 issue and approve Change Order No. 5 to the contract in the amount of \$43,393.24, as recommended by CT Consultants, Inc. and the City Engineer, and consistent with Sections 13 and 14 of the General Conditions to the contract; and, after the issuance and approval of said Change Order No. 5 and completion of such work, to direct the Director of Finance to make payment to **FABRIZI TRUCKING & PAVING CO., INC.** in the additional amount of \$43,393.24, thereby increasing the total Project cost to \$7,530,155.09.

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Pearl Road Capital Improvement Fund, Royalton Road and/or Pearl Road Tax Increment Financing Funds and such other Federal, State and local funds made available for the Project, including but not limited to State of Ohio, Ohio Public Works Commission funding, and/or Federal Highway Safety Program funds, and Federal Earmark Funds; and that the Director of Finance be and is hereby authorized and directed to issue his warrants for payment accordingly, and in accordance with the terms of any applicable grant agreements.

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.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 020
Page 3

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 provide for changes in the work in order to properly and timely complete the Project, to avoid potential legal entanglements, to comply with grant requirements, 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. 2015-020 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CHANGE ORDER

Change Order No.: 5

Date:

Agreement Date: October 18, 2013

Name of PROJECT: Pearl Road Widening Ph2 CUY-42-0.00; PID 88677

OWNER: City of Strongsville, Ohio

CONTRACTOR: Fabrizio Trucking & Paving

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Referenced attached documentation

Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$ 7,052,132.40

Current CONTRACT PRICE adjusted by
Previous CHANGE ORDER \$ 7,486,761.85

The CONTRACT PRICE due to this CHANGE ORDER
will be (**increased**) (decreased) by: \$ 43,393.24

The FINAL CONTRACT PRICE including this
CHANGE ORDER will be \$ 7,530,155.09

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by _____
(Calendar Days)

Original Completion Date May 9, 2015

The date for completion of all WORK will be May 9, 2015
(Date)

Requested by:

Maria Fearer
Maria Fearer, Vice President
Fabrizi Trucking & Paving

1/6/15
(Date)

Recommended by:

Thomas B. Gwydir, Jr., P.E.
Thomas B. Gwydir, Jr., P.E.
CT Consultants, Inc

1/19/15
(Date)

Accepted by:

Ken Mikula, P.E.
Ken Mikula, P.E.
City of Strongsville

(Date)

Federal Agency Approval
(where applicable)

(Date)

EXHIBIT A

Summary of Review Totals

Proposed Change Order Number 5

<u>Item No.</u>		<u>Value of Extra Work</u>	
		<u>LOCAL Funding</u>	<u>ODOT Eligible</u>
5-1 92	Fabrizi incurred a cost for overtime to meet the City requested November 23 milestone date to open the road to traffic	\$ 10,073.56	
5-2 93	An electrical box needed to be brought to grade at Pearl Crossing Nursing Home. It was not shown on the plans.		\$ 800.00
5-3 96	East retaining wall had washed stone placed as backfill in lieu of topsoil as the topsoil would have damaged the trees.	\$ 11,789.56	
5-4 95	Mr. Dorr's driveway needed a partial removal for slope considerations to be addressed.	\$ 2,951.02	
5-5 79	Sprinkler system at Thornhill not on the plans. Extra cost to repair damage and reinstate.		\$ 2,115.44
5-6 75	Sprinkler system at Pearl Crossing not on the plans. Extra cost to locate, bring to new grade, and reinstate.		\$ 9,975.00
5-7 65-2	Full width asphalt paving of Boston Rd, from east side of project limits to west side. Extra 15.857 CY at \$292/CY of asphalt used over the proposed amount of \$44,789.25		\$ 4,630.29
Sub-Total		\$ 24,814.14	\$ 17,520.73
Bond Increase		2.50% \$620.35	\$438.02
Totals		\$ 25,434.49	\$ 17,958.75

Settled Amount of Change Order #5

\$43,393.24

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: _____ 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. 2015-021 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

Know all Men by these Presents,

Emil, FLORENCE SARCYK, a Married Person

VOL. 93-03909 PAGE 36

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

whose TAX MAILING ADDRESS will be 9940 Forest View Terrace
Brcksville, Ohio 44141

have Given, Granted, Conveyed, Released and Remitted, and do by these presents absolutely give, grant, remise, release and forever quit-claim unto the said grantee, its successors, heirs 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.

PARCEL NO. _____
CONVEYANCE IS IN COMPLIANCE WITH SEC. 319.202 O.R.C.
PAID _____

PAID

APR 29 1993

Chrysothamnus

TYPE

J. TIMOTHY MCCORMACK, Cuyahoga County Auditor 113 *for* Deputy

CUYAHOGA COUNTY AUDITOR

THE U.S. AIR FORCE, P.O. BOX 100
COMMISSIONER OF THE AIR FORCE
WASHINGTON, D.C. 20330

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 SARGYK

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

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
Ohio State Bar Association

ROGER A. WADSWORTH, Esq., J.D., S.C.
8927 Brecksville Road
Brecksville, Ohio 44141
(216) 526-6722



93 APR 29 PM 12:00

FLORENCE SARGYK, a Married Person

TO

FLORENCE SARGYK TRUST

Transferred 19

COUNTY AUDITOR

State of Ohio

County of 55

Recorded for Record on the

day of 19

at o'clock M.

and Recorded 19 in

Deed Book Page

COUNTY RECORDER

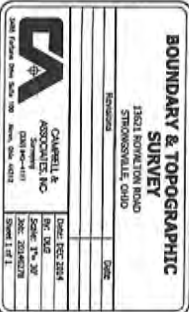
Recorders Fee \$

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 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]
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.

TITUS 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 Mays
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 8th 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, OHIO

RESOLUTION NO. 2015 – 022

By: Mayor Perciak and Mr. Maloney

**A RESOLUTION AUTHORIZING THE MAYOR TO
ADVERTISE FOR BIDS FOR THE PAVEMENT
RECONSTRUCTION PROGRAM FOR 2015 IN THE CITY
OF STRONGSVILLE.**

BE IT RESOLVED 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 to advertise for bids for the Pavement Reconstruction Program for 2015, consisting of removal and replacement of concrete pavement, catch basin reconstruction, and replacement of curbs and ramps, in accordance with specifications and bid documents on file in the office of the City Engineer, which are in all respects hereby approved.

Section 2. That the funds for the purposes of this Resolution have been appropriated and 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 Resolution were adopted in an open meeting of this Council; and that all deliberations of the 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 Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

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. 2015-022 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 023

By: Mayor Perciak and All Members of Council

AN ORDINANCE RATIFYING AND APPROVING THE FILING OF AN APPLICATION FOR REIMBURSEMENT OF EXPENSES WITH THE OHIO EMERGENCY MANAGEMENT AGENCY THROUGH THE STATE DISASTER RELIEF PROGRAM, AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A NOTICE OF AWARD & GRANT AGREEMENT, ALL AS A RESULT OF THE MAY, 2014 FLOODING DAMAGE EXPENSES INCURRED BY THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, in May of 2014, multiple locations throughout the City of Strongsville experienced substantial storm damage due to flooding, which included, among other things, accumulation of excessive debris in creeks and culverts, and damage to road berms; and

WHEREAS, the Governor of the State of Ohio has authorized implementation of the Ohio Emergency Management Agency (OEMA) State Disaster Relief Program to provide funds to reimburse affected local governments a percentage of their respective costs of emergency measures undertaken to save lives, protect property, and ensure public health and safety during the period of the May, 2014 storms and flooding; and

WHEREAS, the City of Strongsville incurred expenses due to the May, 2014 storms and flooding for, among other things, removal of excessive debris from creeks and culverts, and repairs to road berms, all in multiple areas throughout the City which were damaged by the storms and flooding; and

WHEREAS, the City of Strongsville has, therefore, timely applied for assistance through the OEMA State Disaster Relief Program in order to secure reimbursement for those certain expenses it incurred during the May, 2014 storms and flooding; and

WHEREAS, the City has been notified that the OEMA State Disaster Relief Program has awarded the City of Strongsville the total estimated amount of \$383,033.82, towards reimbursement of expenses for various items, projects, and repairs, all as reflected on Exhibit A attached hereto and incorporated herein, and which the City is desirous of accepting.

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 ratifies, authorizes and approves the filing of an application with the Ohio Emergency Management Agency through the State Disaster Relief Program for reimbursement of expenses incurred in connection with, among other things, removal of excessive debris from creeks and culverts, and repairs to road berms and related expenditures arising from the May, 2014 storms and flooding.

Section 2. That this Council hereby authorizes the Mayor to accept and enter into a Notice of Award & Grant Agreement in the total estimated award amount of \$383,033.82, and as reflected in attached Exhibit A.

Section 3. That this Council hereby ratifies, approves and authorizes the execution and delivery of certifications, agreements, assurances and such other information required in connection therewith by the Mayor, Director of Public Service, Fire Chief, Director of Finance and/or their authorized representatives.

Section 4. That the award funds shall be directed to the following City funds: General Fund; Street Construction, Maintenance and Repair Fund; Fire Levy Fund; Drainage Levy Fund; Tree Fund; and Sanitary Sewer Fund; and the City's portion of costs to meet its obligations, if any, under said grant shall be paid from such funds.

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 immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the execution and filing of such application was immediately required in order to meet the application cut-off date, and to provide for reimbursement of expenses incurred during the May, 2014 storms and flooding; and it is necessary to promptly provide authorization and approvals for the City to be eligible for receipt of such funds, 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 – 023
Page 3

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. 2015-023 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

OHIO EMERGENCY MANAGEMENT AGENCY NOTICE OF AWARD & GRANT AGREEMENT

Agreement No.	Amendment No.	Recipient Tax ID No.	Type of Action	Federal Pass-Thru No.	CFDA No.	St Fund #	St Grant #
n/a	Initial	n/a	Award X Amendment	n/a	n/a	5330	SDRP
Recipient Mailing Address: Name: Jeff Branic, Fire Chief Agency: City of Strongsville Address: 16099 Foltz Parkway City, State, Zip: Strongsville, Ohio 44149 Contact Phone: 440-580-3216		Issuing Office/Address Ohio Emergency Management Agency 285 West Dublin-Granville Road Columbus, Ohio 43235-2206		Project Manager Laura Adcock 614-799-3667	Fiscal Officer Steve Matas 614-889-7174		
Grant Name: State Disaster Relief Program - State Public Assistance		Performance Period: From: May 12, 2014 To: May 12, 2015	Reporting Requirements: N/A Final Report Due: July 12, 2015				
Description of Award: <ul style="list-style-type: none"> The purpose of this grant is to provide state funding assistance to local political subdivisions and eligible private non-profit organizations impacted by disasters, pursuant to the Ohio Emergency Management Agency State Disaster Relief Program Application Packet, June 2014 edition. <ul style="list-style-type: none"> Recipient has adequately demonstrated estimated project costs in the amount of \$383,033.82 for damages sustained by the political subdivision, on May 12-13, 2014. Ohio EMA & Recipient understand and agree that project costs will change throughout the Performance Period and that the final reimbursement payment will be accompanied by an Amendment to this Agreement as evidence of the final total cost of the state disaster relief grant. 		Award Requirements: <ul style="list-style-type: none"> Recipient agrees to provide the necessary cost share within the specified Performance Period identified above. <ul style="list-style-type: none"> Recipient agrees to comply with applicable state law & regulation in the expenditure of these grant funds Recipient agrees to utilize funds for the sole purposes described herein and within the Performance Period identified above. Recipient agrees to comply with Ohio Administrative Code Chapter 117-2 "Accounting & Reporting by Public Offices," in the administration of these grant funds. Recipient shall comply with all State statutes, policies and regulations relating to equal employment opportunities, non-discrimination, prevailing wages, environmental and historic preservation and floodplain management. This includes the Department of Public Safety policies, DPS-501.39 and 501.40. These policies are included in the SDRP Application Packet. 		Fiscal Requirements <ul style="list-style-type: none"> Recipient understands that no funds will be released without the appropriate Request for Reimbursement and supporting documentation, evidencing expenditure of the funds. <ul style="list-style-type: none"> Recipient will submit "Final Request Packets" as necessary. Payment will be issued as reimbursement of actual expenditures except that State may advance funds prior to final closeout, as long as the proper documentation has been submitted. Payments are contingent upon the timely submission and receipt of final request packets. 			
Recipient Signatory Officials (Names and Titles)				Issuing Signatory Official			
Name: Thomas P. Perciak Title: Mayor				Date: _____ Evan Schumann, Executive Director Ohio Emergency Management Agency			
Date: _____				Date: _____			

Additional Terms & Conditions:

- Recipient agrees, to the extent permissible by applicable law, to be responsible for any & all liabilities or claims caused by or resulting from Recipient's completion of the Project under this Notice of Award & Grant Agreement. Nothing in this Notice of Award & Grant Agreement shall be construed as an assumption of liability by either Ohio EMA or the Department of Public Safety.
- In the event Recipient fails to utilize these funds for the purposes set forth & in accordance with applicable law & regulation, Recipient shall be in default. In such event, Grantor may (a) withhold further payment of funds to Recipient and/or (b) require Recipient to reimburse all or any portion of funds and/or (c) terminate the Notice of Award & Grant Agreement.
- In the event the Executive Director of Ohio EMA or the Director of Budget & Management determine that funds are not appropriated or otherwise available to support continuation of this grant, the grant shall be canceled. A determination of unavailability of funds shall be final and conclusive.
- Recipient shall maintain all accounting records and supporting documents, papers and other evidence of this project in a separate location. Records of different state fiscal periods shall be separately identified and maintained. Recipient shall make such materials available at all reasonable times during this period for inspection by any authorized representative of the State. Recipient shall maintain all accounting records and supporting documents, papers and other evidence of this project for a period of at least three (3) years after the completion of this project and termination of this Notice of Award & Grant Agreement.
- Amendment or modification of this Notice of Award & Grant Agreement shall only be made in writing, signed by the parties, & shall specify each of the changes & justification therefore.
- This Notice of Award & Grant Agreement, all rights, duties and/or obligations described herein may not be assigned or sub-contracted by Recipient without prior consent of Grantor. Any assignment or sub-contract shall be subject to all the terms & conditions set forth herein. Recipient shall insure that all provisions are included in any assignment or sub-contract document.
- This Notice of Award & Grant Agreement and documents referred to herein constitute the complete understanding of the parties with respect to the subject of this Notice of Award & Grant Agreement. Whenever possible, each provision of this Notice of Award & Grant Agreement shall be interpreted in such a manner as to be effective & valid under applicable law. To the extent any provision is determined to be invalid the remainder of the Notice of Award & Grant Agreement will not be invalid.
- Recipient agrees to be responsible for compliance with all applicable state and local laws and regulations, including, but not limited to, purchasing and contracting requirements, building codes, equal employment opportunity, conflict of interest, ethics (ORC Chapter 102) and elections (ORC Chapter 3517).
- Recipient shall comply with the National Flood Insurance Program requirements (42 United States Code Section 4001 and following) in the use of these grant funds.

State Disaster Relief Program - Reimbursement for the City of Strongsville, May 12-13 2014 flooding and severe storms

Site Name	Hours	Labor		Eligible Cost	Hours	Equipment		Eligible Cost	Materials		Actual Cost	Remainder		Actual Cost	Contract		Total		
		Actual Cost				Actual Cost			Actual Cost	Eligible Cost		Actual Cost	Eligible Cost		Actual Cost	Eligible Cost	Actual Cost	Eligible Cost	
Site 1 - Force account	1439.25	\$ 45,965.43		\$ 14,675.43	1330	\$ 49,754.75		\$ 49,754.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 95,720.18	\$ 64,430.18	
Site 2 - Folz Transfer Station	0	\$ -		\$ -	0	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,620.82	\$ 18,620.82	\$ 18,620.82	\$ 18,620.82	\$ 18,620.82	
Site 3 - Prospect culvert repair	0	\$ -		\$ -	0	\$ -		\$ -	\$ 3,043.95	\$ 3,043.95	\$ -	\$ -	\$ -	\$ 14,350.00	\$ 14,350.00	\$ 14,350.00	\$ 17,393.95	\$ 17,393.95	
Site 4 - Blaggett Creek	0	\$ -		\$ -	0	\$ -		\$ -	\$ 8,443.74	\$ 8,443.74	\$ -	\$ -	\$ -	\$ 9,400.00	\$ 9,400.00	\$ 9,400.00	\$ 17,843.74	\$ 17,843.74	
Site 5 - Creek debris removal	0	\$ -		\$ -	0	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,217.50	\$ 17,217.50	\$ 17,217.50	\$ 17,217.50	\$ 17,217.50	
Site 6 - City wide berm repair	0	\$ -		\$ -	0	\$ -		\$ -	\$ 19,727.71	\$ 19,727.71	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,727.71	\$ 19,727.71	
Site 7 - Fire/ES	7.74	\$ 339.00		\$ 339.00	2.58	\$ 233.57		\$ 233.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 572.57	\$ 572.57	
Site 8 - Multiple locations	0	\$ -		\$ -	0	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 179,657.50	\$ 179,657.50	\$ 179,657.50	\$ 179,657.50	\$ 179,657.50	
Site 9 - Multiple locations	0	\$ -		\$ -	0	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,340.00	\$ 20,340.00	\$ 20,340.00	\$ 20,340.00	\$ 20,340.00	
Site 10 - Household collection	0	\$ -		\$ -	0	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,896.00	\$ 1,896.00	\$ 1,896.00	\$ 1,896.00	\$ 1,896.00	
Site 14 - Police	0	\$ -		\$ -	0	\$ 333.85		\$ 333.85	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 333.85	\$ 333.85	
Total	1446.99	\$ 46,304.43		\$ 15,014.43	1332.58	\$ 50,322.17		\$ 50,322.17	\$ 31,215.40	\$ 31,215.40	\$ -	\$ -	\$ -	\$ 261,481.82	\$ 261,481.82	\$ 261,481.82	\$ 389,323.82	\$ 358,033.82	
Eligible Work Expenditures:		\$389,323.82																	
Eligible Expenditures:		\$358,033.82																	
75% State Contribution		\$268,525.37																	
Total Budget		\$ 70,018,015.00																	
*.005%		\$ 350,090.08																	

Site 6 labor and equipment costs included in Site 1

Sites 12 and 13 to be submitted once work is complete (spring 2015); Site 11 is ineligible

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 024

By: Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the City has advertised and received bids for the purchase of various youth sports wearing apparel for use by the Recreation Department of the City of Strongsville during 2015; and

WHEREAS, Council is desirous of accepting the lowest unit price bids, and proceeding to award and enter into a contract for such purchases.

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 **ADLER TEAM SPORTS** for the purchase of various caps, visors, shirts, pants and shorts, for use by the Recreation Department of the City of Strongsville, and in the unit prices to be paid for each item set forth on the Bid Response Form attached hereto as Exhibit A and incorporated herein by reference, meets the specifications on file in the office of the Director of Recreation & Senior Services; 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. All other bids for such 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 the purchase of the specified youth sports wearing apparel in accordance with the specifications on file in the office of the Director of Recreation & Senior Services, and for the sums submitted as unit prices in such bid, but in a total amount not to exceed \$36,488.95, and all in a form to be approved by the Law Director.

Section 3. That the funds for the purpose of such contract have been appropriated and shall be paid from the Multi-Purpose Complex Fund (Ehrnfelt Center); and the Director of Finance be and is hereby authorized and directed to issue the City's warrants in accordance with the terms and conditions of such bid and contract.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 024
Page 2

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 purchase said materials in order to provide for the continuity of services and operation of the Department of Recreation and Senior Services, 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. 2015-024 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

BID RESPONSE FORM

Bidder: Please indicate individual costs of the items specified and a Total Bid Cost. The City will select one successful bidder based on the lowest and best Total Bid Cost premised upon the estimated quantities which have been provided (not on pricing of individual items). All pricing to be in U.S. dollars. **Note:** The actual quantities ordered may somewhat vary from estimates. Any increase or decrease in quantities will be charged or credited at the various unit costs.

Equipment or Material

Manufacturer or Supplier

A. BASEBALL CAPS

Brand Name: Outdoor Cap Company or equivalent

Model Number: GL-271 or equivalent

Notes: Velcro back, no mesh, blank with no screen

Sizes and Quantity:	Youth:	<u>725</u>	X	Unit Cost:	<u>2.24</u>	=	Total Cost:	<u>1624.⁰⁰</u>
	Adult:	<u>675</u>	X	Unit Cost:	<u>2.24</u>	=	Total Cost:	<u>1512.⁰⁰</u>

B. SOFTBALL VISORS

Brand Name: Alleson equivalent

Notes: Velcro back, blank with no screen

Sizes and Quantity:	Youth:	<u>225</u>	X	Unit Cost:	<u>2.24</u>	=	Total Cost:	<u>504.⁰⁰</u>
	Adult:	<u>175</u>	X	Unit Cost:	<u>2.24</u>	=	Total Cost:	<u>392.⁰⁰</u>

C. T-SHIRTS

Material: 100% Polyester (self-wicking or dry-fit)

Brand Name: A4, YKM or equivalent

Sizes to Bid: Youth (Small-Large) and Adult (Small-X-Lg)

Sizes and Quantity:

1) Baseball	Youth:	<u>615</u>	X	Unit Cost:	<u>5.54</u>	=	Total Cost:	<u>3407.¹⁰</u>
	Adult:	<u>800</u>	X	Unit Cost:	<u>5.54</u>	=	Total Cost:	<u>4432.⁰⁰</u>
	XXL/XXXL:	<u>45</u>	X	Unit Cost:	<u>7.32</u>	=	Total Cost:	<u>329.⁴⁰</u>
2) Basketball	Youth:	<u>400</u>	X	Unit Cost:	<u>6.29</u>	=	Total Cost:	<u>2516.⁰⁰</u>
	Adult:	<u>1,300</u>	X	Unit Cost:	<u>6.29</u>	=	Total Cost:	<u>8177.⁰⁰</u>
	XXL/XXXL:	<u>50</u>	X	Unit Cost:	<u>8.19</u>	=	Total Cost:	<u>409.⁵⁰</u>
3) Coach	Adult:	<u>375</u>	X	Unit Cost:	<u>4.84</u>	=	Total Cost:	<u>1815.⁰⁰</u>
	XXL/XXXL:	<u>130</u>	X	Unit Cost:	<u>6.62</u>	=	Total Cost:	<u>860.⁶⁰</u>
4) Champion	Adult:	<u>650</u>	X	Unit Cost:	<u>4.84</u>	=	Total Cost:	<u>3146.⁰⁰</u>
	XXL/XXXL:	<u>210</u>	X	Unit Cost:	<u>6.62</u>	=	Total Cost:	<u>1390.²⁰</u>

(Screening requests next page)

Screening Requests:

- 1) Baseball Shirt – Logo with individual Sponsor name incorporated on front and 6" number on back.
- 2) Basketball Shirt – Logo with Sponsor name incorporated on front. 6" number on front and back.
- 3) Coach Shirt – Logo with Sponsor name and Coach name incorporated.
- 4) Champion Shirt – Logo on front.

D. BASEBALL UNIFORM PANTS

Material: 100% Polyester
Brand Name: Riddell or equivalent
Features: 2 inch elastic waistband with drawstring,
Back patch pocket
NO fly
Double Knees
Color: White or Gray

Sizes to Bid: Youth (Small-Large) and Adult (Small – XL)

Sizes and Quantity:	Youth:	<u>725</u>	X	Unit Cost:	<u>4.39</u>	=	Total Cost:	<u>3,182.75</u>
	Adult:	<u>250</u>	X	Unit Cost:	<u>5.49</u>	=	Total Cost:	<u>1,372.50</u>
	XXL/XXXL:	<u>7</u>	X	Unit Cost:	<u>6.75</u>	=	Total Cost:	<u>47.25</u>

E. SOFTBALL UNIFORM SHORTS

Material: 100% Polyester
Brand Name: A4 or equivalent
Features: Double lined
Color: Black

Sizes to Bid: Youth (Small-Large: 6" inseam)

Adult (Small-XLarge: 7" inseam)

Sizes and Quantity:	Youth:	<u>230</u>	X	Unit Cost:	<u>4.69</u>	=	Total Cost:	<u>1,078.70</u>
	Adult:	<u>50</u>	X	Unit Cost:	<u>5.19</u>	=	Total Cost:	<u>259.50</u>
	XXL/XXXL:	<u>5</u>	X	Unit Cost:	<u>6.69</u>	=	Total Cost:	<u>33.45</u>

²⁰¹⁵
TOTAL 2014 BID COST (Combination of Total Costs per Item): \$ 36,488.95

*All Quantities are Estimates

FREIGHT and ARTWORK must be included in total bid price.

SUBSTITUTIONS - An equivalent item may be specified and substituted unless the category specifically states "NO Substitutions".


PRICES quoted on all items must be honored on any orders placed January 1 – December 31, 2015 regardless of size of order.

DELIVERY must be received within 15 business days of order date.

INVOICES must accompany delivered items or be received within 2 weeks of delivered orders.

Respectfully submitted:

JOHN DOMO, ADLER TEAM SPORTS 23780 LAKELAND BLVD
Name of Bidder/Contractor (Company) Address EUCLID OH 44132


Signature JOHN DOMO Date 1/17/15

PRESIDENT
Title and Printed Name Phone 216-289-2254

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 025

By: Mayor Perciak and All Members of Council

**AN ORDINANCE APPROVING AND ADOPTING
REPLACEMENT PAGES TO THE CODIFIED
ORDINANCES OF THE CITY FOR THE LAST HALF OF
2014, REPEALING ORDINANCES AND RESOLUTIONS
IN CONFLICT THEREWITH, AND DECLARING AN
EMERGENCY.**

WHEREAS, in order to conform with the changes adopted by the Ohio General Assembly and with current State law as required by the Ohio Constitution, it is necessary for the City to amend certain provisions within its Traffic and General Offenses Codes; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since July 21, 2014 and through December 31, 2014, which now should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish the aforesaid amendments and revisions.

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

Section 1. That the additions and amendments to the Traffic and General Offenses Codes of the Codified Ordinances of the City of Strongsville, as prepared by the Walter H. Drane Company in order to comply with current State law, be and are hereby approved and adopted; and the ordinances of Strongsville of a general and permanent nature, as revised, re-codified, rearranged and consolidated into component codes, titles, chapters and sections within the replacement pages to the Codified Ordinances for the last half of 2014, be and are hereby approved and adopted, all as set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 2. That any other ordinances or resolutions or parts thereof in conflict with any of the above Ordinances shall, to the extent of any conflict, be and are hereby repealed.

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

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2015 – 025
Page 2

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 there exists an imperative necessity for the earliest publication and distribution of the aforesaid amendments to the Codified Ordinances to the officials and residents of the City, so as to facilitate the administration and daily operation of the City and its departments, and to avoid practical and legal entanglements. 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. 2015-025 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

EXHIBIT "A"

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2014-132	9-2-14	1240.08, 1258.03, 1258.05, 1258.11, 1258.13, 1258.14
2014-155	9-2-14	880.02, 880.37
2014-167	9-2-14	2014 Replacement Pages
2014-172	12-1-14	1252.05, 1252.20, 1253.11
2015-002	1-5-15	1046.245

EXHIBIT "A" (Cont.)

Traffic Code

438.18 Focus and Aim of Headlights. (Adds subsection (b) requiring the headlights on a motor vehicle to comply with federal motor vehicle safety standards.)

General Offenses Code

606.12 Failure to Report a Crime, Injury or Knowledge of Death. (Expands the listing of professional persons enumerated in Section 525.05(f)(1) and (g)(1).)

636.04 Aggravated Menacing. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)

636.041 Menacing by Stalking. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)

636.05 Menacing. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)

642.01 Theft and Fraud Definitions. (Adds subsection (11) definition of "active duty service member".)

642.02 Petty Theft. (Adds "active duty service member or spouse" to subsection (b)(2).)

642.19 Securing Writings by Deception. (Adds "active duty service member or spouse" to subsection (b)(2).)

666.09 Soliciting. (Adds "who is eighteen years of age or older" to subsection (a) and adds new subsection (d).)

666.16 Unlawful Advertising of Massage. (Adds new section prohibiting the unlawful advertising of massage with the promise or suggestion of sexual activity.)