

City of Strongsville

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

January 12, 2017

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

MEETING NOTICE

City Council has scheduled the following meetings for **Tuesday, January 17, 2017**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road:***

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

7:30 P.M.

Planning, Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2016-225, 2017-001, 2017-005 and 2017-006.

Public Service and Conservation Committee will meet to discuss Ordinance No. 2017-007.

Public Safety and Health Committee will meet to discuss Ordinance Nos. 2017-008 and 2017-009.

Communications and Technology Committee will meet to discuss Ordinance No. 2017-010.

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

Committee of the Whole will meet to discuss Ordinance No. 2017-011. The committee will then consider a motion to adjourn into **Executive Session** with the Law Director and other members of the Administration for the purpose of discussing legal matters pertaining to the acquisition of real estate property.

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, MMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING

TUESDAY, JANUARY 17, 2017 AT 8:00 P.M.

Mike Kalinich Sr. City Council Chamber
18688 Royalton Road, Strongsville, Ohio

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Council Meeting – January 3, 2017*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
 - Administration of Ceremonial Oath of Office to newly-appointed Chief of Police, Mark Fender.
 - Administration of Ceremonial Oath of Office to newly-appointed Deputy Chief of Police, John T. Janowski.
 - Administration of Ceremonial Oath of Office to newly-appointed Police Lieutenant, Michael J. Campbell.
 - Comments regarding the newly-appointed Police Lieutenant, Patrick M. Russo.
 - Administration of Ceremonial Oath of Office to newly-appointed Police Lieutenant, Thomas J. O'Deens.
 - Administration of Oath of Office to newly-appointed Police Sergeant, Shamus P. Kelley.
 - Administration of Oath of Office to newly-appointed Police Sergeant, Steven A. Piorkowski.
 - Administration of Oath of Office to newly-appointed Police Sergeant, Marcello Marsala.
7. 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:
 - RECREATION AND COMMUNITY SERVICES – Mr. Short:
 - COMMITTEE-OF-THE-WHOLE – Mr. Dooner:
8. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:
- MAYOR PERCIAK:
 - FINANCE DEPARTMENT:
 - LAW DEPARTMENT:
9. AUDIENCE PARTICIPATION:
10. ORDINANCES AND RESOLUTIONS:
- Ordinance No. 2016-225 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 PROPERTY LOCATED AT 21487 ROYALTON ROAD (PORTIONS OF PPNs 393-03-007 AND 393-03-008) IN THE CITY OF STRONGSVILLE, FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 12-5-16. Tabled by Planning Commission 12-15-16. Unfavorable recommendation by Planning Commission 01-12-17.*
 - Ordinance No. 2017-001 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1262.04 OF CHAPTER 1262 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING CERTAIN MAIN USES IN THE GENERAL INDUSTRIAL (GI) DISTRICT, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 01-03-17. Favorable recommendation by Planning Commission 01-12-17.*
 - Ordinance No. 2017-005 by Mr. Daymut. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FOR STORM WATER SYSTEM PURPOSES FROM FC LADUE RESERVE, LLC, IN CONNECTION WITH THE WALNUT DRIVE DETENTION BASIN PROJECT, AND DECLARING AN EMERGENCY.

- Ordinance No. 2017-006 by Mr. Daymut. AN ORDINANCE ACCEPTING FOR DEDICATION TO PUBLIC USE CERTAIN LANDS WITHIN PINE LAKES VILLAGE SUBDIVISION PHASE 6-D; ACCEPTING CERTAIN PUBLIC UTILITIES CONSTRUCTED THEREIN AND AUTHORIZING AND DIRECTING THE ACTS REQUIRED IN FURTHERANCE THEREOF, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-007 by Mayor Perciak and Mr. Carbone. AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY SOLID WASTE DISTRICT UNDER THE 2017 COMMUNITY RECYCLING AWARENESS GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-008 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF OLMSTED FALLS, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2017, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-009 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 16 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND SEITZ BUILDERS, INC., IN CONNECTION WITH THE RENOVATION AND MECHANICAL UPGRADES AT FIRE STATION NO. 3, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-010 by Mayor Perciak and Mr. Schonhut. AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE REPLACEMENT AND LEASE OF ONE UPGRADED COPIER WITH APPURTENANCES, FOR USE BY THE DEPARTMENT OF RECREATION & SENIOR SERVICES OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-011 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO EXERCISE THE OPTION TO RENEW THE LEASE AGREEMENT WITH THE STRONGSVILLE CHAMBER OF COMMERCE FOR PREMISES LOCATED AT 18829 ROYALTON ROAD, STRONGSVILLE, OHIO, WITHOUT COMPETITIVE BIDS, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 225

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 PROPERTY LOCATED AT 21487 ROYALTON ROAD (PORTIONS OF PPNs 393-03-007 AND 393-03-008) IN THE CITY OF STRONGSVILLE, FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

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

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located at 21487 Royalton Road (portions of PPNs 393-03-007 and 393-03-008), from GI (General Industrial) classification to GB (General Business) classification, which property is more fully described and depicted in Exhibits "A" and "B", attached hereto and incorporated herein as if fully rewritten.

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

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

Section 4. That this Ordinance 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 as weather permits, to enhance economic development within the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 - 225
Page 2

First Reading: December 5, 2016

Referred to Planning Commission

Second Reading: _____

December 5, 2016

Third Reading: _____

Unfavorable recommendation by PC
Approved: 01-12-17

Public Hearing: _____

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. 2016-225 Amended: _____
1st Rdg. 12-5-16 Ref: PC/PZE
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Unfavorable recommendation by PC
01-12-17

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

PETITION FOR ZONING CHANGE

Ordinance Number: 2016-225

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 GI use to a class GB use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: It will fill a commercial need currently not being met in the community.
It will also begin the clean up of a property that community leaders feel is needed. Dividing this parcel into multiple uses is logical due to the properties shape.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: This parcel will combine multiple curb cuts down to a single access point in the future. the zoning to the east is industrial and to the west is railroad tracks so no negative impact on either property

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

- A tractor Supply Site Plan
- Boundary Survey of entire 13 acres
- _____

THE PROPOSED USE OF THE PROPERTY IS: A Tractor Supply Company Retail store.

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

Name: Keith Carter

Address: 1076 Summitt Drive Middletown, OH 45042

Telephone Number: 513-292-5837

Frank Jarama / J. J. Larson Members
Signature of Owner(s) JACONS LAND, LLC

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 21st day of November, 2016.



Pamela J. O'Toole
Notary Public PAMELA J. O'TOOLE

My commission expires: _____
NOTARY PUBLIC • STATE OF OHIO
Recorded in Cuyahoga County
My commission expires Apr. 29, 2021

* Please pay particular attention to the details in item number 4 on page one. If you are a property owner, you 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: 2016-225

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: 21987 Royalton Road Strongsville, OH 44149

Permanent Parcel No.: 393-03-007 + 393-03-008 + 393-05-008

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

Number and type of buildings which now occupy property (if any): There is an existing residential home with a garage and an existing commercial landscape office w/out buildr

Acreage: entire site is 13 acres. We are rezoning 3.753

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: Residential home is month to month and Landscape company is on a short term lease

Owner(s)	Percent of Ownership:
1. <u>JASON FEISCOVE</u>	<u>50%</u> %
2. <u>FRANK JARAM</u>	<u>50%</u> %
3. _____	_____ %

Frank Jaram J. Feiscope Members
 Signature of Owner(s) Jaram & Land, LLC

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 21st day of September, 2016.



Pamela J. O'Toole
Notary Public

My commission expires _____
PAMELA J. O'TOOLE
NOTARY PUBLIC • STATE OF OHIO
 Recorded in Cuyahoga County
 My commission expires Apr. 29, 2021

* 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.

LEGAL DESCRIPTION

BEING A TRACT OF LAND OWNED BY JARONE LAND COMPANY LLC. AS DESCRIBED IN AFN 201007300211 OF THE CUYAHOGA COUNTY DEED RECORDS, SITUATE IN THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT NUMBER 85, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found with a 5/8" iron pinned capped "Skonieczny, S-6356" at the northwest corner of Out Lot 85 as Part of the Original Strongville Township Lots;

thence, South 88°-35'-59" East, 1103.99 feet, along the centerline of State Route 82, also known as Royalton Road to the northeast corner of a tract of land owned by Anna L. St. Peter as described in Volume 15676, Page 451;

thence, South 00°-33'-24" West, 40.00 feet, along the east line of said St. Peter tract to an iron pin with cap found on the south right-of-way line of State Route 82;

thence, South 88°-35'-58" East, 200.00 feet, along the south right-of-way line of State Route 82 to a point, and being the principal place of beginning of the tract herein described;

thence, South 88°-35'-58" East, 100.00 feet, to a point;

thence, South 00°-33'-24" West, 545.00 feet, to a point;

thence, North 88°-35'-58" West, 100.00 feet, to a point;

thence, North 00°-33'-24" East, 545.00 feet, to the principal place of beginning.

Containing 1.251 acres more or less and all being subject to any legal highway and easements of record.

The bearings are assumed and used to denote angles only.

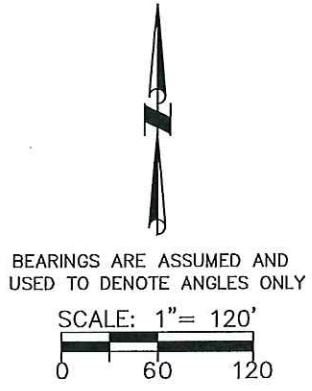
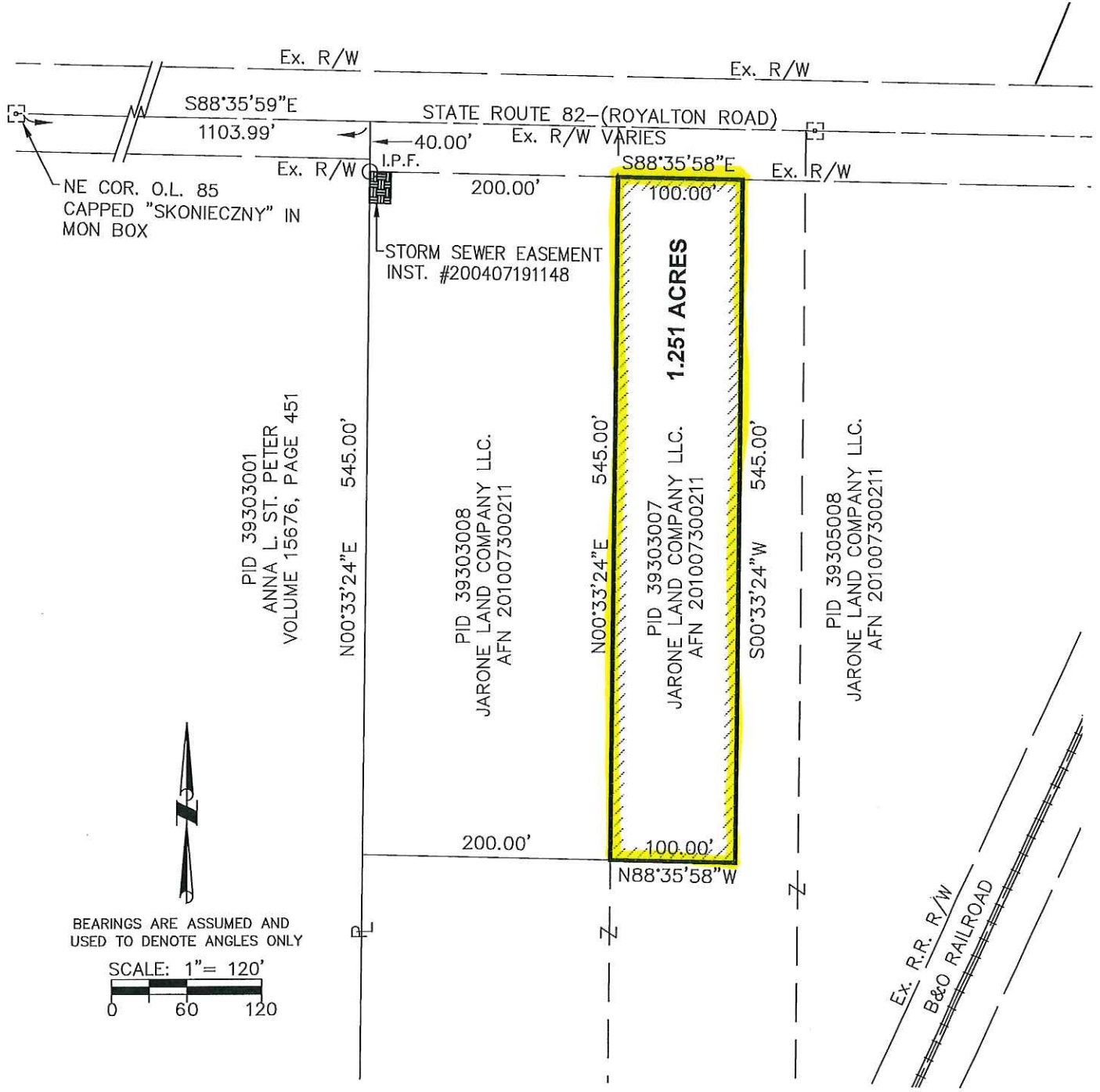
The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629.

This legal description is to be used for Zoning approval only and not for property transfer.

This survey was prepared based on a survey performed by Bramhall Engineering and Surveying Co., Inc. in 2011. No field work was performed in preparing this exhibit and legal description.

EXHIBIT A

**SITUATED IN THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO
AND BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT NUMBER 85**



SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
PORTLAND, INDIANA 260.766.2500
www.CHOICEONEENGINEERING.com

LEGEND

- I.P.F. IRON PIN FOUND
- ⊠ MONUMENT BOX W/IP FOUND

LEGAL DESCRIPTION

BEING A TRACT OF LAND OWNED BY JARONE LAND COMPANY LLC. AS DESCRIBED IN AFN 201007300211 OF THE CUYAHOGA COUNTY DEED RECORDS, SITUATE IN THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT NUMBER 85, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found with a 5/8" iron pinned capped "Skonieczny, S-6356" at the northwest corner of Out Lot 85 as Part of the Original Strongsville Township Lots;

thence, South 88°-35'-59" East, 1103.99 feet, along the centerline of State Route 82, also known as Royalton Road to the northeast corner of a tract of land owned by Anna L. St. Peter as described in Volume 15676, Page 451;

thence, South 00°-33'-24" West, 40.00 feet, along the east line of said St. Peter tract to an iron pin with cap found on the south right-of-way line of State Route 82, and being the principal place of beginning of the tract herein described;

thence, South 88°-35'-58" East, 200.00 feet, along the south right-of-way line of State Route 82 to a point;

thence, South 00°-33'-24" West, 545.00 feet, to a point;

thence, North 88°-35'-58" West, 200.00 feet, to a point on the east line of said St. Peter tract;

thence, North 00°-33'-24" East, 545.00 feet, along the east of said St. Peter tract to the principal place of beginning.

Containing 2.502 acres more or less and all being subject to any legal highway and easements of record.

The bearings are assumed and used to denote angles only.

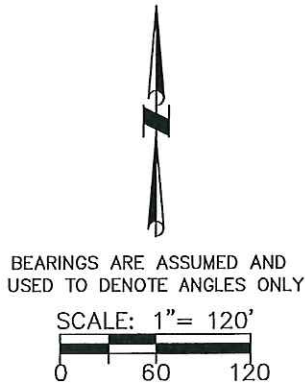
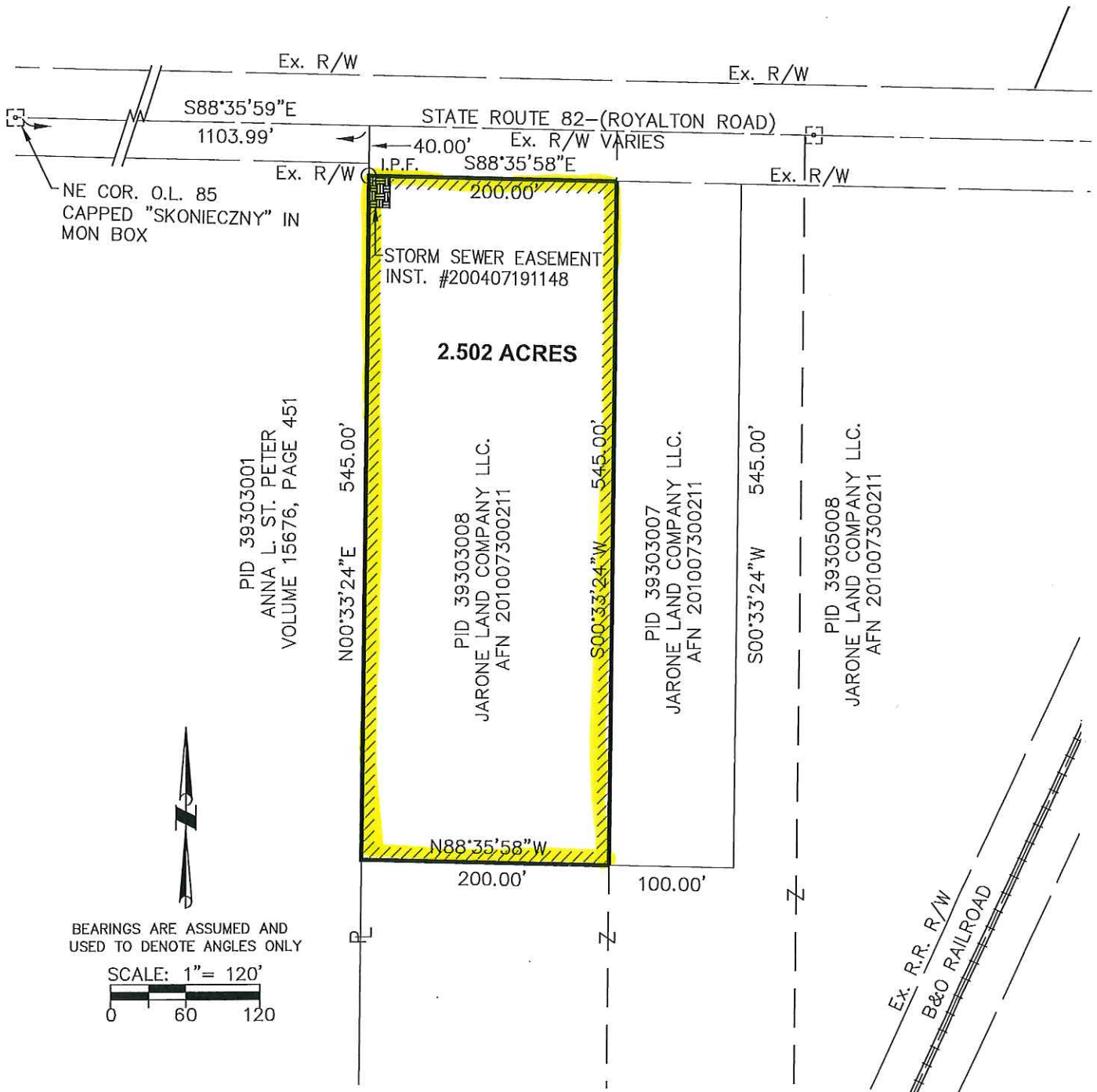
The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629.

This legal description is to be used for Zoning approval only and not for property transfer.

This survey was prepared based on a survey performed by Bramhall Engineering and Surveying Co., Inc. in 2011. No field work was performed in preparing this exhibit and legal description.

EXHIBIT B

**SITUATED IN THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, STATE OF OHIO
AND BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT NUMBER 85**



ChoiceOne
Engineering

SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554
PORTLAND, INDIANA 260.766.2500

www.CHOICEONEENGINEERING.com

LEGEND

- I.P.F. IRON PIN FOUND
- ☒ MONUMENT BOX W/IP FOUND

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: November 21, 2016

SUBJECT: Rezoning Application
Jason Friscone and Frank Jaram; Owners
PPNs: 393-03-007 (portion) and 393-03-008 (portion)
Address: 21487 Royalton Road
From General Industrial (GI) to General Business (GB)

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

Thank you.

AKP
Attachments

cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: December 6, 2016
SUBJECT: Referral from Council: Ordinance No. 2016-225

At its regular meeting of December 5, 2016, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2016-225 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 PROPERTY LOCATED AT 21487 ROYALTON ROAD (PORTIONS OF PPNs 393-03-007 and 393-03-008) IN THE CITY OF STRONGSVILLE, FROM GI (GENERAL INDUSTRIAL) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

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

TAM
Attachment

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: December 16, 2016

Please be advised that at its meeting of December 15, 2016, the Strongsville Planning Commission Tabled the following;

ORDINANCE 2016-225

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 property located at 21487 Royalton Road (Portions of PPN's 393-03-007 and 393-03-008) in the City of Strongsville from GI (General Industrial) Classification to GB (General Business) Classification and Declaring an Emergency.

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: January 13, 2017

Please be advised that at its meeting of January 12, 2017, the Strongsville Planning Commission Denied the following;

ORDINANCE 2016-225

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 property located at 21487 Royalton Road (Portions of PPN's 393-03-007 and 393-03-008) in the City of Strongsville from GI (General Industrial) Classification to GB (General Business) Classification and Declaring an Emergency.

Also at that same meeting the Strongsville Planning Commission gave approval to the following;

ORDINANCE NO. 2017-001

An Ordinance Amending Section 1262.04 of Chapter 1262 of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville regarding certain Main Uses in the General Industrial (GI) District, and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 001

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AMENDING SECTION 1262.04 OF CHAPTER 1262 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING CERTAIN MAIN USES IN THE GENERAL INDUSTRIAL (GI) DISTRICT, 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 Section 1262.04(a)(4) of Chapter 1262 of Title Six of Part Twelve 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.

* * *

- (4) The following uses may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code.
- A. Bulk distribution station for gasoline and oil.
 - B. Day care facilities.
 - C. Wireless telecommunication facilities in accordance with the provisions of C.O. Chapter 1273.
 - D. The filling, sale and/or exchange of propane canisters.
 - E. Facilities engaged in sales, leasing, and repair of agricultural equipment and machinery, sale of agricultural products, sale of livestock and pet supplies, and sale of related products provided that such facilities are located with frontage on a Major Arterial Street. Such facilities may have outdoor storage of equipment and machinery, provided that such outdoor storage is**

**behind the front setback line and in designated areas
 approved by the Planning Commission.**
 (~~Ord. 2013-075. Passed 2-18-14.~~)

* * *

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

Section 3. That this Ordinance 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 reasons that it is necessary to provide for proper development and zoning of lots and lands within the City, and to facilitate 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: January 3, 2017
 Second reading: _____
 Third reading: _____
 Public Hearing: _____

Referred to Planning Commission

January 4, 2017
 Approved: Favorable recommendation
by PC 01-12-17

 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. 2017-001 Amended: _____
 1st Rdg. 01-03-17 Ref: PC/PZE
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Aimee Pientka, Clerk of Council
DATE: January 4, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-001

Please be advised that at its regular meeting of January 3, 2017, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-001 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1262.04 OF CHAPTER 1262 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE REGARDING CERTAIN MAIN USES IN THE GENERAL INDUSTRIAL (GI) DISTRICT, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 01-03-17.*

A copy of these Ordinances are attached for Planning Commission review.

AKP
Attachments

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: January 13, 2017

Please be advised that at its meeting of January 12, 2017, the Strongsville Planning Commission Denied the following;

ORDINANCE 2016-225

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 property located at 21487 Royalton Road (Portions of PPN's 393-03-007 and 393-03-008) in the City of Strongsville from GI (General Industrial) Classification to GB (General Business) Classification and Declaring an Emergency.

Also at that same meeting the Strongsville Planning Commission gave approval to the following;

ORDINANCE NO. 2017-001

An Ordinance Amending Section 1262.04 of Chapter 1262 of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville regarding certain Main Uses in the General Industrial (GI) District, and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 005

By: Mr. Daymut

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FOR STORM WATER SYSTEM PURPOSES FROM FC LADUE RESERVE, LLC, IN CONNECTION WITH THE WALNUT DRIVE DETENTION BASIN PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, FC Ladue Reserve, LLC is the owner of certain real estate, being a vacant block of land located south of Drake Road between Ash Drive and Walnut Drive, located in the City of Strongsville, and known as Permanent Parcel Nos. 394-23-040 and 394-23-003; and

WHEREAS, due to the City proposing to construct a storm water system, including a storm water detention basin and appurtenances, for the Walnut Drive Detention Basin Project, it is now necessary for the City to accept a Grant of Easement for Storm Water System Purposes from FC Ladue Reserve, LLC; and

WHEREAS, after negotiations, the City has agreed to pay and the property owner has agreed to accept the amount of \$500.00 for the storm water easement.

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 negotiated price of \$500.00 and the costs of title work is a fair and reasonable amount to pay to the property owner for the Grant of Easement for Storm Water System Purposes set forth in Exhibit 1; and this Council further finds and determines that it is in the public interest to pay such amount for the subject easement, in order to conserve public funds and proceed with the Walnut Drive Detention Basin Project without further delay.

Section 2. That the Director of Finance be and is hereby authorized and directed to pay to FC Ladue Reserve, LLC, the sum of \$500.00 and the costs of title work upon recordation of the aforesaid easement. Said funds shall be paid from the Drainage Levy Fund.

Section 3. That the Council hereby authorizes the Mayor to accept a Grant of Easement for Storm Water System Purposes from FC Ladue Reserve, LLC for the purposes of constructing, reconstructing, maintaining, operating and repairing a storm water detention basin and appurtenances in connection with the vacant property located south of Drake Road between Ash Drive and Walnut Drive (PPNs 394-23-040

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 005

Page 2

and 394-23-003), as more fully set forth in Exhibit 1 attached hereto and made a part hereof by reference.

Section 4. That the Clerk of Council is hereby directed to cause the aforesaid Easement to be recorded in the office of the Cuyahoga County Fiscal Office after its execution and upon receipt of evidence of title satisfactory to the Law Director.

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

Section 6. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is necessary to obtain the aforesaid easement in order to make improvements to the City's storm water system in connection with the Walnut Drive Detention Basin Project, for the proper development of lots and lands within the City, 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. 2017-005 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

**GRANT OF EASEMENT
FOR
STORM WATER SYSTEM PURPOSES**

This Grant of Easement (the "Agreement") is made between **FC LADUE RESERVE, LLC**, an Ohio limited liability company, located at 50 Public Square, Suite 1170, Cleveland, Ohio 44113 (hereinafter referred to as the "**Grantor**"), and the **CITY OF STRONGSVILLE**, a municipal corporation, located at 16099 Foltz Parkway, Strongsville, Ohio 44149 (hereinafter referred to as the "**Grantee**").

WHEREAS, the Grantor is the owner in fee simple of certain real estate located in the City of Strongsville, Ohio, and known as a block of land located south of Drake Road between Ash Drive and Walnut Drive (PPNs 394-23-040 and 394-23-003), (hereinafter the "**Property**"), described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the Grantee is proposing to construct a storm water system, including a storm water detention and/or retention basin and appurtenances (hereinafter the "**storm water system**") in, on, over, and through the Property; and

WHEREAS, the Grantor wishes to grant and the Grantee wishes to accept an easement for the purposes of constructing, reconstructing, maintaining, operating and repairing a storm water system on, over, and through the Property;

NOW, THEREFORE, in consideration of Five Hundred Dollars (\$500.00) and the cost of all title work, the receipt of which is hereby acknowledged, the following grants, agreements, and covenants are made:

The Grantor hereby gives, grants, bargains and conveys to the Grantee, its successors and assigns a perpetual, exclusive easement and right to enter upon the Property described in Exhibit "A" (the "Premises"), and to remove and/or replace trees where necessary for the purposes of constructing, reconstructing, maintaining, operating and repairing a storm water system, and to make all repairs to such storm water system connected therewith, that in the opinion of the proper local authorities of the City of Strongsville, its successors or assigns, may be necessary or advisable, in order to maintain or operate said storm water system in accordance with the ordinances, rules and regulations for the management and protection of such systems

of said City of Strongsville, now in force or that may hereafter be adopted or utilized by the Grantee.

The Grantee acknowledges and agrees that such easement is granted on the condition that the Premises is accepted by Grantee in its "**AS IS, WHERE IS, WITH ALL FAULTS**" basis, that Grantor makes no representations or warranties with respect to the physical condition of Property or the Premises, that Grantee has been afforded a full and complete opportunity to inspect the Property and the Premises in whatever ways Grantee deems appropriate for its intended use, and that Grantee assumes all risks associated with entry on the Property and use of the Premises in relation to its physical condition.

In consideration of the acceptance of the easement above-mentioned by the City of Strongsville, the Grantor and Grantee further hereby agree that Grantee shall construct and install said storm water system in accordance with the provisions, rules, regulations and requirements of the City of Strongsville, and further agree that Grantee shall pay the entire cost of said construction, installation, operation and maintenance of said storm water system. Said storm water system shall be and become the property of the City of Strongsville, its successors or assigns. Grantee shall be solely responsible for the operation and maintenance of the storm water system. Grantee shall not permit liens to be filed against the Property or the Premises arising from Grantee's work or activities.

The Grantor hereby restricts the Premises against the construction thereon of any temporary or permanent structures by Grantor.

Grantee acknowledges that Grantor does not occupy the Property and that Grantor will not regularly monitor the Property or the Premises, nor have any obligation to abate any obstruction or impairment to Grantee's storm water system, except for obstructions or impairments caused by Grantor's negligence or wrongful conduct.

The Grantee agrees to keep the Premises free of materials, equipment, vehicles, trees, shrubbery, and any other obstructions which would interfere with Grantee's access to or maintenance of the storm water system. Grantor will not place any materials, equipment, vehicles, trees, shrubbery or any obstructions within the Premises which would materially interfere with Grantee's access to or maintenance of the storm water system. Grantor further agrees to make no alterations to the Premises which would increase or reduce the depth of the storm water system, or in any way interfere with the storm water system or the Grantee's access to it.

If the Grantor desires to alter the Premises in any way other than is expressly permitted herein, it must obtain the prior written approval of the Grantee. Upon receipt of such approval, the Grantor shall, at its own expense, relocate or reconstruct all or any portion of the storm water system which is affected by such alteration and, where necessary, grant a new easement of not less than the width, length and depth of this easement under the same terms and conditions as herein provided. The relocated or reconstructed storm water system and appurtenances shall, upon completion and approval by the Grantee, become the property of the City of Strongsville.

If the Grantor violates any of the provisions of this easement, the Grantee, at the expense of the Grantor, may enter upon the Premises and make such alterations as are necessary to bring the Premises into compliance with the provisions of this Agreement.

The Grantor hereby reserves the right to use the Premises for such use as is not expressly prohibited by or inconsistent with the terms of this Agreement.

The Grantor covenants with the Grantee that it is well-seized of the Premises as a good and indefeasible estate in fee simple, and has the right to grant and convey this easement in the manner and form above written. The Grantor further covenants that it will warrant and defend claims against Grantee's easement rights in and to the Premises arising hereunder, except Grantee accepts the Easement subject to those matters in the Title Policy issued by Stewart Title Guaranty Company to be dated the same date as recordation of this Agreement.

This Agreement and the easement granted hereunder shall inure to the benefit of any person, firm or entity who the City of Strongsville, its successors and assigns, shall authorize to undertake the performance of work within the purpose of this easement.

The parties hereto agree that this Agreement embodies the complete understanding of the parties, and that no changes in this Agreement shall be made unless such changes are in writing, approved and subscribed by the parties hereto.

This Agreement shall be binding upon and inure to the benefit of the parties, their respective heirs, legal representatives, successors and assigns.

All notices relating to this Agreement shall be sent to the parties at the addresses stated in the introductory paragraph of this Agreement, by registered or certified mail or nationwide recognized overnight courier. Either party hereto may specify in writing to the other party a different address for the giving of notices. During Grantor's ownership of the Property, copies of all notices to Grantor shall be simultaneously delivered to Forest City Realty Trust, Inc., 50 Public Square, Suite 1360, Cleveland, Ohio 44113, Attention: General Counsel, in the same manner as described above.

Notwithstanding anything to the contrary in this Agreement, none of Grantor's nor Grantee's employees, officers or members, shall be personally liable for the breach of this Agreement. Satisfaction of claims arising hereunder against Grantor and Grantee or any such person or entity shall look solely to their interest in and to the Property.

The parties hereto shall and hereby do waive trial by jury in any action, proceeding or counterclaim brought by either of the parties hereto against the other on any matters whatsoever arising out of or in any way connected with this Agreement, or for the enforcement of any remedy under any statute, emergency or otherwise.

TO HAVE AND TO HOLD the above-granted easement, right-of-way, storm water system and appurtenances for the purposes above-mentioned, unto the City of Strongsville, forever.

IN WITNESS WHEREOF, this Agreement is executed this _____ day of _____, 2017.

FC LADUE RESERVE, LLC

By: Forest City Land Group, Inc.,
an Ohio corporation, its member

By: Mark A. Ternes
Name: Mark A. Ternes
Its: Vice President

CITY OF STRONGSVILLE

By: _____
Mayor

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Forest City Land Group, Inc., an Ohio corporation, member of **FC LADUE RESERVE, LLC**, by Mark A. Ternes, its Vice President, who acknowledged that he did sign the foregoing instrument and that the same is the free and voluntary act and deed of said corporation and his free and voluntary act and deed as such officer.

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal at Cleveland, Ohio, this 12 day of January, 2017.

Rhonda Townsend
Notary Public



RHONDA TOWNSEND
Notary Public
STATE OF OHIO
My Commission Expires
August 15, 2021

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State, personally appeared the above named **CITY OF STRONGSVILLE**, by **THOMAS P. PERCIAK**, its Mayor, who acknowledged that he did sign the foregoing instrument and that the same is the free and voluntary act and deed of said municipal corporation and his free and voluntary act and deed as such officer.

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal at _____, Ohio, this ____ day of _____, 2017.

Notary Public

EXHIBIT A

Parcel No. 1:

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio:

And known as being Block "A" in Ash Drive Subdivision of part of Original Strongsville Township Lot No. 62, as shown by the recorded plat in Volume 271 of Maps, Page 28, of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 394-23-040

Parcel No. 2:

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio:

And known as being part of that parcel of land conveyed to Sunrise Development Company by deed recorded March 11, 1974 in Volume 13605, Page 821 of Cuyahoga County Deed Records, of part of Original Strongsville Township Lot No. 62, bounded and described as follows:

Beginning at a point measured South 01 deg. 21' 04" West, 279.31 feet along the centerline of Ash Drive, 60 feet wide, from its intersection with the centerline of Drake Road, 60 feet wide;

Thence South 88 deg. 38' 56" East, 30.00 feet to the Easterly line of said Ash Drive and the Northwesterly corner of said land conveyed to Sunrise Development Company;

Thence South 88 deg. 38' 56" East, along the Northerly line of said land conveyed to Sunrise Development Company, 169.89 feet to the Northeasterly corner thereof and the principal Point of Beginning of the parcel of land described herein;

Thence South 01 deg. 20' 04" West, along the Easterly line of land conveyed to Sunrise Development Company, 560.33 feet to the Southeasterly corner thereof;

Thence North 88 deg. 38' 56" West, along the Southerly line of land conveyed to Sunrise Development Company, 34.89 feet to a point;

Thence North 01 deg. 21' 04" East, 560.33 feet to the Northerly line of land conveyed to Sunrise Development Company;

Thence South 88 deg. 38' 56" East, along said Northerly line, 34.89 feet to the principal Point of Beginning and containing 0.4488 acres of land, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 394-23-003

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 006

By: Mr. Daymut

AN ORDINANCE ACCEPTING FOR DEDICATION TO PUBLIC USE CERTAIN LANDS WITHIN PINE LAKES VILLAGE SUBDIVISION PHASE 6-D; ACCEPTING CERTAIN PUBLIC UTILITIES CONSTRUCTED THEREIN AND AUTHORIZING AND DIRECTING THE ACTS REQUIRED IN FURTHERANCE THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, Albion-Webster Development Co., LLC, an Ohio limited liability company (hereinafter referred to as "Developer"), owner of Pine Lakes Village Subdivision Phase 6-D, is offering to the City of Strongsville for dedication to public use certain lands for streets, drives, roads, and easements (the "Public Rights-of-way"), as shown on the plat for that subdivision (the "Subdivision Plat"); and

WHEREAS, the Developer is offering to the City of Strongsville for acceptance certain public utilities, public sanitary and storm sewers, and appurtenances constructed above and beneath the surface of the ground within the aforesaid lands (the "Public Improvements") as shown in the improvements plans for said subdivision approved by the City Engineer on May 26, 2016, and on file with the City Engineer (hereinafter referred to as "Improvement Plans"); and

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

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

Section 1. That Council finds and determines that it is in the public interest to accept for dedication to public use the Public Rights-of-way prior to the completion of the installation of sidewalks and seeding, provided that the Developer shall deposit a performance bond with the City in an amount that shall be no less than 100% of the estimated cost of completing all such sidewalk improvements; and shall deposit a cash bond with the City in an amount no less than 100% of the cost of completing the seeding, all as determined by the City Engineer, conditioned upon the full completion of the aforesaid improvements to be constructed and/or installed in such Public Rights-of-way no later than May 31, 2017 for the seeding and December 31, 2018 for the sidewalks, and provided that, upon completion of such sidewalk improvements and seeding, the Developer provides to the City a bond securing or guaranteeing the

maintenance of such sidewalk improvements and seeding for a period not less than two years from and after the effective date of the subsequent ordinance accepting such sidewalk improvements and seeding, in a sum no less than 10% of the cost of the installation of such sidewalk improvements and seeding.

Section 2. That all of the Public Rights-of-way offered to the City of Strongsville be and are hereby accepted by the City of Strongsville and dedicated to public use, subject to the conditions set forth in Section 1 of this Ordinance and provided that the Developer provides to the City a bond securing or guaranteeing the maintenance of the Public Improvements for a period of not less than two years from and after the effective date of this Ordinance in a sum no less than 10% of the cost of installation of the improvements.

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

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

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

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

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to assure proper development of all lots and land within the City of Strongsville and to meet legal requirements. 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. 2017-006 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 007

By: Mayor Perciak and Mr. Carbone

AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY SOLID WASTE DISTRICT UNDER THE 2017 COMMUNITY RECYCLING AWARENESS GRANT PROGRAM; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, The Cuyahoga County Solid Waste District has established a Community Recycling Awareness Grant program and once again allocated monies to help local governments in Cuyahoga County promote their community-sponsored recycling programs to residents; and

WHEREAS, the grant provides for funding of the cost of a community-sponsored recycling program; and

WHEREAS, in order to submit a timely application to receive funding under the Community Recycling Awareness Grant program for the year 2017, the City, through its Coordinator of Natural Resources, is requesting authorization to apply for funding in the amount of \$5,000.00, in order to continue publishing the annual *Keeping Strongsville Green* newsletter; and

WHEREAS, when the City is advised that its application for funding under the Grant program is approved, the City is desirous of accepting such 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 and City Coordinator of Natural Resources to submit an application for financial assistance to the Cuyahoga County Solid Waste District for a Community Recycling Awareness Grant program for the year 2017, in the form on file with the City Coordinator of Natural Resources.

Section 2. That this Council hereby approves the acceptance of any award of funding under such Grant program for 2017, and hereby authorizes the Mayor, Director of Finance, Coordinator of Natural Resources, and other appropriate officers of the City to do all things necessary in furtherance thereof.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 007

Section 3. That any advance of funds under this Ordinance and/or the City's share will be made from the General Fund, subject to reimbursement under the Grant.

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 to authorize the submission of such application for financial assistance in order to meet the application deadline to enable the City to proceed with promotion of the City's recycling awareness program, to accept such funds when awarded, and to ensure continuity of such program. 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. 2017-007 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 008

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF OLMSTED FALLS, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2017, AND DECLARING AN EMERGENCY.

WHEREAS, through adoption of Ordinance No. 2014-177 on September 5, 2014, the Strongsville City Council authorized an Agreement with the City of Olmsted Falls for public safety services; and

WHEREAS, through adoption of Ordinance No. 99-2014 on September 9, 2014, the Olmsted Falls City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on September 16, 2014, Strongsville and Olmsted Falls entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Olmsted Falls Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Olmsted Falls Police Department and the Olmsted Falls Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Olmsted Falls agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, based upon two years of operations and in accordance with provisions of said Agreement, it is now necessary to amend and adjust the provision relating to payment for Dispatch Services; and

WHEREAS, Olmsted Falls has agreed to such an Amendment providing for an increase in fees commencing January 1, 2017.

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

Section 1. That the Mayor be and is hereby authorized and directed to enter into an Amendment to Agreement for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of Olmsted Falls, Ohio, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2017,

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 – 008
Page 2

commencing January 1, 2017, at an adjusted rate of \$20,200.00 per month, for a total of \$242,400.00 for the year 2017, in accordance with the terms and conditions set forth in the Amendment to Agreement attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

Section 2. That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2017 and shall be paid from the General Fund.

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

Section 4. That this Ordinance is hereby declared to be an emergency measure 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 enter into the Amendment to Agreement to provide for proper and fair compensation to the City for dispatch services, to act in accordance with the terms and conditions of the Agreement, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2017-008 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

**AMENDMENT TO AGREEMENT
FOR PUBLIC SAFETY DISPATCH SERVICES
BETWEEN
THE CITY OF STRONGSVILLE, OHIO AND
THE CITY OF OLMSTED FALLS, OHIO**

THIS AMENDMENT TO AGREEMENT made at Strongsville, Ohio, this ___ day of _____, 2016, by and between the **CITY OF STRONGSVILLE**, Ohio, hereinafter designated as "Strongsville", and the **CITY OF OLMSTED FALLS**, Ohio, hereinafter designated as "Falls".

WITNESSETH:

WHEREAS, through adoption of Ordinance No. 2014-177 on September 5, 2014, the Strongsville City Council authorized an Agreement with the City of Olmsted Falls for public safety services; and

WHEREAS, through adoption of Ordinance No. 99-2014 on September 9, 2014, the Olmsted Falls City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on September 16, 2014, Strongsville and Falls entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Olmsted Falls Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Olmsted Falls Police Department and the Olmsted Falls Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

WHEREAS, at that time, Falls agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, based upon the two (2) years of operations and in accordance with provisions of said Agreement, it is now necessary to amend the provision relating to payment for Dispatch Services;

NOW, THEREFORE, in consideration of the premises and the mutual covenants set forth in the Agreement and herein, it is agreed as follows:

1. Article I(F) of the Agreement be and is hereby amended to read in part as follows:

* * *

"F. Payment for Dispatch Services: Falls, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville for the first year of the contract, the amount of Twenty Thousand Dollars (\$20,000.00) per month

by the first (1st) of each month for Dispatch Services provided in that month, for a total annual fee of Two Hundred Forty Thousand Dollars (\$240,000.00) through December 31, 2015. For the second year of the contract, payment shall be as computed in this Section F, but in no event shall it exceed the sum of Twenty Thousand Dollars (\$20,000.00) per month. **For the period of operation from January 1, 2017 through December 31 2017, Falls will pay Strongsville at an increased rate of Twenty Thousand Two Hundred Dollars (\$20,200.00) per month by the first (1st) of each month for Dispatch Services provided in that month, for a total of Two Hundred Forty-Two Thousand Four Hundred Dollars (\$242,400.00) for such third year of operation."**

* * *

2. This Amendment to Agreement amends, modifies and supplements the Agreement effective January 1, 2017 only as specifically set forth herein. All rights and obligations of Strongsville and Falls under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

3. This Amendment to Agreement shall be binding upon Strongsville and Falls and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement the day and year first above written.

Signed in the presence of:



CITY OF OLMSTED FALLS
("Falls")

By: 
Ann Marie Donegan, Mayor

CITY OF STRONGSVILLE
("Strongsville")

By: _____
Thomas P. Perciak, Mayor

CERTIFICATE OF FINANCE DIRECTOR

I hereby certify that the amount of money required to meet the expenditures called for by this Amendment to Agreement is in the treasury, to the credit of the fund for which it is to be drawn, or in the process of collection, and not appropriated for any other purpose.

12/20/16
Date


Finance Director, City of Olmsted Falls

CERTIFICATE OF LAW DIRECTOR FOR THE CITY OF OLMSTED FALLS

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 15 day of Dec., 2016.


Gregory M. Sponseller, Law Director

CERTIFICATE OF LAW DIRECTOR FOR THE CITY OF STRONGSVILLE

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this ___ day of _____, 2016.

Neal M. Jamison, Law Director

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 009

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 16 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND SEITZ BUILDERS, INC., IN CONNECTION WITH THE RENOVATION AND MECHANICAL UPGRADES AT FIRE STATION NO. 3, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2016-136, passed July 5, 2016, Council authorized the Mayor to enter into a contract with Seitz Builders, Inc., in connection with the renovation and mechanical upgrades for the City's Fire Station No. 3 (the "contract") in an amount not to exceed \$586,900.00 (the "Project"), which was subsequently executed; and

WHEREAS, by and through Ordinance Nos. 2016-187, 2016-192, 2016-221 and 2016-240, the City, through the Building Commissioner, determined it would be in the best interests of the City to approve Change Orders 1 through 9 and Change Orders 11 through 13, to include as a part of the Project various additional work required for the Project to continue, all in the total amount of \$77,546.43, for a new total contract price of \$664,446.43; and

WHEREAS, the City's Building Commissioner and Fire Chief have now recommended that it would be in the best interests of the City to include further changes in the work performed or to be performed by Seitz Builders, Inc., generally being the installation of additional data drops, as determined by the City's Communication & Technology Department, and all as more fully set forth in Change Order 16 attached hereto as Exhibit A, and incorporated herein as if fully rewritten, in the total amount of \$639.63, for a new total contract price of \$665,086.06.

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

Section 1. That the Mayor be and is hereby authorized and directed to issue and approve Change Order 16, in the total amount of \$639.63, as recommended by the City's Building Commissioner and Fire Chief; and after the issuance and approval of said Change Order, to direct the Director of Finance to make payment to **SEITZ BUILDERS, INC.**, in the additional amount of \$639.63, thereby increasing the contract price to \$665,086.06, in compliance with the terms and conditions of the contract.

Section 2. That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the Fire Levy Fund, and the Director of Finance be

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 – 009
Page 2

and is hereby authorized and directed to issue the City's warrant in accordance with the terms and conditions of such contract.

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 necessary to adjust the contract amount and render payment, to provide for the efficient, safe and continuous operation of the Fire Department, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2017-009 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

SEITZ BUILDERS, INC.

PAGE 1 OF 3

PRE-CHANGE ORDER SUMMARY AND ADDITIONAL WORK AUTHORIZATION OR FIELD CHANGE DIRECTIVE

P.C.O.S. #16 – Additional Data drops per coordination meeting

SUBMITTED TO: C.B.O. TONY BIONDILLO
CHIEF JACK DRAVES
ASST. CHIEF NEIL ROZMAN
JIM MALIK-ARCHITECT

DATE: 12/19/16

OWNER'S NAME: CITY OF STRONGSVILLE

JOB NAME: STRONGSVILLE FIRE STTION #3 RENOVATION

EXISTING CONTRACT OR PROJECT NO. & DATE: 1604 – 6/19/16

SUMMARY OF CHANGES: PER YOUR REQUEST WE HAVE PRICED THE FOLLOWING:

SEE ATTACHED PRICING QUOTE.

SEITZ BUILDERS, INC.

PAGE 2 OF 3

PCOS # -16		
ELLIS BROTHERS ELECTRIC	\$	540.00
SEITZ BUILDERS, INC. HR.@ \$75.00/HR COST OF SUPERVISION AND FIELD OFFICE PERSONNEL DIRECTLY ATTRIBUTED TO THIS CHANGE		<u>INCL.</u>
TOTAL COSTS	\$	540.00
15 % OVERHEAD & PROFIT	\$	81.00
SUBTOTAL	\$	621.00
<u>3% BOND & INSURANCE</u>	\$	<u>18.63</u>
TOTAL	\$	639.63

WE WILL REQUIRE A WRITTEN CHANGE ORDER ACCORDING TO THE CONTRACT DOCUMENTS. WE WILL NEED 0 ADDITIONAL DAYS TO COMPLETE THIS WORK, PROVIDING A SIGNED CHANGE ORDER IN ACCORDANCE TO THE CONTRACT DOCUMENTS IS RECEIVED BEFORE 11/28/16, IF NOT RECEIVED BEFORE THIS DATE THE ABOVE PRICING IS NULL AND VOID.

SIGNATURE: _____ DATE _____
OWNER

SIGNATURE: _____ DATE _____
SEITZ BUILDERS, INC.

NO WORK WILL COMMENCE UNTIL SIGNED ACCEPTANCE IS RECEIVED PER THE CONTRACT.

SEITZ BUILDERS, INC.

PAGE 3 OF 3

CHANGE ORDER ARTICLES

(To be included with each Change Order agreement)

ARTICLE I

THIS CHANGE ORDER MAY CAUSE UNFORESEEN AND UNCONTEMPLATED DELAYS TO, HINDRANCES TO, INTERFERENCE'S WITH AND/OR DISRUPTIONS TO ORIGINAL CONTRACT WORK AND/OR TO OTHER CHANGE ORDER WORK. THE COSTS OF THOSE DELAYS, HINDRANCES, BOTH IN TIME AND MONEY ARE NOT PART OF THIS CHANGE ORDER AND THE RIGHT TO SUCH ADDITIONAL COSTS AND TIME IS SPECIFICALLY RESERVED AND NOT ACCORDED OR SATISFIED BY THIS CHANGE ORDER.

ARTICLE II

CHANGES TO AND EFFECTS UPON CONSTRUCTION SCHEDULES, AND ORIGINAL PERFORMANCE TIME, ORIGINAL COSTS, METHODS, MEANS, SEQUENCES AND PROCEDURES OF CONSTRUCTION OF ALL OTHER CONTRACT CHANGE ORDERS ARE NOT PART OF THIS CHANGE ORDER. ALL RIGHTS ARE RESERVED AND NOT ACCORDED OR SATISFIED REGARDING SUCH CHANGES AND EFFECTS.

ARTICLE III

THE AMOUNT (S) SET FORTH IN THIS CHANGE ORDER ARE FULL REIMBURSEMENT FOR THE DIRECT COST OF ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY TO PERFORM THE WORK DESCRIBED IN THIS PRE CHANGE ORDER SUMMARY ATTACHED. ALL RIGHTS ARE RESERVED AND ARE NOT ACCORDED OR SATISFIED BY THIS CHANGE ORDER REGARDING ADDITIONAL TIME REQUIRED OR ADDITIONAL COST INCURRED TO PERFORM ANY AND ALL OTHER WORK OF THIS CONTRACT (INCLUDING OTHER CHANGES ORDERS), CAUSED BY THIS CHANGE ORDER

SFS#3- P.C.O.S. #16

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 010

By: Mayor Perciak and Mr. Schonhut

AN ORDINANCE REQUESTING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR THE REPLACEMENT AND LEASE OF ONE UPGRADED COPIER WITH APPURTENANCES, FOR USE BY THE DEPARTMENT OF RECREATION & SENIOR SERVICES OF THE CITY; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AN AGREEMENT IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, the City's Director of Communication & Technology has determined and recommended that it would be in the City's best interest to replace one (1) existing copier on lease to the City with a new, upgraded copier unit; and

WHEREAS, the lease with another leasing company for the existing copier will be expiring, and notice will be given that the machine will be returned; and

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

WHEREAS, based upon recommendation of the City's Director of Communication & Technology, this Council wishes to take advantage of that opportunity in connection with the replacement and lease of one (1) new upgraded Ricoh copier, with appurtenances (Schedule No. 800310, Index No. STS-096), for use by the City of Strongsville Department of Recreation & Senior Services.

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

Section 1. That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in the Ohio Department of Administrative Services contracts which the Department has entered into pursuant to Revised Code Section 5513.01(B) with **AMERICAN COPY EQUIPMENT, INC. dba ACE BUSINESS SOLUTIONS** for the replacement and lease of one (1) new upgraded copier, with appurtenances, for a 36-month period commencing in or about January of 2017, and for use by the Department of Recreation & Senior Services of the City in the total amount of \$433.24 per month, as set forth on the proposal attached hereto as Exhibit "A", which is incorporated herein by reference.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 – 010
Page 2

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

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

Section 4. That the funds for the purpose of such lease have been appropriated for 2017 and shall be paid for each year from the Multi-Purpose Complex Fund, and the Director of Finance be and is hereby authorized and directed to issue the City's warrants in accordance with the terms and conditions of such lease agreements.

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 the purchase of such copier and appurtenances in order to upgrade City technology capabilities, maintain continuity and improve the operation of the Recreation & Senior Services Department of the City, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2017-010 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

Investment Proposal Exclusively Prepared for:

City of Strongsville

December, 2016

Model	36 Month Lease
--------------	-----------------------

**Ricoh MPC6503SPF Digital Color Copier/Scanner/Printer/
Facsimile**

\$433.24

(65 ppm black & white and 60 ppm color)

System Complete With...

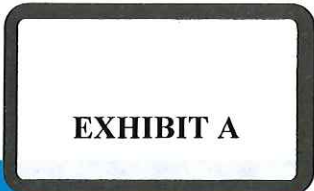
- **220 Sheet Single Pass Document Feeder**
- **SMART Operational Panel**
- **Embedded Web Browser**
- Full Color 10.1 WVGA Color Touch Panel
- 3,700 Sheets Standard Paper Capacity
(Tray 1 – 1,250 sheets x 2; Tray 2 – 550 sheets x 2)
- 100 Sheet Bypass Tray
- **3,000 Sheet Finisher -Multi-Position Stapler**
- Automatic Reduction & Enlargement 25% - 400%
- 2.5 GB RAM; 320 GB x 2 Hard Drive **(total 640 GB)**
- **1200 x 4800 dpi**
- Auto Tray Switching
- Color Erase; Convert; Overlay
- Tab Capabilities
- **Standard DOSS & HDD Encryption**
- Authorized Copy Control
- Quota Settings Capabilities
- 3,000 Sheet Document Server
- 13 x 19.2 Document Output
- Reload Toner and Paper Uninterrupted Capabilities
- **USB Print/Scan Capabilities**
- **220 ipm Scan Capabilities**
- **Handles 142 lb Index and 110 lb Cover Stock**
- 11x17 Full Bleed
- **Mobile Print Capabilities**
- **Facsimile Interface**

~~**Optional**~~

~~True Adobe Postscript~~

\$7.89

~~All Inclusive Service and Supplies billed at .0039 B&W/.039 Color~~



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 011

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO EXERCISE THE OPTION TO RENEW THE LEASE AGREEMENT WITH THE STRONGSVILLE CHAMBER OF COMMERCE FOR PREMISES LOCATED AT 18829 ROYALTON ROAD, STRONGSVILLE, OHIO, WITHOUT COMPETITIVE BIDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville, owner of certain premises located at 18829 Royalton Road ("premises"), has leased such premises for some years to the Strongsville Chamber of Commerce, a civic and non-profit organization; and

WHEREAS, the Strongsville Chamber of Commerce has previously undertaken substantial capital improvements to the premises; and

WHEREAS, on December 6, 2011, this Council passed Ordinance No. 2011-199, which authorized the Mayor to enter into a Lease Agreement with the Strongsville Chamber of Commerce, for the lease of the premises located at 18829 Royalton Road, Strongsville, Ohio; and

WHEREAS, on December 6, 2011 the City of Strongsville and the Strongsville Chamber of Commerce entered into a Lease Agreement for the lease of the premises located at 18829 Royalton Road, in the City of Strongsville; and

WHEREAS, said Lease Agreement provides that the term of the lease shall be for five (5) years and further providing that the termination date of said Lease Agreement shall be December 31, 2016; and

WHEREAS, said Lease Agreement provides that the City of Strongsville shall have the option to renew this lease for an additional one (1) year; and

WHEREAS, said Lease Agreement provides that the renewal option shall be exercised by the City of Strongsville by giving the Strongsville Chamber of Commerce notice within thirty (30) days after the commencement of the Strongsville Chamber of Commerce holding over in possession, to wit, January 31, 2017; and

WHEREAS, it would be in the best interest of the City to renew the Lease Agreement with the Strongsville Chamber of Commerce, consistent with Chapter 264 of the Codified Ordinances for the premises which are not otherwise needed for municipal public use.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 011

Page 2

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO BY TWO-THIRDS VOTE OF ITS MEMBERS:

Section 1. That this Council hereby finds and determines that the premises located at 18829 Royalton Road, Strongsville, Ohio, are not needed for municipal public use, and accordingly authorizes and directs the Mayor to renew the Lease Agreement for an additional term of one (1) year, without competitive bids, with the Strongsville Chamber of Commerce, a civic and non-profit organization, substantially in accordance with the terms and conditions set forth in the Lease Agreement entered into on December 6, 2011.

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

Section 3. That this Ordinance 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 in the best interest of the City to renew the Lease Agreement with the Chamber of Commerce for premises owned by the City and which are not otherwise needed for municipal purposes. 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.

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. 2017-011 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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