

City of Strongsville

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www.strongsville.org

City Council

Michael J. Daymut
Ward 1

Matthew A. Schonhut
Ward 2

James E. Carbone
Ward 3

Gordon C. Short
Ward 4

Joseph C. DeMio
At-Large

Kenneth M. Dooner
President Pro Tem
At-Large

Duke Southworth
President of Council
At-Large

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

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

May 12, 2016

MEETING NOTICE

City Council has scheduled the following meetings for **Monday, May 16, 2016**, 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 7:20 p.m. All committees listed will meet immediately following the previous committee:

7:20 P.M.

Planning, Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2016-025, 2016-056, 2016-083 and Resolution No. 2016-102.

Finance Committee will meet to discuss Ordinance No. 2016-103.

Public Safety and Health Committee will meet to discuss Ordinance Nos. 2016-104, 2016-105 and Resolution Nos. 2016-106 and 2016-107.

Public Service and Conservation Committee will meet to discuss Ordinance Nos. 2016-108, 2016-109, 2016-110 and Resolution Nos. 2016-111 and 2016-112.

Building and Utilities Committee will meet to discuss Ordinance No. 2016-113.

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

Committee of the Whole will meet to discuss Ordinance Nos. 2016-097, 2016-101.

The Council will consider a motion to adjourn into **Executive Session** to discuss legal matters and collective bargaining matters with the Law Director and various members of the Administration.

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, MAY 16, 2016 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 – May 2, 2016*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
7. PUBLIC HEARING:
 - Ordinance No. 2016-025 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 02-16-16. Favorable recommendation by Planning Commission 02-25-16. Second reading 03-7-16.*
 - Ordinance No. 2016-056 by Mr. Daymut. 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 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006), AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 03-07-16. Tabled by Planning Commission 03-10-16. Favorable recommendation by Planning Commission 03-31-16. Second reading 04-04-16.*
8. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Mr. Carbone:
 - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth:
 - BUILDING AND UTILITIES – Mr. Schonhut:
 - COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:
 - ECONOMIC DEVELOPMENT – Mr. Daymut:

- FINANCE – Mr. Dooner:
- PLANNING, ZONING AND ENGINEERING – Mr. Daymut:
- PUBLIC SAFETY AND HEALTH – Mr. DeMio:
- PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:
 - Motion to ratify, note and approve the burial of Tina Ashcraft in Section E, Lot #65, Grave D, based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery.
- RECREATION AND COMMUNITY SERVICES – Mr. Short:
- COMMITTEE-OF-THE-WHOLE – Mr. Southworth:

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

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

10. AUDIENCE PARTICIPATION:

11. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2016-025 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 02-16-16. Favorable recommendation by Planning Commission 02-25-16. Second reading 03-07-16.*
- Resolution No. 2016-083 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES IN CONNECTION WITH THE I-71/SR-82 INTERCHANGE IMPROVEMENTS PROJECT (CUY.-71-1.70 PID 102238). *First reading 04-04-18. Second reading 04-18-16.*
- Ordinance No. 2016-097 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FRATERNAL ORDER OF POLICE, PARMA LODGE #15 (CORRECTIONS OFFICERS) AND THE CITY OF STRONGSVILLE THROUGH DECEMBER 31, 2018, AND DECLARING AN EMERGENCY. *First reading 05-02-16.*

- Ordinance No. 2016-101 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 618.12 (HUNTING OR TRAPPING PROHIBITED) OF CHAPTER 618 ANIMALS OF PART SIX-GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY TO AUTHORIZE A NUISANCE ABATEMENT INITIATIVE FOR BOTH SHORT TERM AND LONG TERM CONTROL AND REDUCTION OF THE WHITE-TAILED DEER POPULATION, IN COORDINATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND CONTIGUOUS, ADJOINING, POLITICAL SUBDIVISIONS THAT OPT TO ADOPT A SIMILAR PLAN FOR NUISANCE ABATEMENT, AND DECLARING AN EMERGENCY. *First reading 05-02-16.*
- Resolution No. 2016-102 by Mayor Perciak and All Members of Council. A RESOLUTION DECLARING IT NECESSARY TO IMPROVE BOWMAN DRIVE, FETZER DRIVE AND DRAKE ROAD BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS, CATCH BASINS AND MANHOLES, INSTALLING SANITARY SEWER SERVICE CONNECTIONS, REPLACING, WHERE NECESSARY, PAVEMENT, DRIVEWAY APRONS, STORM SEWERS AND CULVERTS, AND CONSTRUCTING A WATER LINE IN FETZER DRIVE, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-103 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2016 AND REPEALING ORDINANCE NO. 2016-030.
- Ordinance No. 2016-104 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AMENDING SECTIONS 806.03 AND 806.04 OF CHAPTER 806 OF TITLE TWO OF PART EIGHT OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO INCLUDE FEES FOR LICENSES, AND TO REQUIRE CRIMINAL BACKGROUND CHECKS IN CONNECTION WITH CANVASSERS AND SOLICITORS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-105 by Mayor Perciak and Mr. DeMio. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR ACCEPTANCE OF A GRANT AWARD FROM CUYAHOGA COUNTY UNDER THE FISCAL YEAR 2014 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FOR REIMBURSEMENT OF EXPENSES INCURRED BY THE CITY'S FIRE DEPARTMENT ASSOCIATED WITH CERTAIN COUNTY HAZMAT EXERCISES, AND DECLARING AN EMERGENCY.
- Resolution No. 2016-106 by Mayor Perciak and Mr. DeMio. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE RENOVATION AND MECHANICAL UPGRADE OF FIRE STATION NO. 3, ON ALBION ROAD, IN THE CITY OF STRONGSVILLE.
- Resolution No. 2016-107 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING THE DONATION OF \$2,000.00 FROM WAL-MART STORES, INC. THROUGH ITS COMMUNITY GRANT PROGRAM, TO THE CITY OF STRONGSVILLE FIRE DEPARTMENT FOR THE PURCHASE OF FIRE SAFETY MATERIALS.

- Ordinance No. 2016-108 by Mayor Perciak and Mr. Carbone. AN ORDINANCE DESIGNATING VARIOUS QUALIFIED SUPPLIERS OF GASOLINE AND DIESEL FUEL TO MEET SERVICE DEPARTMENT REQUIREMENTS, AND AUTHORIZING THE MAYOR TO ENTER INTO REQUIREMENTS CONTRACTS FOR THE PURCHASE OF SAME IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY'S RFQP, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-109 by Mr. Carbone. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2016 FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2016-110 by Mayor Perciak and Mr. Carbone. AN ORDINANCE AUTHORIZING AND APPROVING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-17) FOR THE PURCHASE OF ROAD SALT FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE DURING THE 2016-2017 SEASON; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Resolution No. 2016-111 by Mr. Carbone. A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY [John Stoll].
- Resolution No. 2016-112 by Mr. Carbone. A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY [Brenda Stoll].
- Ordinance No. 2016-113 by Mayor Perciak and Mr. Schonhut. AN ORDINANCE AMENDING SECTIONS 1420.01, 1420.02, AND 1420.04 OF CHAPTER 1420 OF TITLE FOUR OF PART FOURTEEN OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO UPDATE BUILDING DEPARTMENT FEES; AND DECLARING AN EMERGENCY.

12. COMMUNICATIONS, PETITIONS AND CLAIMS:

13. MISCELLANEOUS BUSINESS:

14. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 025

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY.

WHEREAS, it is the intent of this Council to establish appropriate zoning regulations for General Industrial (GI) and General Industrial-A (GI-A) Districts; and

WHEREAS, the elimination of self-storage or mini storage facilities from General Industrial Districts is consistent with the goals and objectives of the Strongsville 2015 Comprehensive Plan Update.

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

Section 1. That existing Section 1240.08(c) of Chapter 1240, of Title Six of Part Twelve Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville, be and is hereby amended by adding Subsection (22) to read as follows:

1240.08 DEFINITIONS.

(a) Interpretation. Words in this Zoning Code are normally defined according to their ordinary English usage. Certain terms are, however, defined in this chapter and wherever used in this Zoning Code, they shall have the meanings set forth herein, unless the context clearly indicates a different meaning.

(b) General Terms.

(1) The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of such criteria or standards is desired and essential unless commensurate criteria or standards are achieved.

- (2) All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.
- (3) The phrase "used for" shall include "arranged for," "designed for," "intended for," "maintained for" and "occupied for."
- (4) "Regulation" means a rule, restriction or other mandatory provision in this Zoning Code intended to control, require or prohibit an act.
- (5) "Standard" means a test, measure, model or example of quantity, extent or quality.
- (6) "Criterion" means a principle by which the planning of a development area shall be guided.
- (7) "City" means the city of Strongsville.
- (8) "Commission" means the city Planning Commission.
- (9) "Council" means the legislative body of the city.
- (10) "Board" means the Board of Zoning Appeals.
- (11) "Commissioner" means the Building Commissioner of the city.
- (12) "County" means the County of Cuyahoga, Ohio.
- (13) "Clerk" means the Clerk of Council.
- (14) "Engineer" means the city Engineer.
- (15) "Person" means an individual, firm, association, corporation, trust or other legal entity, including his or its agents.
- (16) "Developer" means a person commencing proceedings under this Zoning Code to effect the development of land for himself or for another.
- (17) "Code" means the Zoning Code of the city.
- (18) "Review Board" means the Architectural Review Board of the city.

(c) Specific Terms.

* * *

(22) Self-Storage or Mini Storage Facility.

"Self-Storage or Mini Storage Facility" means any real property that is designed and used for the purpose of renting or leasing individual storage spaces in the facility, whether as rooms, lockers, containers, or other indoor and/or outdoor space, to individuals, businesses, or other entities for the purpose of storing possessions.

* * *

Section 2. That existing Section 1262.04(a)(1) of Chapter 1262, 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:

1262.04 USE REGULATIONS; GENERAL INDUSTRIAL (GI) DISTRICT.

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved and maintained, in whole or in part, in a General Industrial District, only for the uses set forth in the following schedules and regulations:

(a) Main Uses Permitted.

- (1) Office, laboratories, services, sales, storage and manufacturing uses permitted in Research-Development and Commercial Services Districts with the exception of veterinarians' offices, animal hospitals, **self-storage or mini storage facilities**, and kennels.

~~(Ord. 2008-093. Passed 7-21-08.)~~

* * *

Section 3. That existing Section 1262.05(a)(1) of Chapter 1262, 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:

1262.05 USE REGULATIONS; GENERAL INDUSTRIAL-A (GI-A) DISTRICT.

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved and maintained, in whole or in part, in a General Industrial-A District, only for the uses set forth in the following schedules and regulations:

(a) Main Uses Permitted.

- (1) Office, laboratories, services, sales, storage and manufacturing uses permitted in General Industrial, Research-Development and Commercial Services Districts with the exception of veterinarians' offices, animal hospitals, **self-storage or mini storage facilities**, and kennels.

* * *

Section 4. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

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 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 in order to provide for the proper development of lots and lands within the City, and to enhance economic development. 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.

First reading: February 16, 2016
 Second reading: March 7, 2016
 Third reading: _____
 Public Hearing: _____

Referred to Planning Commission

February 17, 2016
 Favorable recommendation
 Approved: by PC February 25, 2016

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-025 Amended: _____
 1st Rdg. 02-16-16 Ref: PCI PZE
 2nd Rdg. 03-07-16 Ref: PZE
 3rd Rdg. _____ Ref: _____

Favorable recommendation by PC 2/25/16

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Aimee Pientka, Clerk of Council
DATE: February 17, 2016
SUBJECT: Referral from Council: Ordinance No. 2016-025

At its regular meeting of February 17, 2016, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- AN ORDINANCE AMENDING SECTION 1240.08(c) BY ADDING SUBSECTION (22), AND AMENDING SUBSECTIONS 1262.04(a)(1) AND 1262.05(a)(1) OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO ELIMINATE SELF-STORAGE AND MINI STORAGE FACILITIES FROM GENERAL INDUSTRIAL DISTRICTS, AND DECLARING AN EMERGENCY.

Copies of the ordinances are 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: February 26, 2016

Please be advised that at its meeting of February 25, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2016-025

An Ordinance Amending Section 1240.08(c) by Adding Subsection (22), and Amending Subsections 1262.04(a)(1) and 1262.05(a)(1) of Title Six of Part Twelve of the Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, in order to eliminate Self-Storage and Mini Storage Facilities from General Industrial Districts.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 056

By: Mr. Daymut

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 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006), 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 9200 Pearl Road in the City of Strongsville, from R-RS (Restaurant-Recreational Services) classification to MS (Motorist Service) classification (PPN 395-03-006) 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 changes in zoning classifications 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, to enhance economic development within the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 - 056
Page 2

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.

First reading: March 7, 2016

Referred to Planning Commission

Second reading: April 4, 2016

March 8, 2016
Favorable recommendation by PC
 Approved: 3-31-16

Third reading: _____

Public Hearing: May 16, 2016

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-056 Amended: _____
 1st Rdg. 03-07-16 Ref: PL/PZE
 2nd Rdg. 04-04-16 Ref: PZE
 3rd Rdg. _____ Ref: _____

Pub Hrg. 05-16-16 Ref: _____
 Adopted: _____ defeated: _____

Situated in the City of Strongsville, County of Cuyahoga, State of Ohio, and known as being a part of Original Strongsville Township Lots 49 and 50, also known as being a portion of a parcel of land conveyed to North Pearl II, LLC as recorded in AFN 201302060015 of said County's records, and being further bounded and described as follows:

Commencing at 1 inch rebar in a monument box found at the centerline intersection of Pearl Rd. (S.R. 42, variable width) and Whitney Rd. (70 feet wide), thence along the centerline of said Whitney Rd., N 81° 43' 35" W for a distance of 454.65 feet to a point, said point being the **TRUE PLACE OF BEGINNING** for the parcel of land hereinafter described, thence clockwise along the following thirteen (13) courses and distances:

1. S 8° 16' 25" W for a distance of 215.00 feet to a Mag Nail set, passing over a Drill Hole set on the south right of way line of said Whitney Rd. at 30.00 feet;
2. S 81° 43' 35" E for a distance of 309.00 feet to a 5/8 inch rebar with cap "GPD" set on the new west right of way line of said Pearl Rd., said rebar set being at 50.00 feet by perpendicular measurement from the centerline of said Pearl Rd.;
3. Thence along said new right of way line, S 31° 17' 15" W for a distance of 120.84 feet to a 5/8 inch rebar with cap "GPD" set on the existing west right of way line of said Pearl Rd.;
4. Thence along said west right of way line, S 46° 10' 35" W for a distance of 31.13 feet to a 5/8 inch rebar with cap "GPD" set;
5. Thence continuing along said west right of way line, N 58° 42' 45" W for a distance of 22.00 feet to a 5/8 inch rebar with cap "GPD" set;
6. Thence continuing along said west right of way line, S 31° 17' 15" W for a distance of 96.88 feet to a point on the north right of way line of the Ohio Turnpike (variable width), said point witnessed by a 5/8 inch rebar found N 45° 47' 36" E at 1.17 feet;
7. Thence along said north right of way line along the arc of a curve to the left having the following properties:

Delta	=	8° 08' 13"
Radius	=	3029.79
Tangent	=	215.50
Chord	=	429.92

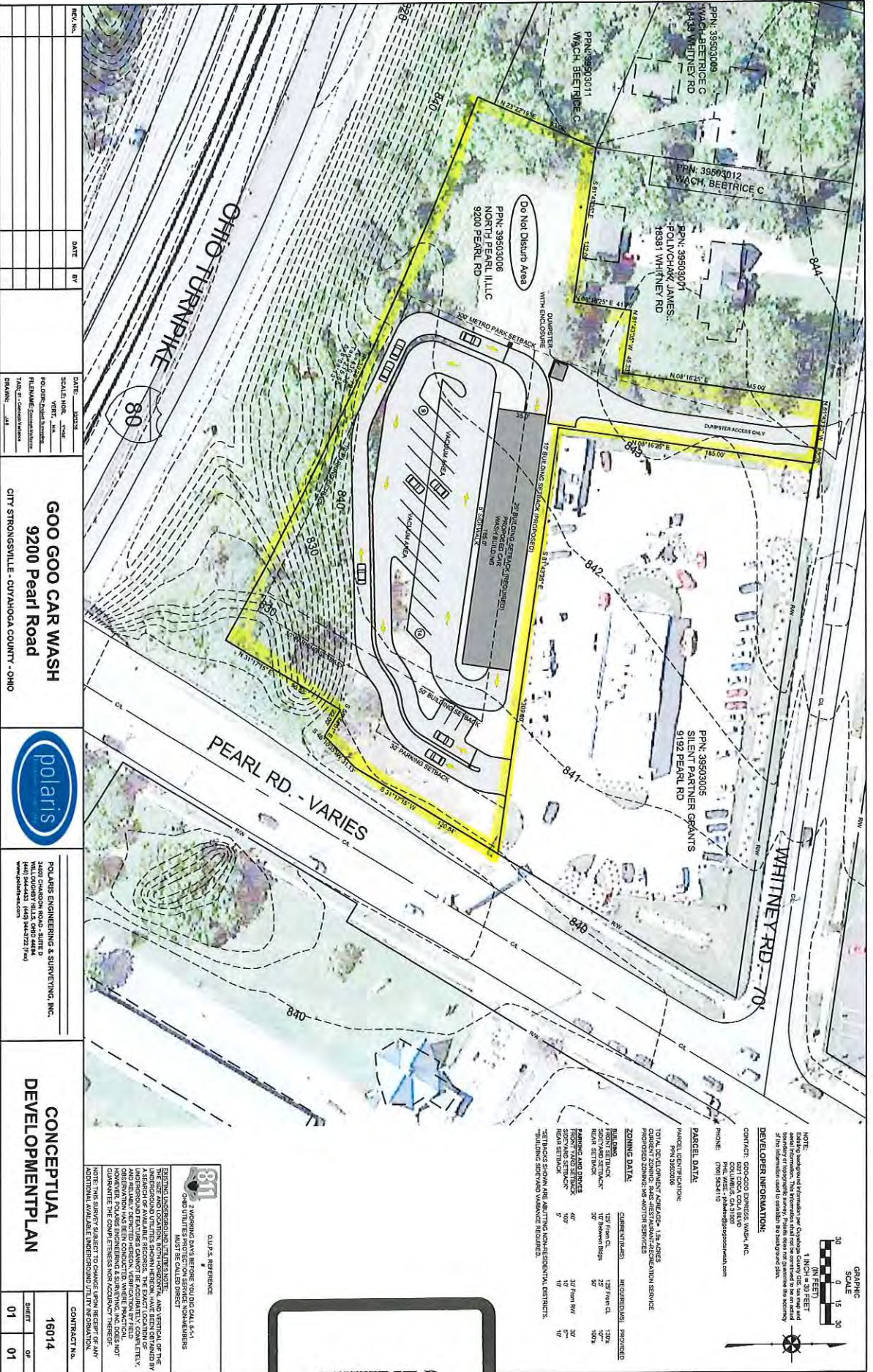
Chord Bearing = N 64° 51' 41" W for an arc distance of 430.28 feet to a point;
8. Thence continuing along said north right of way line and an east line of a parcel of land conveyed to Beetrice Wach as recorded in AFN 200503180254, N 23° 22' 19" E for a distance of 93.06 feet to a 5/8 inch rebar found, passing over a 5/8 inch rebar found at 6.58 feet;
9. S 81° 43' 35" E for a distance of 112.00 feet to a 5/8 inch rebar with cap "GPD" set;
10. N 8° 16' 25" E for a distance of 41.79 feet to a 5/8 inch rebar with cap "GPD" set on a south line of a parcel of land conveyed to James Polivchak and Ann Polivchak as recorded in AFN 200210020823;
11. Thence along the south line of said James Polivchak and Ann Polivchak, S 81° 43' 35" E for a distance of 45.33 feet to a 5/8 inch rebar found at the southeast corner of said James Polivchak and Ann Polivchak;
12. Thence along the east line of said James Polivchak and Ann Polivchak, N 8° 16' 25" E for a distance of 175.00 feet to a point on the centerline of said Whitney Rd., said point being the northeast corner of said James Polivchak and Ann Polivchak, passing over a 5/8 inch rebar found on the south right of way line of said Whitney Rd. at 145.00 feet;

EXHIBIT A

13. Thence along said centerline, S 81° 43' 35" E for a distance of 45.35 feet to the True Place of Beginning and containing 1.9643 acres (85,562 square feet) of land, more or less, and subject to all easements, restrictions and covenants of record as surveyed by Steven L. Mullaney, P.S. Number 7900, for Glaus, Pyle, Schomer, Burns & DeHaven, Inc., dba GPD Group, in March of 2013.

Basis of Bearing is State Plane Grid North, NAD 83 (2007 NSRS), Ohio North Zone.

N:\2009\2009118\04 - Strongsville, OH Quality Catering\survey\2013 ALTA and Split\Parcel 2.doc



GRAPHIC SCALE
0 15 30
(IN FEET)

NOTE: Unshaded information is provided for informational purposes only. Shaded information is provided for informational purposes only. The information should be considered as advisory only and should not be used for any other purpose without the express written consent of the City of Strongsville.

DEVELOPER INFORMATION:
CONTACT: GOO-GOO EXPRESS, WASH, INC.
14000 WOODLAND BLVD., SUITE 100
COLUMBIANA, OH 43086
PHONE: (614) 885-1111
FAX: (614) 885-1112
WWW.GOOGOOEXPRESS.COM

PARCEL DATA:
TOTAL DEVELOPER'S LOT: 1.14 ACRES
CURRENT ZONING: RESIDENTIAL-DEVELOPMENT SERVICE
PROPOSED ZONING: RESIDENTIAL-DEVELOPMENT SERVICE

ZONING DATA:
COMMENTS: PROPOSED
FRONT SETBACK: 125' from CL 132'
SIDE SETBACK: 30' 100'
REAR SETBACK: 50' 100'
REAR SETBACK: 5' 10'

FARMING AND DRIVES:
FRONT YARD SETBACK: 30' from RW 30'
REAR SETBACK: 10' 10'

*SETBACKS SHOWN ARE ADJUSTING NON-RESIDENTIAL DISTRICTS.
*BUILDING SHOW WIND VARIANCE REQUIRED.

REV. No.	DATE	BY

SCALE: HORIZ. 1"=40'-0"

VERT. 1"=10'-0"

PLANNING CONSULTANTS:
TAL ST. CONSULTANTS
DRAWN: JTB

GOO GOO CAR WASH
9200 Pearl Road
CITY STRONGSVILLE - CUYAHOGA COUNTY - OHIO



CONTRACT NO. 18014

SHEET 01 OF 01

CONCEPTUAL DEVELOPMENT PLAN

POLARIS ENGINEERING & SURVEYING, INC.
3480 CHAMBER ROAD, SUITE D
WILLOUGHBY HILLS, OHIO 44094
www.polariseng.com

811 CALL-BEFORE-DIG SERVICE
A WORKING DAY BEFORE YOU DIG CALL 811
OHIO UTILITIES PROTECTION SERVICE NUMBERS
MUST BE CALLED FIRST

THESE INFORMATION, BOTH HORIZONTAL AND VERTICAL, OF THE UNDERGROUND UTILITIES SHOWN HEREON, HAVE BEEN OBTAINED BY THE ENGINEER FROM RECORD DRAWINGS, FIELD SURVEY, AND/OR OTHER SOURCES. THE ENGINEER HAS CONDUCTED VISUAL OBSERVATION HAS BEEN CONDUCTED WHERE PRACTICAL. HOWEVER, POLARIS ENGINEERING & SURVEYING, INC. DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. ADDITIONAL AVAILABLE INFORMATION ON UTILITY RELOCATION, AND

EXHIBIT B

PETITION FOR ZONING CHANGE

Ordinance Number: 2016-056

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 R-RS use to a class MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: Due to the configuration of the parcel, the best use of the property is MS.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: The surrounding property on Pearl Rd. is General Business

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

- 1. None
- 2. -
- 3. -

THE PROPOSED USE OF THE PROPERTY IS: MS - Motor Services - Car Wash

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

Name: Dan Catanzarite

Address: 13000 Darice Parkway Strongsville, OH 44136

Telephone Number: 216-409-5827

[Signature] on Behalf of North Pearl II LLC
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)



Sworn to and subscribed in my presence this 17 day of FEBRUARY, 2016.
CHRISTOPHER M. BYRNES
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES
AUGUST 10, 2016

[Signature]
Notary Public
My commission expires: AUG 10, 2016

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.

PROPERTY DESCRIPTION FORM

Ordinance Number: 2016-056

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: 9200 Pearl Rd.

Permanent Parcel No.: 395-03-006

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Pearl (West) Whitney (South)

Number and type of buildings which now occupy property (if any): N/A

Acreage: 1.9

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>North Pearl II, LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

D. J. [Signature] on behalf of North Pearl II LLC
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 17 day of February, 2016.



CHRISTOPHER M BYRNES
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES AUGUST 10, 2016
My commission expires Aug 10, 2016

Ch. Byrnes
Notary Public

* 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: Tiffany Mekeel, Assistant Clerk of Council

DATE: February 19, 2016

SUBJECT: Rezoning Application
North Pearl II, LLC; Owner
PPN: 395-03-006
Address: 9200 Pearl Road
From R-RS 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.

TAM
Attachments

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

City of Strongsville

Memorandum

To: Ken Kraus, Law Director

CC: Mayor Thomas Perciak
Aimee Pientka, Clerk of Council
Neal Jamison, Staff Attorney

From: Lori Daley, Assistant City Engineer

Date: February 24, 2016

Re: Rezoning Application
North Pearl II, LLC, Owner
PPN 395-03-006
9200 Pearl Road
From R-Rs to MS

Ken,

The legal description included in the Clerk of Council's February 19, 2016 memo regarding the above referenced parcel was incorrect. The attached revised legal description accurately describes the parcel to be rezoned and should be used for the legislation.

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: March 8, 2016
SUBJECT: Referral from Council: Ordinance No. 2016-056

At its regular meeting of March 7, 2016, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2016-056 by Mr. Daymut. 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 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006), AND DECLARING AN EMERGENCY.

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

AKP
Attachment

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: March 11, 2016

Please be advised that at its meeting of March 10, 2016, the Strongsville Planning Commission Tabled the following;

ORDINANCE NO. 2016-056

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 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006), AND DECLARING AN EMERGENCY.

This Ordinance will be place on the March 31st Planning Agenda for consideration.

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: April 1, 2016

Please be advised that at its meeting of March 31, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2016-056

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 9200 PEARL ROAD IN THE CITY OF STRONGSVILLE FROM R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 395-03-006), AND DECLARING AN EMERGENCY.

AT & T / Laura Tworzydlo, Agent

- a) Certificate of Appropriateness for the Site Plan for the addition of three (3) RRH's to the existing antenna and modifications to the mounting system for the AT & T co-location on the existing water tower located at 18688 Royalton Road, PPN 396-10-014 zoned Public Facility.
- b) Site Plan approval for the addition of three (3) RRH's to the existing antenna and modifications to the mounting system for the AT & T co-location on the existing water tower located at 18688 Royalton Road, PPN 396-10-014 zoned Public Facility.

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 083

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES IN CONNECTION WITH THE I-71/SR-82 INTERCHANGE IMPROVEMENTS PROJECT (CUY.-71-1.70 PID 102238).

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 and directed to advertise a request for letters of interest and qualifications for professional engineering consulting services in connection with the I-71/SR-82 Interchange Improvements Project (Cuy.-71-1.70 PID 102238), in accordance with the documents on file in the office of the City Engineer, which are, in all respects, hereby approved, but subject to approval and possible adjustment by the Ohio Department of Transportation and the City's Law Director.

Section 2. That the funds for the purposes of this Resolution have been appropriated and shall be paid from the General Capital Improvement Fund and such other local, state and/or federal funds which become available for such Project.

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 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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

RES
ORD. No. 2016-083 Amended: _____
1st Rdg. 04-04-16 Ref: PZE
2nd Rdg. 04-12-16 Ref: PZE
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 097

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FRATERNAL ORDER OF POLICE, PARMA LODGE #15 (CORRECTIONS OFFICERS) AND THE CITY OF STRONGSVILLE THROUGH DECEMBER 31, 2018, 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 Mayor be and is hereby authorized and directed to execute and enter into a new collective bargaining agreement between the Fraternal Order of Police, Parma Lodge #15 (Corrections Officers) and the City of Strongsville for a three-year period commencing retroactive to January 1, 2016 through December 31, 2018, copies of which are on file with the Clerk of Council and Human Resources Director, and which is in all respects hereby approved.

Section 2. That the funds for the purposes of the aforesaid contract's 2016 requirements have been or will be appropriated and shall be paid from the General Fund, and thereafter in accordance with the annual appropriation ordinances adopted by Council.

Section 3. That the provisions of the aforesaid Agreement and this Ordinance shall be retroactive to and operative from and after January 1, 2016; and the provisions of said Agreement shall be applied to each City employee who is a member of said collective bargaining unit from and after January 1, 2016.

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 the immediate approval and implementation of the aforesaid Agreement is necessary in order to maintain the orderly and efficient operation of the Corrections Unit of the Police Department of the City, provide fair compensation for such collective bargaining unit members, and to conserve

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 - 097

Page 2

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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2016-097 Amended: _____
1st Rdg. 05-02-16 Ref: LOW
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 101

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTION 618.12 (HUNTING OR TRAPPING PROHIBITED) OF CHAPTER 618 ANIMALS OF PART SIX-GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY TO AUTHORIZE A NUISANCE ABATEMENT INITIATIVE FOR BOTH SHORT TERM AND LONG TERM CONTROL AND REDUCTION OF THE WHITE-TAILED DEER POPULATION, IN COORDINATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND CONTIGUOUS, ADJOINING, POLITICAL SUBDIVISIONS THAT OPT TO ADOPT A SIMILAR PLAN FOR NUISANCE ABATEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the white-tailed deer population in urban areas has grown to unmanageable numbers; and

WHEREAS, as a consequence thereof great financial loss has been suffered by public and private property owners, in the destruction of plants, flowers, trees and other edible landscaping; and

WHEREAS, deer/vehicle accidents increase annually and threaten the lives and property of all those who travel by vehicle on our streets and highways; and

WHEREAS, while hunting within the City of Strongsville is prohibited, the exploding regional deer population urgently requires deer management efforts; and

WHEREAS, this Council finds that the existing circumstances constitute an ongoing and serious nuisance which must be abated for the public health, safety and welfare; and

WHEREAS, the Mayor and Administration, working in conjunction with the Ohio Department of Natural Resources ("ODNR") and in coordination with other similarly situated municipalities, seek to establish a "nuisance abatement initiative" to allow for the liberal issuance of permits from both the ODNR and the municipal police department (deer damage control permits) with the consent of and upon the application of property owners seeking relief; and

WHEREAS, this Council in Resolution No. 2015-231, submitted to the Cuyahoga County Board of Elections for the consideration of the Electors of the City of Strongsville, an advisory election for the proposed amendment of Section 618.12 of the Codified Ordinances to permit limited hunting of white-tailed deer by crossbow or long bow by licensed individuals under terms and conditions established by the State of Ohio and the City, and under the supervision of the Chief of Police; and

WHEREAS, this advisory election took place on March 15, 2016 and the Electors of the City of Strongsville by a substantial margin voted in favor of amending Section 618.12 of the Codified Ordinances to permit limited hunting of white-tailed deer by crossbow or long bow by licensed individuals under terms and conditions established by the State of Ohio and the City, and under the supervision of the Chief of Police; and

WHEREAS, similar advisory elections on the same issue also took place on March 15, 2016 in the cities of Broadview Heights, North Royalton, Parma, Parma Heights and Seven Hills; with the Electors in each of these municipalities voting in favor to permit the limited hunting of white-tailed deer, as set forth above.

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

Section 1. That Section 618.12 of Chapter 618 of Part Six-General Offenses Code of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

618.12 HUNTING OR TRAPPING PROHIBITED.

(a) No person shall hunt or trap animals or fowl within the Municipality, except that law enforcement officers, health officials, persons possessing a nuisance trapping permit issued by the Division of Wildlife of the State of Ohio, and a resident using a live box trap trapping on property which he owns or permanently occupies may trap wildlife or animals constituting a nuisance; **and except as provided in division (c) of this Section.**

(b) A person holding a nuisance trapping permit issued by the Division of Wildlife of the State of Ohio shall:

- (1) Notify the Animal Control Officer or the Police Department of his name, the location and time of placement of each trap placed in the Municipality prior to setting any such trap;
- (2) Use a box trap or a trap approved by the Division of Wildlife of the State of Ohio; and

- (3) Release such animal outside the City limits within twenty-four hours of trapping or in accordance with State of Ohio, Division of Wildlife regulations.

(c) The limited hunting of white-tailed deer by crossbow or long bow may be permitted within the City under the following terms and conditions:

- (1) The Chief of Police or his designated representative may, in his sole discretion, issue a Municipal Deer Control Permit to a qualified archer applicant (engaged to assist property owners aggrieved by deer damage) only as a corollary to and following the issuance by the ODNR of either its own Deer Damage Control Permit or hunting license for the applicable white-tailed deer hunting season to allow only bow-hunting (long bow and crossbow) of white-tailed deer.**
- (2) The Municipal Deer Control Permit shall be limited to areas of not less than five (5) contiguous acres by a qualified archer(s), on such forms and subject to such rules and regulations as the Chief of Police may prescribe.**
- (3) Hunting shall be conducted from an elevated platform only.**
- (4) Written permission from the property owner(s) must be obtained.**
- (5) A qualified archer shall be defined as an individual having obtained an approval/certification from an approved archery proficiency test site, valid Ohio hunting license, if applicable, and all other applicable State requirements.**
- (6) Compliance with all laws, rules and regulations of the City and State is required.**
- (7) All applicants shall agree, in writing, to defend, indemnify and hold harmless the City for any negligent acts committed by the applicant.**
- (8) Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents shall be determined solely by the Chief of Police.**
- (9) The Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provisions of this**

section, and all other rules and regulations necessary to insure public health and safety, all of which shall be published.

- (10) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief of Police.**

~~(e)(d)~~ Whoever violates any provision of ~~this section~~ **divisions (a) or (b) of this Section is guilty of a minor misdemeanor. **Whoever violates division (c) shall be guilty of a misdemeanor of the first degree.** Punishment shall be as provided in Section 698.02.
~~(Ord. 1992-175. Passed 11-2-92.)~~**

Section 2. In order to defray the expenses incurred with the management of this program, a fee of \$150.00 per each qualified archer applicant is established and must accompany any application for the Municipal Deer Damage Control Permit.

Section 3. The City, in cooperation with ODNR and the Division of Wildlife, will explore and strive to adopt long-term, non-lethal options for deer population control, including but not limited to contraception, sterilization, relocation and/or such other methods as may provide the necessary relief in non-lethal methods and on a cost-effective basis.

Section 4. No other method for the control of the deer population is permitted other than such as is authorized herein; all other provisions of the Codified Ordinances of the City of Strongsville not specifically modified herein shall remain unaffected by these measures and fully enforceable.

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 of the City, and for the further reason that this Ordinance is required to be immediately effective in order to mitigate the ongoing nuisance of deer herds which must be abated, and to establish the parameters for the issuance of deer damage control permits. 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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 - 101

Page 5

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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2016-101 Amended: _____
1st Rdg. 65-02-16 Ref: (06)
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 102

BY: Mayor Perciak and All Members of Council

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE BOWMAN DRIVE, FETZER DRIVE AND DRAKE ROAD BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS, CATCH BASINS AND MANHOLES, INSTALLING SANITARY SEWER SERVICE CONNECTIONS, REPLACING, WHERE NECESSARY, PAVEMENT, DRIVEWAY APRONS, STORM SEWERS AND CULVERTS, AND CONSTRUCTING A WATER LINE IN FETZER DRIVE, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer has filed with the Clerk of Council the plans, profiles, specifications and an estimate of cost to be prepared (collectively, the “Plans”) for the improvement described herein;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, CUYAHOGA COUNTY, OHIO, three-fourths of all members elected or appointed thereto concurring, that:

Section 1. It is declared necessary to improve the entire lengths of Bowman and Fetzer Drives and Drake Road from Ash Drive to 360 feet west of Pearl Road by constructing sanitary sewers, catch basins and manholes, installing sanitary sewer service connections, replacing, where necessary, pavement, driveway aprons, storm sewers and culverts, and constructing a water line in Fetzer Drive, all together with the necessary appurtenances thereto, and all as further described and shown in the Plans.

Section 2. The Plans now on file in the office of the Clerk of Council are approved. The improvement shall be made in accordance with, and the grade of the improvement and of any road shall be the grade as shown on, the Plans. This Council finds and determines that the streets to be improved are so situated in relation to each other that, in order to complete the Improvement thereof in the most practical and economical manner, they should be improved at the same time, with the same kind of materials and in the same manner and, therefore, they shall be treated as a single improvement and included in the same legislation.

Section 3. This Council finds and determines that (i) the improvement is conducive to the public health, convenience and welfare of this City and the inhabitants thereof and (ii) the lots to be assessed as described in Section 4 hereof are specially benefitted by the improvement and a single sanitary sewer sanitary service connection will be available for each of those lots as part of the improvement as shown in the Plans. This Council further determines that any lot in the future connecting directly or indirectly to the improvement and which either (i) because of a split, a subdivision, or construction of additional improvements thereon, an additional connection or connections is required, or (ii) has not been assessed for the improvement, shall pay an additional connection charge for such connection in such amount as determined by separate legislation to be enacted by this Council prior to the levying of the final assessments for the improvement.

Section 4. The City shall assume and pay as its portion of the costs of the improvement the costs of intersections, plus the costs attributable to the waterline in Fetzer Drive and to the pavement replacement on Bowman and Fetzer Drives not otherwise required as part of the sanitary sewer project, plus 27% of the costs of the improvement (the City Portion). All of the cost of the sanitary sewer service connections and 89.2157% of the remaining costs of the improvement (together being the Assessment Portion) shall be assessed in proportion to the benefits that may result from the improvement upon any lot within the City (i) bounding and abutting upon the improvement between the termini described in Section 1 hereof that are not already served by a public sanitary sewer line and (ii) with respect to which a sanitary sewer service connection will be available for such lot as part of the improvement as shown in the Plans. The City shall also assume and pay the costs of the improvement less the City Portion and the Assessment Portion (such costs being the Connection Charge Portion), it being the intent of this Council that the Connection Charge Portion, including interest thereon, be recouped in the form of additional connection charges as contemplated in Section 3 hereof. If any grants are received by the City for this improvement, the amount thereof shall reduce the Assessment Portion and the Connection Charge Portion on a pro rata basis.

Section 5. The cost of the improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of any damages resulting from the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring any real estate or interests therein required for the improvement, expenses of legal services including obtaining legal opinions, cost of labor and material, interest under any agreement with the Ohio Water Development Authority as contemplated by Section 727.28 of the Ohio Revised Code (OWDA Agreement), interest on any securities issued in anticipation of the levy and collection of the special assessments, or, if an OWDA Agreement is not entered into by the City and securities in anticipation of the levy of the special assessments are not issued, interest at the rate of 4% per year on moneys advanced by this City for the cost of the improvement in anticipation of the levy of the special assessments, together with all other necessary expenditures.

Section 6. The City Engineer is authorized and directed to prepare and file in the office of the Clerk of Council the estimated special assessments of the cost of the improvement described in this Resolution. Those estimated special assessments shall be based upon the estimate of cost for the improvement now on file in the office of the Clerk of Council and shall be prepared pursuant to the provisions of this Resolution.

Section 7. The special assessments to be levied shall be paid according to the following payment schedule: in twenty annual installments, with interest on the unpaid principal amount of each special assessment at the same rate or rates of interest as shall be borne under the OWDA Agreement or by any securities to be issued in anticipation of the collection of the total of the unpaid special assessments, or, if an OWDA Agreement is not entered into by the City and such securities are not issued, at the rate or rates of interest determined by this Council when it passes the assessing ordinance levying those assessments; provided, that the owner of any property assessed may pay the special assessment in cash within 30 days after passage of the assessing ordinance.

Section 8. The City presently intends to finance a portion of the cost of this improvement by entering into an OWDA Agreement and therefore the City does not presently intend to issue securities in anticipation of the levy of the special assessments or to issue securities in anticipation of the collection of the special assessments in annual installments and in an amount equal to the total of the unpaid special assessments. The remainder of the entire cost of the improvement, after application of the special assessments, shall be paid by the issuance of securities in the manner provided by law or from other funds available for that purpose.

Section 9. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 10. This Resolution is hereby 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 Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate hazards to the safety and health of the residents of the City by providing a system of centralized sewage collection, disposal and treatment; wherefore, this Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.

 President of Council

Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

RES
ORD. No. _____ **Amended:** _____
1st Rdg. _____ **Ref:** _____
2nd Rdg. _____ **Ref:** _____
3rd Rdg. _____ **Ref:** _____

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

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 - 103
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 2016 AND REPEALING ORDINANCE NUMBER 2016-030.

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:

<u>General Fund - 101</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
101 Total General Fund		\$ 16,002,100.00	\$ 7,793,800.00	\$ 12,456,300.00	\$ 36,252,200.00

<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,262,300.00	\$ -	\$ -	\$ 1,262,300.00
204	Street Construction & Maintenance	5,199,100.00	4,519,400.00	-	9,718,500.00
205	State Highway Maintenance	-	140,000.00	-	140,000.00
206	Motor Vehicle License Tax	-	500,000.00	-	500,000.00
207	Emergency Vehicle Fund	-	1,429,000.00	-	1,429,000.00
208	Fire Levy	7,472,100.00	1,481,200.00	-	8,953,300.00
209	Fire Pension	1,407,000.00	-	-	1,407,000.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,000,000.00	-	1,000,000.00
214	Multi-Purpose Complex	3,121,100.00	2,052,200.00	-	5,173,300.00
215	Southwest General Hospital	-	347,242.00	-	347,242.00
216	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
217	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
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	11,300.00	3,000.00	-	14,300.00
224	Earned Benefits	405,800.00	-	-	405,800.00
200 Total Special Revenue Funds		\$ 18,878,700.00	\$ 11,636,442.00	\$ -	\$ 30,515,142.00

<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,692,626.00	\$ -	\$ 3,692,626.00
333	Pearl Road TIF # 1 Fund	-	2,224,125.00	-	2,224,125.00
334	Royalton Road TIF Fund	-	205,500.00	-	205,500.00
335	Pearl Road TIF # 2 Fund	-	70,900.00	-	70,900.00
336	Pearl Road TIF # 3 Fund	-	133,500.00	-	133,500.00
337	Westwood Commons TIF	-	28,300.00	-	28,300.00
300 Total Debt Service Funds		\$ -	\$ 6,354,951.00	\$ -	\$ 6,354,951.00

<u>Capital Improvement Capital Project Funds - 400</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 850,000.00	\$ -	\$ 850,000.00
442	General Capital Improvement	-	6,169,834.00	-	6,169,834.00
444	Pearl Road Capital Improvement	-	-	155,907.00	155,907.00
400 Total Capital Project Funds		\$ -	\$ 7,019,834.00	\$ 155,907.00	\$ 7,175,741.00

Enterprise Funds - 500					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,345,400.00	\$ 6,158,635.00	\$ -	\$ 7,504,035.00

Internal Service Fund - 600					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
664	Workers' Compensation Reserve	\$ -	\$ 1,187,500.00	\$ -	\$ 1,187,500.00
Grand Total All Funds		\$ 36,226,200.00	\$ 40,151,162.00	\$ 12,612,207.00	\$ 88,989,569.00

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	2,965,000.00
General Fund to Multi-Complex Fund	2,100,000.00
General Fund to Police Pension Fund	840,000.00
General Fund to Fire Pension Fund	1,044,000.00
General Fund to Drainage Levy Fund	300,000.00
General Fund to Earned Benefits Fund	300,000.00
General Fund to General Bond Retirement Fund	109,000.00
General Fund to Recreation Capital Improvement Fund	300,000.00
General Fund to General Capital Improvement Fund	1,100,000.00
Total Transfers	\$ 12,428,000.00
General Fund to Westwood Commons TIF Fund	28,300.00
Pearl Road Capital Improvement Fund Phase II to General Fund	155,907.00
Total Advances and Advance Repayments	\$ 184,207.00
Total Transfers, Advances and Advance Repayments	\$ 12,612,207.00

Section 2: That all expenditures within the fiscal year ending December 31, 2016 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

	Yea	Nay
Carbone	_____	_____
Daymut	_____	_____
DeMio	_____	_____
Dooner	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

ORD. No. 2016-103 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

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

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 315,700.00	\$ 26,000.00	\$ -	\$ 341,700.00
011411	Mayors Office	339,300.00	15,300.00	-	354,600.00
015412	Police Department	8,810,600.00	1,356,700.00	-	10,167,300.00
011413	Human Resources	223,600.00	100,200.00	-	323,800.00
011414	Finance Department	496,900.00	22,600.00	-	519,500.00
011415	Legal Department	450,300.00	125,900.00	-	576,200.00
011416	Communication & Technology	637,200.00	760,500.00	-	1,397,700.00
011417	Building Department	985,200.00	243,300.00	-	1,228,500.00
011418	Mayors Court	161,900.00	43,400.00	-	205,300.00
011420	Rubbish Department	-	2,441,500.00	-	2,441,500.00
011421	Cemetery Department	119,600.00	196,200.00	-	315,800.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	104,400.00	67,000.00	-	171,400.00
011424	Civil Service	-	94,100.00	-	94,100.00
011425	Board of Appeals	-	11,000.00	-	11,000.00
011428	Parks Department	102,600.00	353,100.00	-	455,700.00
011430	General Miscellaneous	-	1,572,400.00	-	1,572,400.00
011435	Economic Development	142,900.00	144,600.00	-	287,500.00
015414	Corrections Officers	781,200.00	140,500.00	-	921,700.00
011435	Joint Dispatch Center	2,174,600.00	67,500.00	-	2,242,100.00
011452	Public Safety	156,100.00	6,000.00	-	162,100.00
011468	Non Government Transfers	-	-	12,456,300.00	12,456,300.00
Total General Fund		\$ 16,002,100.00	\$ 7,793,800.00	\$ 12,456,300.00	\$ 36,252,200.00
031000	Police Pension	1,262,300.00	-	-	1,262,300.00
046419	Street Repairs	4,402,600.00	2,764,900.00	-	7,167,500.00
046426	Traffic Signal Maintenance	109,500.00	230,500.00	-	340,000.00
046427	Snow Removal	-	689,000.00	-	689,000.00
046433	Municipal Garage	687,000.00	835,000.00	-	1,522,000.00
056000	State Highway Maintenance	-	140,000.00	-	140,000.00
066000	Motor Vehicle License Tax	-	500,000.00	-	500,000.00
075000	Emergency Vehicle Fund	-	1,429,000.00	-	1,429,000.00
085000	Fire Levy	7,472,100.00	1,260,700.00	-	8,732,800.00
085001	Fire Station Ward 1	-	44,000.00	-	44,000.00
085002	Fire Station Ward 2	-	32,100.00	-	32,100.00
085003	Fire Station Ward 3	-	35,500.00	-	35,500.00
085004	Fire Station Ward 4	-	108,900.00	-	108,900.00
095000	Fire Pension	1,407,000.00	-	-	1,407,000.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,000,000.00	-	1,000,000.00
143304	Sports Programs	264,600.00	166,600.00	-	431,200.00
143305	Recreation Administration	453,500.00	659,000.00	-	1,112,500.00
143306	Fitness	436,300.00	135,900.00	-	572,200.00
143309	Ice Rink	-	281,000.00	-	281,000.00
143310	Aquatics	651,300.00	98,100.00	-	749,400.00
143311	Recreation Programs	225,000.00	30,200.00	-	255,200.00
143430	Special Events	-	15,200.00	-	15,200.00
143431	Old Town Hall	10,200.00	16,100.00	-	26,300.00
143439	Senior Services	560,500.00	403,900.00	-	964,400.00
143451	Recreation Maintenance	519,700.00	203,000.00	-	722,700.00
143500	Program Refunds	-	43,200.00	-	43,200.00
152000	Southwest General Hospital	-	347,242.00	-	347,242.00
165000	Law Enforcement Federal Seizures	-	2,000.00	-	2,000.00
175000	Law Enforcement State Seizures	-	12,000.00	-	12,000.00
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	11,300.00	3,000.00	-	14,300.00
224000	Earned Benefits	405,800.00	-	-	405,800.00
Total Special Revenue Funds		\$ 18,878,700.00	\$ 11,636,442.00	\$ -	\$ 30,515,142.00

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

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,692,626.00	-	3,692,626.00
333000	Pearl Road TIF # 1	-	2,224,125.00	-	2,224,125.00
334000	Royalton Road TIF	-	205,500.00	-	205,500.00
335000	Pearl Road TIF # 2	-	70,900.00	-	70,900.00
336000	Pearl Road TIF # 3	-	133,500.00	-	133,500.00
337000	Westwood Commons TIF	-	28,300.00	-	28,300.00
	Total Debt Service	\$ -	\$ 6,354,951.00	\$ -	\$ 6,354,951.00
413000	Recreation Capital Improvement	-	850,000.00	-	850,000.00
421000	General Capital Improvement	-	6,169,834.00	-	6,169,834.00
446200	Pearl Road Capital Improvement Phase II	-	-	155,907.00	155,907.00
	Total Capital Projects	\$ -	\$ 7,019,834.00	\$ 155,907.00	\$ 7,175,741.00
512501	Engineering and Administration	651,000.00	884,400.00	-	1,535,400.00
512502	Plant Expenditures	-	3,023,500.00	-	3,023,500.00
512503	Line Expenditures	694,400.00	425,000.00	-	1,119,400.00
512504	Sewer Capital Improvements	-	1,500,000.00	-	1,500,000.00
512505	Sewer Debt Payments	-	325,735.00	-	325,735.00
	Total Sanitary Sewer	\$ 1,345,400.00	\$ 6,158,635.00	\$ -	\$ 7,504,035.00
664000	Workers Compensation	\$ -	\$ 1,187,500.00	\$ -	\$ 1,187,500.00
	GRAND TOTAL	\$ 36,226,200.00	\$ 40,151,162.00	\$ 12,612,207.00	\$ 88,989,569.00

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 104

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE AMENDING SECTIONS 806.03 AND 806.04 OF CHAPTER 806 OF TITLE TWO OF PART EIGHT OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO INCLUDE FEES FOR LICENSES, AND TO REQUIRE CRIMINAL BACKGROUND CHECKS IN CONNECTION WITH CANVASSERS AND SOLICITORS, 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 Sections 806.03 and 806.04 of Chapter 806 of Title Two of Part Eight of the Codified Ordinances of the City of Strongsville be and are hereby amended in order that Sections 806.03 and 806.04 shall read in their entirety as follows:

**CHAPTER 806
Canvassers and Solicitors**

- 806.01 Definitions.
- 806.02 License and identification badge required.
- 806.03 License and identification badge application **and fee.**
- 806.04 Issuance of licenses and identification badges; effective period; transferability.
- 806.05 Display and return of licenses and identification badges.
- 806.06 Restrictions.
- 806.07 Trespassing in violation of posted signs.
- 806.08 Revocation of licenses.
- 806.09 Appeals.
- 806.10 Signs on streets.
- 806.99 Penalty.

* * *

806.03 LICENSE AND IDENTIFICATION BADGE APPLICATION AND FEE.

Every application for a license and identification badge shall be made on a form furnished by the City, shall be signed by the applicant, **accompanied by a non-refundable license fee of Twenty-Five Dollars (\$25.00)**, and shall be made ~~not less than five nor more than fifteen days prior to the commencement of solicitation,~~ and shall contain the following information:

- (a) The full name, mailing address, telephone number, age, date of birth, social security number and physical description of the applicant

including the applicant's height, weight, hair color, and eye color. The application form shall state that an applicant is not required to furnish **his** the applicant's social security number. Each applicant who does not enter **his** the applicable social security number on **his** the application form, upon request, shall furnish the Chief of Police or his representative with the applicant's social security number, for purposes of determining whether a license or identification badge has been issued under the same social security number. The Chief of Police or his representative shall not maintain the social security number as a part of the application record or enter it on the application form.

(b) The full name, mailing address and telephone number of the person or organization sponsoring, promoting or conducting proposed activities.

(c) The subject matter of the proposed distribution or communication and the purpose thereof.

(d) A brief description of the proposed activities, indicating the type of communication to be involved.

(e) The proposed dates and times of the solicitation, the routes to be followed in conducting the same and the expected duration of the proposed activities.

(f) The make, model, year, color and license plate number of any vehicle to be used in the solicitation and the number of the applicant's driver's license and the state of issuance.

(g) The names of all other municipalities in which the applicant has conducted soliciting activities during the past six months;

(h) A statement as to whether or not the applicant has complied with the requirements of Ohio R.C. Chapter 1716 pertaining to charitable solicitations, if applicable; and

(i) A statement as to whether or not the applicant has ever been denied a license or permit to solicit or had such a license or permit revoked, including the time and place of such denial or revocation.

The applicant shall swear that all information given on the application is true.

Each applicant shall submit two color photographs of the portrait of the applicant which shall be approximately 1 ½ inches x 1 ½ inches in size at the time of filing of the application for license. **In addition, each applicant shall be required to have a fingerprint analysis by the Ohio Bureau of Criminal Identification (BCI) and the Federal Bureau of Investigation (FBI). Each applicant will arrange for fingerprint analysis at any of the available web check locations listed on the Ohio Attorney General's website. The results of said fingerprint analysis shall be sent directly by the web check location to the Chief of Police for the Strongsville Police Department. A fingerprint analysis that is done by any web check location for any other municipality or government agency may be used for the application herein, provided that said fingerprint analysis was**

completed within ninety (90) days of the date of the application filed with the City of Strongsville.

**806.04 ISSUANCE OF LICENSES AND IDENTIFICATION BADGES;
EFFECTIVE PERIOD; TRANSFERABILITY.**

(a) Within ~~five-seven~~ (7) days after receipt of the completed license application form provided for in Section 806.03 **and the fingerprint analysis web check**, the Chief of Police or his representative shall issue a license and identification badge to the applicant unless he finds that:

(1) The applicant has made a false, misleading or deceptive statement in ~~his~~the application and has failed to amend or correct the same.

(2) The applicant has been convicted of a felony violation or misdemeanor violation involving fraud, **theft** or moral turpitude within the past ~~five~~ten (10) years.

(3) The applicant has been refused a license or the applicant's license was revoked in another community within the last ten (10) years for a violation of law.

(b) Each license issued by the Chief of Police or his representative shall be in a form prescribed by the Chief of Police.

(c) Each identification badge issued by the Chief of Police or his representative shall bear a distinguishing number assigned to the licensee and shall contain the following inscription:

“SOLICITOR’S IDENTIFICATION”

(d) Each identification badge shall also contain a color photograph of the licensee, the dates within which the licensee has been licensed to solicit in the City, and such further information or data from the application prescribed by the Chief of Police. The identification badge shall be sealed in a transparent material and shall be designed to prevent its reproduction or alteration.

(e) Each license and identification badge issued under this chapter shall be valid for not more than ninety days. Licenses and identification badges cannot be assigned or transferred to any other person.

~~(Ord. 1996-34. Passed 3-4-96.)~~

* * *

Section 2. That any ordinances or parts thereof inconsistent with this Ordinance 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 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 necessary to update the City's municipal Code in order to provide for the Police Department to have the capability of utilizing criminal background checks before issuing permits for canvassers and solicitors. 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.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-104 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 105

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR ACCEPTANCE OF A GRANT AWARD FROM CUYAHOGA COUNTY UNDER THE FISCAL YEAR 2014 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FOR REIMBURSEMENT OF EXPENSES INCURRED BY THE CITY'S FIRE DEPARTMENT ASSOCIATED WITH CERTAIN COUNTY HAZMAT EXERCISES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution No. CPB2014-886 duly adopted on November 10, 2014, Cuyahoga County approved a grant for the Fiscal Year 2014 Urban Area Security Initiative Grant Program (hereinafter called the "FY14 UASI"); and

WHEREAS, FY14 UASI grant funds were awarded to the County, for the County, and on behalf of the municipalities and other permissible agencies in Cuyahoga County for training; and

WHEREAS, Cuyahoga County, through its County Executive, has approved a grant for Fiscal Year 2014 Urban Area Security Initiative Grant Program funds for reimbursement of overtime and backfill expenses incurred by the City's Fire Department, and associated with expenses for the USAR-Hazmat full scale exercise on October 15, 2015, which expenditures shall not exceed the total amount of \$2,306.40 for the period of October 15, 2015 through May 1, 2016; and

WHEREAS, it is necessary that the County and the City enter into an agreement on file with the City's Fire Department, in order to carry out the coordination and responsibilities of the FY14 UASI grant award.

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 to accept such funding and enter into an agreement with Cuyahoga County under the FY14 UASI Grant Program for reimbursement of overtime and backfill expenses associated with the USAR-Hazmat full scale exercise on October 15, 2015, by the City of Strongsville Fire Department, which expenditures shall not exceed the total amount of \$2,306.40 for the period of October 15, 2015 through May 1, 2016. A copy of said agreement is on file with the City's Fire Department, which in all respects is hereby approved.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 105
Page 2

Section 2. That the Mayor, Director of Finance, and Fire Chief and/or their authorized representatives be and are hereby authorized and directed to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith.

Section 3. That any funds required to meet the City's obligation under this Ordinance, if any, have been appropriated and shall be paid from the Fire Levy 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 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 in order to receive grant funds to assist in defraying costs of training to enhance the ability of the Fire Department personnel to provide for homeland security, 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.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-105 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 106

By: Mayor Perciak and Mr. DeMio

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE RENOVATION AND MECHANICAL UPGRADE OF FIRE STATION NO. 3, ON ALBION ROAD, 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 interior and exterior renovation, and mechanical and electrical upgrades at Fire Station No. 3, located at 22000 Albion Road, Strongsville, Ohio, all in accordance with specifications on file in the office of the Building Commissioner, 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 Fire Levy 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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

RES
 ORD. No. 2016-106 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 107

By: Mayor Perciak and All Members of Council

A RESOLUTION ACCEPTING THE DONATION OF \$2,000.00 FROM WAL-MART STORES, INC. THROUGH ITS COMMUNITY GRANT PROGRAM, TO THE CITY OF STRONGSVILLE FIRE DEPARTMENT FOR THE PURCHASE OF FIRE SAFETY MATERIALS.

WHEREAS, the City of Strongsville Safety Forces are committed to helping keep the City's residents safe and informed by providing information and offering educational materials and programs to the community; and

WHEREAS, Wal-Mart Stores, Inc. (and the Walmart Foundation) through their Community Grant Program are desirous of donating \$2,000.00 to the City's Fire Department for the purchase of fire safety materials to support the community CPR program; and

WHEREAS, the City is desirous of accepting such generous donation, subject to the terms and conditions of Wal-Mart's Grant Agreement.

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

Section 1. That this Council hereby graciously accepts from Wal-Mart Stores, Inc. and the Walmart Foundation, and expresses its appreciation for, the donation of \$2,000.00 to the Fire Department in order to purchase fire safety materials, subject to the terms and conditions of the Grant Agreement.

Section 2. That the grant fund donations will be placed into the City's Fire Levy Fund for appropriation for the above-referenced purchases.

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 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: _____

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2016 - 107
Page 2

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

Attest: _____

Clerk of Council

RES
ORD. No. 2016-107 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 108

By: Mayor Perciak and Mr. Carbone

AN ORDINANCE DESIGNATING VARIOUS QUALIFIED SUPPLIERS OF GASOLINE AND DIESEL FUEL TO MEET SERVICE DEPARTMENT REQUIREMENTS, AND AUTHORIZING THE MAYOR TO ENTER INTO REQUIREMENTS CONTRACTS FOR THE PURCHASE OF SAME IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY'S RFQP, AND DECLARING AN EMERGENCY.

WHEREAS, the City has solicited and received qualifications and proposals for designation of qualified suppliers of gasoline and diesel fuel for purchase as necessary by the City's Service Department; and

WHEREAS, Council is desirous of proceeding to designate various qualified suppliers and enter into requirements contracts and/or purchase orders with them for the purchase of fuel consistent with the terms, conditions and procedures of the City's RFQP.

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 qualifications and proposals submitted by **Cuyahoga Landmark, Lykins Energy Solutions, Great Lakes Petroleum, and Petroleum Traders Corporation**, for purchase of fuel are acceptable, and such companies are hereby designated as qualified fuel suppliers for the City's requirements; and are in compliance with the applicable requirements for proposals and contracts established by the laws of the City and the State.

Section 2. That the Mayor be and is hereby authorized to enter into various requirements contracts and/or purchase orders with the aforesaid designated qualified suppliers of fuel for purchase of fuel in accordance with the terms, conditions and procedures set forth in the City's prior RFQP, 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 General Fund, Street Construction, Maintenance & Repair Fund, Emergency Vehicle Fund, Fire Levy Fund, Multi-Purpose Complex Fund and Sanitary Sewer 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

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 108
Page 2

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 proceed with purchases of City and Service Department requirements of gasoline and diesel fuel from qualified vendors, to ensure continuity of City and Service Department operations, 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.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-108 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 109

By: Mr. Carbone

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2016 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, 2016; 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, 2016 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 \$847,682.50 through December 31, 2016, 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; Motor Vehicle Fund; and General Capital Improvement 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 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. 2016 – 109

Page 2

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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

ORD. No. 2016-109 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 110

By: Mayor Perciak and Mr. Carbone

AN ORDINANCE AUTHORIZING AND APPROVING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT (018-17) FOR THE PURCHASE OF ROAD SALT FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF STRONGSVILLE DURING THE 2016-2017 SEASON; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville, Cuyahoga County, (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's ("ODOT") annual winter road salt bid (018-17) in accordance with Ohio Revised Code 5513.01(B), and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract; and

WHEREAS, the Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT, it shall be bound by all such terms and conditions included in the contract; and

WHEREAS, the Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

WHEREAS, the Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract, and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and

WHEREAS, the Political Subdivision hereby requests through this participation agreement a total of **Eleven Thousand (11,000)** tons of Sodium Chloride (Road Salt), of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

WHEREAS, the Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2016 through March 31, 2017; and

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 110

Page 2

WHEREAS, the Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and

WHEREAS, the Political Subdivision acknowledges that should it wish to rescind this participation agreement, it will do so by written, emailed request by no later than Wednesday, June 1, 2016. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement, as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement; and

WHEREAS, this Council wishes to take advantage of this opportunity in the purchase of road salt during the 2016-2017 winter season, through the State of Ohio Department of Transportation, Winter Contract No. 018-17.

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

Section 1. That Council approves and authorizes the Mayor's request for authority in the name of the City of Strongsville to participate in Ohio Department of Transportation contracts for the purchase of road salt at a rate per ton to be determined through the ODOT bidding process for use by the Service Department of the City, in a total amount estimated at 11,000 tons for the winter season and contract, as outlined in the participation agreement herein, which contract(s) the Department will enter 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 the Ohio Department of Transportation for such purchases, and to directly pay the vendor under such contract of the Ohio Department of Transportation in which the City participates for the 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 Transportation winter salt contract.

Section 4. That the funds for the purposes of said contract have been appropriated for 2016 and shall be paid from the Street Construction, Maintenance & Repair Fund; and the State Highway Maintenance Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 110
Page 3

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 road salt materials for the next winter season in order to provide continuity of services to residents of the City and in the operation of the Department of Public Service, to ensure safe passage on City streets, to comply with Ohio Department of Transportation deadlines, 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.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2016-110 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2016 – 111

By: Mr. Carbone

A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY.

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

Section 1. That pursuant to Codified Ordinance Section 1060.09, and consistent with documentation presented to the City, Council hereby authorizes the Sexton to transfer the certificate for burial rights in the Strongsville Municipal Cemetery for Graves F and H, in Lot 92 of Section C, from Margaret A. Stoll, deceased, and/or her Estate, to her son, John M. Stoll; and further waives the City's right to repurchase such lots.

Section 2. 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 action were in meetings open to the public in compliance with all legal requirements.

Section 3. 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	_____	_____
Schonhut	_____	_____
Short	_____	_____
Southworth	_____	_____

Attest: _____
Clerk of Council

RES
 ORD. No. 2016-111 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 113

By: Mayor Perciak and Mr. Schonhut

AN ORDINANCE AMENDING SECTIONS 1420.01, 1420.02, AND 1420.04 OF CHAPTER 1420 OF TITLE FOUR OF PART FOURTEEN OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO UPDATE BUILDING DEPARTMENT FEES; 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 existing Sections 1420.01, 1420.02, and 1420.04, of Chapter 1420 of Title Four of Part Fourteen of the Codified Ordinances of the City of Strongsville be and are hereby amended to read in their entirety as follows:

**CHAPTER 1420
Fees**

- 1420.01 Duties of Building Commissioner; determination of fees.**
- 1420.02 Building and engineering plan examination, permit and inspection fees.**
- 1420.03 Miscellaneous building/engineering permit and inspection fees.**
- 1420.04 Procedural compliance bond required.**
- 1420.05 Use and occupancy permit required.**
- 1420.06 Public rights-of-way bond required.**

1420.01 DUTIES OF BUILDING COMMISSIONER; DETERMINATION OF FEES.

(a) The Building Commissioner or his duly authorized representative shall examine and approve all plans and specifications and authorize the issuance of a permit or certificate required by the Building and Housing Code and shall designate thereon the character and other legal data and requirements related to the building, structure or other element of construction or use covered by such permit or certificate. The Building Commissioner or his duly authorized representative shall fix the nonrefundable permit or inspection fee to be paid prior to the issuance of such permit or certificate and shall advise the Finance Department of such fee for collection and a receipt to be given for same. The fees to be paid shall be as set forth in this Chapter.

(b) The Building Commissioner shall maintain active membership in the International Code Council (ICC) and shall utilize the type of construction method, gross area modifier and **use** group classification therein published semi-annually by ICC and known as the "Building Valuation Data" hereafter known as "BVD" which is a part of the Permit Fee Schedule to determine the fees established by this Chapter, except where specific fees are set. Such gross area modifier and type of construction factor shall be multiplied by the factors hereinafter

set out in this Chapter to determine fees, except where specific fixed fees are stipulated in this Chapter.

(c) For purposes of this chapter, the Building Commissioner may utilize the following abbreviations to identify Codes:

Abbreviation	Meaning
SDC	The Strongsville Dwelling Code (Chapter 1402 of these Codified Ordinances).
OBC	The Ohio Building Code (Chapter 1404 of these Codified Ordinances).
RCO	The Residential Code of Ohio (Chapter 1402 of these Codified Ordinances)
SPZC	The Strongsville Planning and Zoning Code (Part Twelve of these Codified Ordinances).

(d) The Building Commissioner shall utilize BVD and the Tables set forth hereafter identified as numbers 1420.02.1, 1420.02.2, 1420.02.3, 1420.02.4, 1420.02.5 and 1420.02.6 and associated formulae to determine fees under this Chapter where indicated in the fee schedule(s) by the abbreviations for the applicable formula.

(e) For purposes of this Chapter, the following words shall have the following meaning, unless the context clearly indicates that a different meaning is intended:

- (1) Building Valuation Data or "BVD" published by the International Code Council means the "average construction costs per square foot table" and is one of the factors used for determining permit cost in the City of Strongsville.
- (2) "Gross area" or "GA" is the sum of the gross floor area of all floors in the proposed building or structure. Where an owner or applicant proposes an alteration or change of use, gross area shall be determined by the Building Commissioner based on the actual area affected by the alteration or change of use which may extend beyond the limits of construction.
- (3) "Square Foot Construction Cost" or SFCT as determined by the "Building Valuation Data Table" provides average construction costs per square foot. The square foot construction cost table presents factors that reflect relative value of one construction classification/ occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.
- (4) PF – total permit fees.

~~(Ord. 2013-162. Passed 7-15-13.)~~

1420.02 BUILDING AND ENGINEERING PLAN EXAMINATION, PERMIT AND INSPECTION FEES.

The following fees shall be paid by the applicant for the occupancies and items listed below at the time an application is made and/or at the time such fees are determined, but in any event no later than at the time of issuance of the permit:

Table 1420.02.1 - RESIDENTIAL			
RESIDENTIAL 1, 2 & 3 FAMILY DWELLING PERMIT FEES _{a, b, c, d, e, f}			
	New 1, 2 & 3 Family _a	ADDITIONS _a	ALTERATIONS _a
Building Permit	GA x SFCT = PF _a	GA x SFCT x (50%) = PF _a	GA x SFCT x (40%50%) = PF _a
Electrical Permit	12% x PF	12% x PF	\$ 100.00
HVAC Permit	12% x PF	12% x PF	\$ 100.00
Plumbing Permit	12% x PF	12% x PF	\$ 100.00
1 % State Tax	Plus 1 % of all the fees above _b	Plus 1 % of all the fees above _b	Plus 1 % of all the fees above _b
Building Plan Review Fee	65% 12% x PF, \$50.00 minimum	65% 12% x PF, \$50.00 minimum	N/A 12% x PF, \$50.00 minimum
Engineering TOPO Review Fees	12% x PF	12% x PF	N/A
Engineering Inspection Fees	12% x PF	12% x PF	N/A
Grading Compliance Deposit	\$800.00	N/A	N/A
Sewer Cap Fee	Sewer Cap Range Table _f	N/A	N/A
Tree Planting Fee	Tree Planting Range Table _d	N/A	N/A
Recreation Cap Improvement Fee	\$ 800.00 _e	N/A	N/A
Right Of Way Deposit	\$400.00	N/A	N/A
Excessive Loads Fee	\$100.00	\$100.00 N/A	N/A
Compliance Deposit	\$500.00	N/A \$500.00 selectable based on scope	N/A \$500.00 selectable based on scope
Certificate Of Occupancy	\$50.00	\$50.00	\$50.00
	Total permit fees	Total permit fees	Total permit fees

RESIDENTIAL MISCELANOUS FEES _{b, c, d, f}		
Electrical Permit	\$100.00 \$50.00 Flat Fee plus 1% State Tax _b	
HVAC Permit	\$100.00 Flat Fee plus 1% State Tax _b	
Plumbing Permit	\$100.00 \$50.00 Flat Fee plus 1% State Tax _b	
Deck	Value Range Table _c (x 50%) = PF _b	Includes building and topographical review
Shed	Value Range Table _c (x 50%) = PF, \$50.00 minimum	Includes building and topographical review

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 113
Page 4

Pool/Spa Above Ground	\$100.00 Flat Fee ^b	Includes building, electrical and gas if applicable
In-ground Pool	\$150.00 \$100.00 Flat Fee ^b	Includes building, electrical, topographical review and gas if applicable
Siding	Value Range Table ^e \$50.00 Flat Fee ^b	
Miscellaneous	Value Range Table ^c (x 50%) = PF	
Driveway/Apron	Value Range Table ^e \$50.00 Flat Fee ^b	Includes building, engineering and topographical review
Sidewalk	Value Range Table ^e \$50.00 Flat Fee ^b	Includes building, engineering and topographical review
Reroof	\$50.00 Flat Fee ^b	
Sewer	Value Range Table ^e \$50.00 Flat Fee ^b	
Dye Test Inspection	\$50.00 Flat Fee ^b	
Waterproofing	Value Range Table ^e \$100.00 Flat Fee ^b	
Water Control	Value Range Table ^e \$50.00 Flat Fee ^b	
Fence	Value Range Table ^c (x 50%) = PF	
Hot Water Tank	\$50.00 Flat Fee ^b	
Residential Demolition Building	\$50.00 Flat Fee ^b	
Residential Demolition Engineering	\$50.00 Flat Fee	

- a. Building Valuation Data or "BVD" published by the International Code Council utilizes the "average construction costs per square foot table" and is one of the factors used for determining permit cost in the City of Strongsville. The average construction cost per square foot table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction
- b. A 1% tax is added to the building, electrical, mechanical and plumbing permits that are governed by the Residential Code Of Ohio, pursuant to H. B. 175 and sections 103.2.4.2 and 103.2.4.1 of Rule 4101:8-1-03of the Ohio Administrative Code adopted by the Board of Building Standards.
- c. Refer to the Building Value Range Table 1420.02.3 for appropriate permit fees.
- d. Refer to the Tree Planting Fund Range Table 1420.02.5 for appropriate permit fees.
- e. Recreation capital improvement fee as determined by Strongsville C.O. 1224.06 and Planning Commission Approval
- f. Sewer Capitalization Rate Range Table 1420.02.6

Table 1420.02.2 - COMMERCIAL
Commercial Structure And Use Permit Fees a, b, f

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 113
Page 5

	NEW a	ADDITIONS a	ALTERATIONS c
Building Permit	GA x SFCT = PF	GA x SFCT = PF	Value Range Table
Electrical Permit	12% x PF	12% x PF	Value Range Table
HVAC Permit	12% x PF	12% x PF	Value Range Table
Plumbing Permit	12% x PF	12% x PF	Value Range Table
3 % State Tax	Plus 3 % of all the fees above b	Plus 3 % of all the fees above b	Plus 3 % of all the fees above b
Building Plan Review Fee	65%12% x PF, \$250.00 minimum	65%12% x PF, \$250.00 minimum	N/A12% x PF, \$250.00 minimum
Engineering TOPO Review Fees	12% x PF	12% x PF	N/A
Engineering Inspection Fees	12% x PF	12% x PF	N/A
Grading Compliance Deposit	\$800.00	N/A\$800.00	N/A
Sewer Cap Fee	Sewer Cap Range Table f	N/ASewer Cap Range Table f	N/A
Tree Planting Fee	Tree Planting Range Table d	N/ATree Planting Range Table d	N/A
Tree Deposit Fee	\$500.00	\$500.00	N/A
Right Of Way Deposit	\$1000.00	N/A	N/A
Excessive Loads Fee	\$100.00	\$100.00	N/A
Compliance Deposit	\$2000.00	N/A\$2,000.00	N/A\$2,000.00
Certificate Of Occupancy	\$50.00	\$50.00	\$50.00
	Total permit fees	Total permit fees	Total permit fees

Commercial Miscellaneous Permit Fees b, c, e, f, g		
Electrical Permit	Value Range Table c plus 3% State Tax b	
HVAC Permit	Value Range Table c plus 3% State Tax b	
Plumbing Permit	Value Range Table c plus 3% State Tax b	
Demolition Building	\$100.00 Flat Fee – Building	\$200.00 Flat Fee - Engineering
Demolition Interior	\$200.00 Flat Fee - Building	
Fire Suppression	Value Range Table c b	
Fire Alarm/Hood	Value Range Table c b	
Sign Permit	\$50.00 Flat Fee b	Electrical \$50.00 Flat Fee plus 3% State Tax b
Deck	Value Range Table c	Includes building and topographical review
In-ground Pool	\$ 150.00 Flat Fee	Includes building, electrical, topographical review and gas if applicable
Miscellaneous	Value Range Table c	
Driveway/Apron	Value Range Table c	Includes building, engineering and topographical review
Sidewalk	Value Range Table c	Includes building, engineering and topographical review
Reroof	Re-Roof Range Table g	
Sewer	Value Range Table c \$50.00 Flat Fee	

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Waterproofing	Value Range Table c \$100.00 Flat Fee	
Water Control	Value Range Table c \$50.00 Flat Fee	
Fence	Value Range Table c (x 50%) = PF	

- a. Building Valuation Data or "BVD" published by the International Code Council utilizes the "average construction costs per square foot table" and is one of the factors used for determining permit cost in the City of Strongsville. The average construction cost per square foot table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction
- b. A 3% tax is added to the building, electrical, mechanical and plumbing permits that are governed by the Residential Code Of Ohio, pursuant to H. B. 175 and sections 103.2.4.2 and 103.2.4.1 of Rule 4101:8-1-03of the Ohio Administrative Code adopted by the Board of Building Standards.
- c. Refer to the Building Value Range Table 1420.02.3 for appropriate permit fees.
- d. Refer to the Tree Planting Fund Range Table 1420.02.5 for appropriate permit fees.
- e. Recreation capital improvement fee as determined by Strongsville C.O. 1224.06 and Planning Commission Approval
- f. Sewer Capitalization Rate Range Table 1420.02.6
- g. Refer to Commercial Re-roof Range Table 1420.02..4 for appropriate fees.

Building Permit Value Range Table 1420.02.3					
Valuation Range					
From	-	To	Base Fee	Plus This Additional Rate	Permit Fee
\$ 00.00	-	\$ 500.00	\$ 50.00	+ \$ 0	= \$ 50.00
\$ 500.01	-	\$ 2,000.00	\$ 50.00	+ \$ 3.00 per \$ 100.00	= Permit Fee
\$ 2,000.01	-	\$ 25,000.00	\$ 95.00	+ \$ 15.00 per \$ 1000.00	= Permit Fee
\$ 25,001.00	-	\$ 50,000.00	\$ 440.00	+ \$ 10.00 per \$ 1000.00	= Permit Fee
\$ 50,000.00	-	\$ 100,000.00	\$ 690.00	+ \$ 7.00 per \$ 1000.00	= Permit Fee
\$ 100,001.00	-	\$ 500,000.00	\$ 1040.00	+ \$ 6.00 per \$ 1000.00	= Permit Fee
\$ 500,001.00	-	\$ 1,000,000.00	\$ 3440.00	+ \$ 5.00 per \$ 100.00	= Permit Fee
\$ 1,000,001.00	-	\$ 1,000,000,000.00	\$ 5940.00	+ \$ 4.00 per \$ 1000.00	= Permit Fee

Commercial Re-Roof Range Table 1420.02.4					
Square Feet Of Roof Coverage					
From	-	To	Base Fee	Plus This Additional Rate	Permit Fee
0 – Sq. Ft.	-	5000 – Sq. Ft.	\$ 50.00	+ \$ 0	= \$ 50.00
5000.01 Sq. Ft.	-	10,000,000 Sq. Ft	\$ 100.00	+ \$ 50.00 per 5000.00 Sq. Ft.	= Permit Fee

Tree Planting Fund Range Table 1420.02.5	
Ground Surface Area Displaced By A New Building Or Structure	

From	- To	Base Fee	Plus This Additional Rate	Permit Fee
0 – Sq. Ft.	- 400 Sq. Ft.	\$ 0	+ \$ 0	= \$ 0
400.01 Sq. Ft.	- 2000 Sq. Ft.	\$ 250.00	+ \$ 0	= \$ 250.00
2000.01 Sq. Ft.	- 4000 Sq. Ft.	\$ 500.00	+ \$ 0	= \$ 500.00
4000.01 Sq. Ft.	- 10,000,000 Sq. Ft.	\$ 500.00	+ \$ 250.00 per 2000 Sq. Ft.	= Permit Fee

Size Of Water Line (in inches).	Sewer Tap Fee
0 - 1.0	\$ 2,013.00
1.5	\$ 10,066.00
2.0	\$16,106.00
3.0	\$ 32,212.00
4.0	\$ 50,330.00
6.0	\$ 100,661.00
8.0	\$ 161,058.00
10.0	\$ 231,520.00

~~(Ord. 2013-162. Passed 7-15-13.)~~

* * *

1420.04 PROCEDURAL COMPLIANCE BOND REQUIRED.

(a) Bond Requirement. In addition to the fees set forth in this Chapter, every owner or building permit applicant, whether an individual, corporation or partnership, erecting or having erected a building in this Municipality, at the time of permit issuance, shall post a procedural compliance bond or cash deposit as hereinafter set out to guarantee the satisfactory performance of all of the permit holder's obligations required by the Codified Ordinances of the City and this Building Code in the construction and erection of the building and the site which is the subject of a building permit. **Homeowners accepting responsibility for required permits, obtaining the permits and acting as the contractor for work performed on the single family dwelling in which they reside are exempt from the procedural compliance bond requirements.**

- (b) Bond Amount.
- (1) For each SDC occupancy at the rate of: \$ 500.00
 - (2) For each OBC Use Group Occupancy at the rate of: \$2,000.00

(c) Bond Form. The bond required by this section shall be posted with the City in cash at the time of the issuance of the permit.

(d) Forfeiture. All or a portion of the bond shall be forfeited if one or more of the following conditions occur:

- (1) Such building or structure is not completed within one year from the date of the issuance of the permit; or
- (2) Such building or structure is occupied without authorization prior to the issuance of a certificate of use and occupancy; or
- (3) All required inspections under this Building Code have not been requested or permitted; or
- (4) Any other obligation of the permit holder established by law is not met.

(e) Return. The bond shall be returned to the permit holder upon satisfactory performance of all requirements of this Building Code applicable to the project.

(f) Time Extensions. If the execution and completion of the building or structure or any of its site amenities within the time frame set forth in subsection (d) hereof is unavoidable and found to be justified by the Building Commissioner, the partial or full forfeiture of the bond may be waived and the original bond may stand until full execution and completion of the project within a reasonable time as determined by the Building Commissioner.

~~(Ord. 2013-162. Passed 7-15-13.)~~

* * *

Section 2. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

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 public health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to provide continuity of operations of the City's Building Department; render the Codified Ordinances in conformity with existing practice and electronic systems, 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.

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President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
Clerk of Council

ORD. No. 2016-113 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____