



City of Strongsville

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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
At-Large

Duke Southworth
At-Large

Aimee Pientka, MMC
Clerk of Council

Tiffany Mekeel, CMC
Assistant Clerk of Council

November 16, 2017



MEETING NOTICE

City Council has scheduled the following meetings for **Monday, November 20, 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 7:15 p.m. All committees listed will meet immediately following the previous committee:

7:15 P.M.

Planning, Zoning and Engineering Committee will meet to discuss Ordinance Nos. 2017-111, 2017-122, 2017-140, 2017-168, 2017-192 and Resolution No. 2017-193.

Public Safety and Health Committee will meet to discuss Ordinance No. 2017-194.

Public Service and Conservation Committee will meet to discuss Ordinance Nos. 2017-195 and 2017-196.

Finance Committee will meet to discuss Ordinance No. 2017-197.

Recreation and Community Services Committee will meet to discuss Ordinance Nos. 2017-198, 2017-199, 2017-200, 2017-201, 2017-202, 2017-203, 2017-204 and Resolution No. 2017-205

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

Committee of the Whole will meet to discuss Ordinance No. 2017-206 and Resolution No. 2017-207. 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 litigation matters.

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
MONDAY, NOVEMBER 20, 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 – November 6, 2017*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
 - *Proclamation presented to Mary Kaye Mackulin, local volunteer for the Pancreatic Cancer Action Network, in recognition of November as being "World Pancreatic Cancer Awareness Month."*
 - *Bronze Award presented to the following 6th Grade Girl Scout Cadettes, Troop #70167, from Saint Joseph & John School: Ellie Burke, Laura DeCandia, Julia Demarco, Kaleigh Dunham, Natalie Eich, Katy Gus, Taylor Jasinski, Isabelle Koopman, Jace Lasley, Alexandria Lukaszek, Sophia Maiorana, Mia Mikolak, Samantha Swboni, Kate Trzcinski, Anna Winstel and Lindsey Zawie*
7. PUBLIC HEARING:
 - Ordinance No. 2017-168 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 10-02-17. Favorable recommendation by Planning Commission 10-05-17. Second reading 10-16-17. Public hearing 11-20-17.*
8. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Mr. Dooner:
 - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Carbone:
 - BUILDING AND UTILITIES – Mr. Schonhut:
 - COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:
 - ECONOMIC DEVELOPMENT – Mr. Daymut:
 - FINANCE – Mr. Short:

- PLANNING, ZONING AND ENGINEERING – Mr. Daymut:
- PUBLIC SAFETY AND HEALTH – Mr. DeMio:
- PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:
- RECREATION AND COMMUNITY SERVICES – Mr. Southworth:
- COMMITTEE-OF-THE-WHOLE – Mr. Dooner:

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. 2017-111 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 17800 ROYALTON ROAD (A PORTION OF PPN 396-12-002) IN THE CITY OF STRONGSVILLE, FROM OB (OFFICE BUILDING) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION AND R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 07-03-17. Tabled by Planning Commission 07-13-17. Second reading, amended and referred to Planning Commission as amended 07-17-17. Favorable recommendation by Planning Commission 08-24-17. Third reading 09-05-17. Public hearing 10-16-17.*
- Ordinance No. 2017-122 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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 07-17-17. Tabled by Planning Commission 07-27-17. Unfavorable recommendation by Planning Commission 09-07-17. Second reading 09-18-17. Public hearing 11-06-17.*

- Ordinance No. 2017-140 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 09-05-17. Favorable recommendation by the Planning Commission 09-07-17. Second reading 09-18-17. Public hearing 11-06-17.*
- Ordinance No. 2017-168 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 10-02-17. Favorable recommendation by Planning Commission 10-05-17. Second reading 10-16-17. Public Hearing 11-20-17.*
- Ordinance No. 2017-190 by Mayor Perciak and All Members of Council. AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A PEARL ROAD IV MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY. *First reading 11-06-17.*
- Ordinance No. 2017-191 by Mayor Perciak and All Members of Council. AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A SCANNELL PROPERTIES MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY. *First reading 11-06-17.*
- Ordinance No. 2017-192 by Mr. Daymut. AN ORDINANCE VACATING AND EXTINGUISHING A PUBLIC ACCESS EASEMENT ON PERMANENT PARCEL NO. 394-03-001, ON PROPERTY OWNED BY DUKE CONSTRUCTION LIMITED PARTNERSHIP, ON COMMERCE PARKWAY IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Resolution No. 2017-193 by Mr. Daymut. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE SWAPPING OUT OF ALL ANTENNAS AND REPLACEMENT OF ALL COAX WITH HYBRID CABLES; INSTALLING FIVE (5) REMOTE RADIO HEADS (RRHs) AND REMOVING THREE (3) FWHR ANTENNAS AT THE CO-LOCATION ON AN EXISTING TELECOMMUNICATIONS TOWER, ON CITY-OWNED PROPERTY LOCATED AT 16099 FOLTZ PARKWAY (PPNs 393-12-002 and 393-10-001), IN THE CITY OF STRONGSVILLE.

- Ordinance No. 2017-194 by Mayor Perciak and Mr. DeMio. AN ORDINANCE ESTABLISHING THE MAXIMUM NUMBER OF MEMBERS IN EACH RANK IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-195 by Mr. Carbone. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE RECONDITIONING AND UPGRADE TO THE EXISTING AQUA GUARD® SELF-CLEANING BAR/FILTER SCREEN EQUIPMENT AT THE CITY'S WASTEWATER TREATMENT PLANT C, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-196 by Mayor Perciak and Mr. Carbone. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A FIRM OF CONSULTANTS TO PROVIDE CONSULTING SERVICES RELATING TO BUILDING EXTERIOR DESIGN FOR THE CITY OF STRONGSVILLE'S WASTEWATER TREATMENT PLANTS "B" AND "C", AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-197 by Mayor Perciak and Mr. Short. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AGREEMENT(S) TO PURCHASE PROPERTY-CASUALTY AND RELATED INSURANCE COVERAGES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-198 by Mayor Perciak and Mr. Southworth. AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE 2018 CUYAHOGA COUNTY SUPPLEMENTAL GRANT PROGRAM FOR USE BY THE CITY OF STRONGSVILLE DEPARTMENT OF RECREATION & SENIOR SERVICES; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-199 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF BREAD AND BAKERY PRODUCTS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Orlando Baking Company]
- Ordinance No. 2017-200 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL FOODS AND DAIRY PRODUCTS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Avalon Foodservice, Inc.]
- Ordinance No. 2017-201 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL FOODS, DAIRY AND BREAD PRODUCTS FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Gordon Food Services]
- Ordinance No. 2017-202 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [AC Zak Distributors, LLC]

- Ordinance No. 2017-203 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Blue Ribbon Meats, Inc.]
- Ordinance No. 2017-204 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PRODUCE FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Sanson Company]
- Resolution No. 2017-205 by Mr. Southworth. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF STRONGSVILLE DURING 2018.
- Ordinance No. 2017-206 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OHIO GOVERNMENT BENEFIT COOPERATIVE CONSORTIUM AGREEMENT HEALTH CARE PROGRAM FOR CITY EMPLOYEES AND ELIGIBLE DEPENDENTS, AND DECLARING AN EMERGENCY.
- Resolution No. 2017-207 by Mayor Perciak and All Members of Council. A RESOLUTION IN SUPPORT OF PANCREATIC CANCER AWARENESS DURING THE MONTH OF NOVEMBER.

12. COMMUNICATIONS, PETITIONS AND CLAIMS:

- Application for Permit: TRFO-D1-D2-D3-D6: To: *Out of the Box Enterprises, LLC; 15381 Royalton Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 12/04/2017).*
- Application for Permit: TRFO-D5: To: *16605, LLC; DBA: Italian Village Restaurant, 16601-05 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 12/04/2017).*

13. MISCELLANEOUS BUSINESS:

14. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 111

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 17800 ROYALTON ROAD (A PORTION OF PPN 396-12-002) IN THE CITY OF STRONGSVILLE, FROM OB (OFFICE BUILDING) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION AND R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION, AND DECLARING AN EMERGENCY, **AS AMENDED.**

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

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located at 17800 Royalton Road (a portion of PPN 396-12-002), from OB (Office Building) classification to GB (General Business) classification and **R-RS (Restaurant-Recreational Services) classification**, which property is more fully described and depicted in Exhibits "A", ~~and "B"~~ and **"C"**, 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 enhance economic development within the City, and to conserve

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 111
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.

First Reading: July 3, 2017
 Second Reading: July 17, 2017
 Third Reading: September 5, 2017
 Public Hearing: October 16, 2017

Referred to Planning Commission
July 5, 2017; Tabled by PC July 13, 2017;
Referred back to PC as Amended July 17, 2017
Favorable recommendation by PC
 Approved: August 24, 2017

 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. 2017-111 Amended: 07-17-17
 1st Rdg. 07/03/17 Ref: PC/PZE
 2nd Rdg. 07/17/17 Ref: PC/PZE
 3rd Rdg. 09-05-17 Ref: PZE

Pub Hrg. 10-16-17 Ref: _____
 Adopted: _____ Defeated: _____



**LEGAL DESCRIPTION FOR THE RE-ZONING OF THE SOUTHWESTERLY
PORTION OF PERMANENT PARCEL NUMBER 396-12-002
FROM OB-OFFICE BUILDING TO GB-GENERAL BUSINESS**

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio, and known as being a single consolidated parcel of land as shown on the Lot Consolidation, recorded in Volume 298 of Maps, Page 86 of Cuyahoga County Records, being part of Original Strongsville Township Lot Number 46, bounded and described as follows:

Beginning at a point in the original centerline of Royalton Road, State Route 82, (60 feet wide, now 80 feet wide) at the southwesterly corner of land conveyed to Ledgehill Office Building LTD by deed recorded in Volume 15645, page 341 of Cuyahoga County Records, said point being South 88°47'04" West, 457.43 feet from a 1" iron pin monument found at the southeasterly corner of Original Strongsville Lot Number 46;

Thence along the original centerline of Royalton Road, South 88°47'04" West, passing through a 1" iron pin monument at 121.00 feet, a total distance of 405.96 feet to an angle point in the original centerline of Royalton Road;

Thence continuing along the original centerline of Royalton Road, North 74°14'09" West, 389.57 feet to the southeasterly corner of land conveyed to Howard Hirt and Maude C. Hirt by deed dated November 1, 1943 and recorded in Volume 5639, page 370 of Cuyahoga County Records, said point being South 74°14'09" East, 1507.84 feet from a 1" iron pin monument found at the intersection of the centerline of Royalton Road and the easterly line of Strongsville Public Square;

Thence along the easterly line of land so conveyed to Howard Hirt and Maude C. Hirt, North 02°09'10" East, 41.16 feet to a point witnessed by 1/2 inch iron pin found 0.18' west and 0.03 feet north therefrom and the principal place of beginning of the parcel described herein:

Course 1) Thence continuing along the easterly line and the extension thereof of land so conveyed to Howard Hirt and Maude C. Hirt North 02°09'10" East, 420.50 feet to a point;

Course 2) Thence South 88 degrees 36 minutes 20 seconds East, a distance of 256.02 feet to a point;

Course 3) Thence North 76 degrees 26 minutes 43 seconds East, a distance of 183.60 feet to a point;

Course 4) Thence South 18 degrees 06 minutes 43 seconds East, a distance of 305.94 feet to a point;

EXHIBIT A

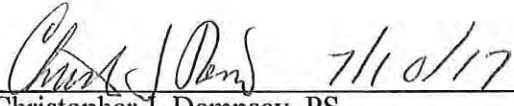
Course 5) Thence along a curve to the right with an arc length of 54.43 feet, with a radius of 229.61 feet, with a chord bearing of South 05 degrees 45 minutes 21 seconds East, and a chord length of 54.30 feet to a point;

Course 6) Thence South 01 degrees 02 minutes 05 seconds West, a distance of 56.14 feet to a point;

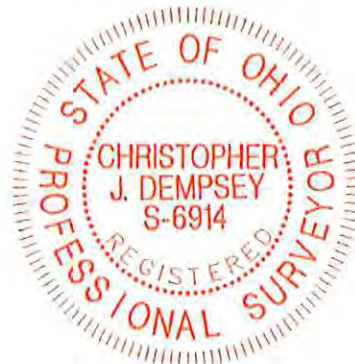
Course 7) Thence South 00 degrees 39 minutes 27 seconds West, a distance of 156.12 feet to a point on the northerly line of Royalton Road;

Course 8) Thence along the northerly line of Royalton Road, along a curve to the right with an arc length of 444.42 feet, with a radius of 1869.18 feet, with a chord bearing of North 81 degrees 02 minutes 53 seconds West, and a chord length of 443.38 feet to a point;

Course 9) Thence continuing along the northerly line of Royalton Road, North 74 degrees 14 minutes 02 seconds West, a distance of 114.30 feet to the principal place of beginning containing 5.7972 acres (252,528 square feet) of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on July 10, 2017.



Christopher J. Dempsey, PS
Professional Surveyor No. 6914





**LEGAL DESCRIPTION FOR THE RE-ZONING OF THE SOUTHEASTERLY
PORTION OF PERMANENT PARCEL NUMBER 396-12-002
FROM OB-OFFICE BUILDING TO R-RS RESTAURANT AND RECREATIONAL
SERVICES**

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio, and known as being a single consolidated parcel of land as shown on the Lot Consolidation, recorded in Volume 298 of Maps, Page 86 of Cuyahoga County Records, being part of Original Strongsville Township Lot Number 46, bounded and described as follows:

Beginning at a point in the original centerline of Royalton Road, State Route 82, (60 feet wide, now 80 feet wide) at the southwesterly corner of land conveyed to Ledgehill Office Building LTD by deed recorded in Volume 15645, page 341 of Cuyahoga County Records, said point being South 88°47'04" West, 457.43 feet from a 1" iron pin monument found at the southeasterly corner of Original Strongsville Lot Number 46;

Thence North 00 degrees 52 minutes 27 seconds East, 40.03 feet to a point on the northerly line of Royalton Road, said point being the southwesterly corner of land conveyed to Alessio Properties, LLC by deed recorded in AFN #201108250220 of Cuyahoga County Records and the principal place of beginning of the parcel described herein:

Course 1) Thence along the northerly line of Royalton Road, South 88 degrees 47 minutes 06 seconds West, a distance of 122.47 feet to a point of curvature;

Course 2) Thence continuing along the northerly line of Royalton Road, along a curve to the right with an arc length of 109.46 feet, with a radius of 1869.18 feet, with a chord bearing of North 89 degrees 32 minutes 14 seconds West, and a chord length of 109.45 feet to a point;

Course 3) Thence North 00 degrees 39 minutes 27 seconds East, a distance of 156.12 feet to a point;

Course 4) Thence North 01 degrees 02 minutes 05 seconds East, a distance of 56.14 feet to a point of curvature;


Course 5) Thence along a curve to the left with an arc length of 54.43 feet, with a radius of 229.61 feet, with a chord bearing of North 05 degrees 45 minutes 21 seconds West, and a chord length of 54.30 feet to a point;

Course 6) Thence North 18 degrees 06 minutes 43 seconds West, a distance of 305.94 feet to a point;

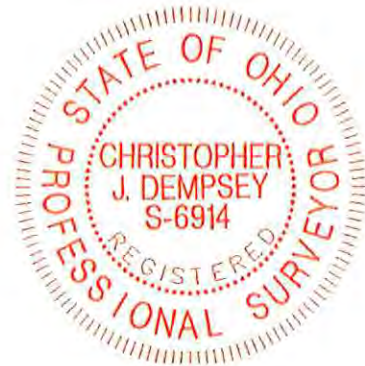
EXHIBIT B

Course 7) Thence North 76 degrees 26 minutes 43 seconds East, a distance of 349.08 feet to a point on the point on the westerly line of land conveyed to Iyami Condominium Association, Inc. by deed recorded in AFN #201611160425 of Cuyahoga County Records;

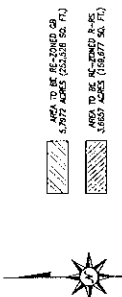
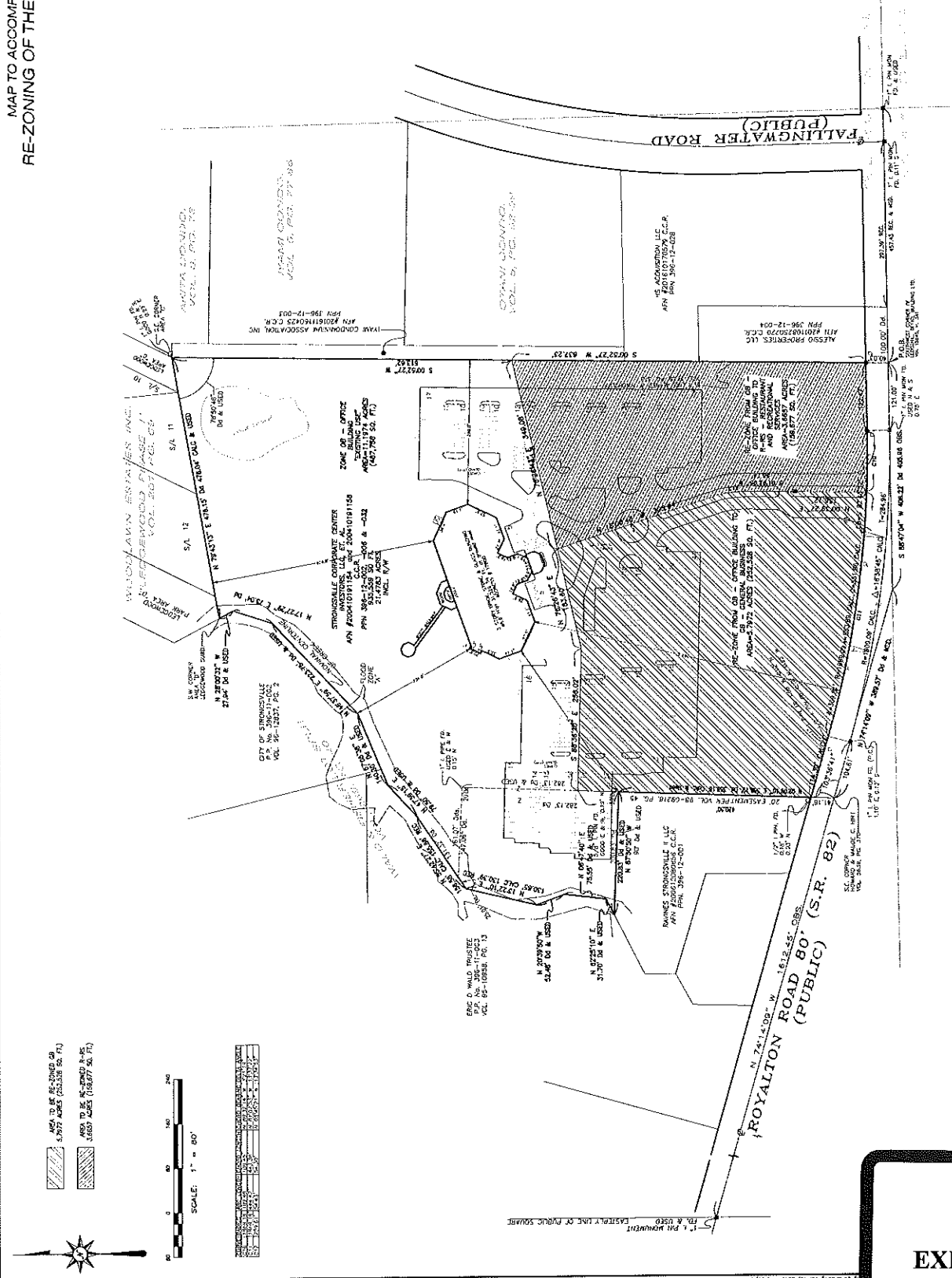
Course 8) Thence along the said westerly line of Iyami Condominium Association, Inc. lands and the westerly line of lands conveyed to HS Acquisition LLC by deed recorded in AFN #201610170579 of Cuyahoga County Records and Alessio Properties, LLC by deed recorded in AFN #201108250220 of Cuyahoga County Records, South 00 degrees 52 minutes 27 seconds West, a distance of 637.23 feet to the principal place of beginning containing 3.6657 acres (159,677 square feet) of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on July 10, 2017.



Christopher J. Dempsey, PS
Professional Surveyor No. 6914



MAP TO ACCOMPANY LEGAL DESCRIPTION FOR
RE-ZONING OF THE SOUTHERLY PORTION OF PPN
396-12-002



AREA TO BE RE-ZONED OR REDEVELOPED (PAGE 1)	AREA TO BE RE-ZONED R-45 (PAGE 2)
4,797 ACRES (253,338 SQ. FT.)	1,665 ACRES (108,677 SQ. FT.)

EXHIBIT C

AMENDED **PETITION FOR ZONING CHANGE**

Ordinance Number: 2017-111

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 OB use to a class GB and R-RS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: _____

the entire property is only financially feasible with a retail and restaurant component

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

the current use is commercial and owners are not changing the commercial use; the owner will take steps to minimize impact on the vicinity; and others have GB and R-RS in the area.

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

1. Property Survey
2. Legal Description
3. Renderings

THE PROPOSED USE OF THE PROPERTY IS: Retail and stand-alone restaurant(s)

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

Name: Somera Road - 17800 Royalton, LLC - Ian Ross

Address: c/o Somera Road Inc., 115 East 34th Street, #1569, New York, New York 10156

Telephone Number: 646-766-8181

Signature of Owner(s) [Handwritten Signature]

State of ~~Ohio~~ ^{New York}
County of ~~Cuyahoga~~ ^{New York}

Sworn to and subscribed in my presence this 10 day of July, 2017.



Notary Public [Handwritten Signature]
My commission expires: 04/07/2019

* 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.

AMENDED **PROPERTY DESCRIPTION FORM**

Ordinance Number: 2017-111

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: 17800 Royalton Road

Permanent Parcel No.: 396-12-002

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

Number and type of buildings which now occupy property (if any): One (1) Office Building

Acreage: Total Acreage of Property is 21.478 acres (5.792 to be rezoned GB 2, 3.6657 to be rezoned R-RS)

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): _____

Said deed restrictions (will) (have) expire(d) on: _____

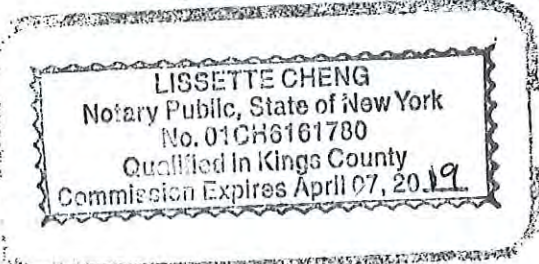
Said property is presently under lease or otherwise encumbered as follows: Mortgage from SV Royalton Funding LLC to Somera Road - 17800 Royalton, LLC

Owner(s)	Percent of Ownership:
1. <u>Somera Road - 17800 Royalton, LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

[Signature]
Signature of Owner(s)

State of ~~Ohio~~ New York
County of ~~Cuyahoga~~ New York

Sworn to and subscribed to in my presence this 10 day of July, 2017.



[Signature]
Notary Public

My commission expires 04/07/2019

* 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.



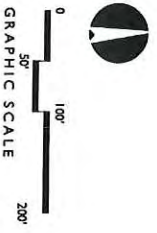
AREA TO BE RE-ZONED R-16	AREA TO BE RE-ZONED R-16
3,977 ACRES (172,877 SQ. FT.)	3,977 ACRES (172,877 SQ. FT.)
1,050 ACRES (45,877 SQ. FT.)	1,050 ACRES (45,877 SQ. FT.)

AREA TO BE RE-ZONED R-16
3,977 ACRES (172,877 SQ. FT.)

AREA TO BE RE-ZONED R-16
1,050 ACRES (45,877 SQ. FT.)



MAP TO ACCOMPANY LEGAL DESCRIPTION FOR
RE-ZONING OF THE SOUTHERLY PORTION OF PPN
396-12-002



THE DEVELOPMENT STRONGSVILLE | STRONGSVILLE, OHIO | SITE PLAN CONCEPT

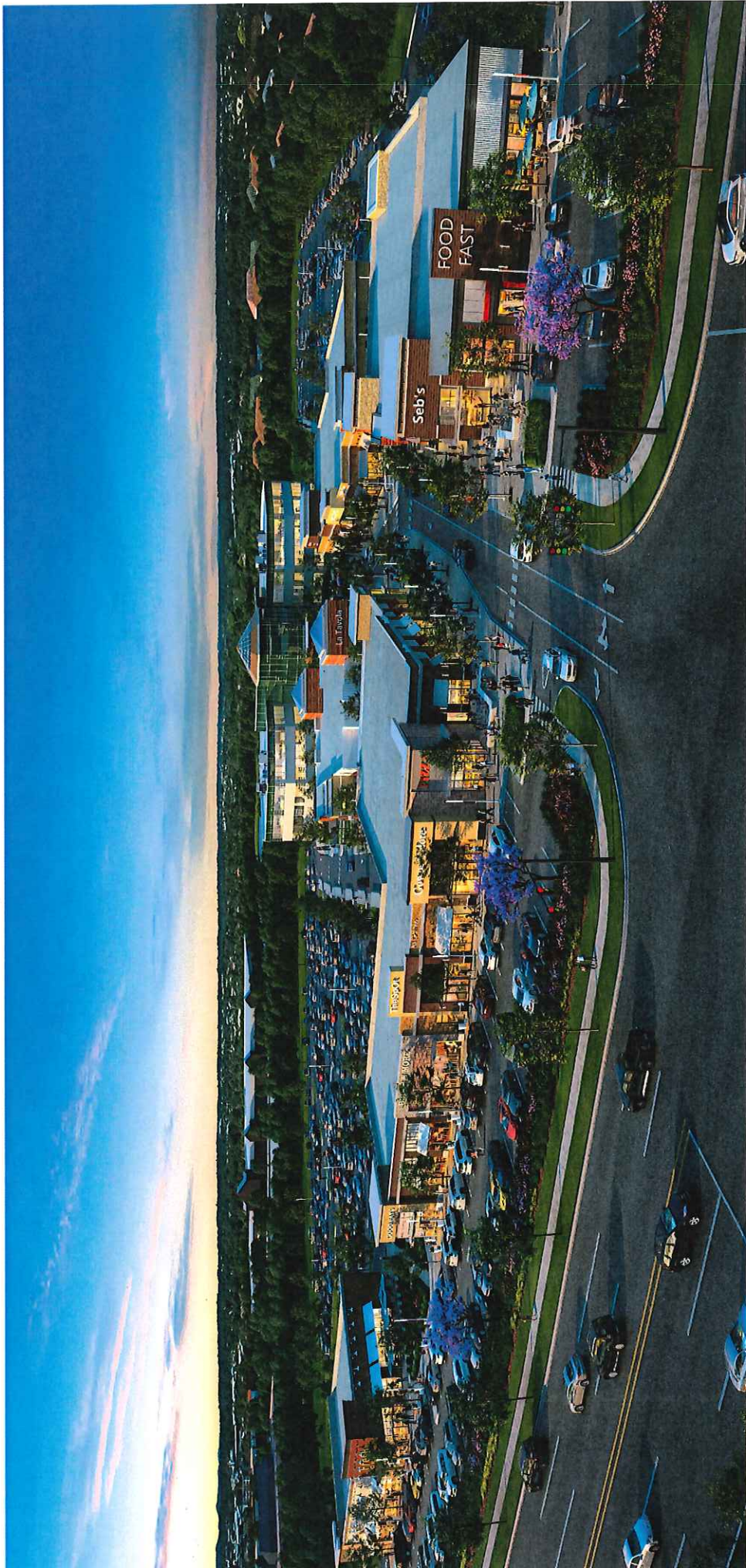
07.10.2017 RDLA 16247

SUMMARY	
20acres	
GLA SUMMARY	
OFFICE	-120,000SF
RETAIL	
RETAIL A	4,500SF
RETAIL B	4,500SF
RETAIL C	3,800SF
RETAIL D	3,600SF
RETAIL E	3,600SF
RETAIL F	3,600SF
RETAIL G	3,600SF
RETAIL H	30,600SF
RETAIL I	5,000SF
RETAIL J	5,000SF
RETAIL K	8,000SF
TOTAL	75,800SF



THE DEVELOPMENT STRONGSVILLE | STRONGSVILLE, OHIO | SITE PLAN CONCEPT
07.10.2017 RDLA 18247





05.04.2017 RDLA.16247

STRONGSVILLE MIXED USE | STRONGSVILLE, OHIO | AERIAL CONCEPT



City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: July 11, 2017

Re: Rezoning Application
Somera Road – 17800 Royalton Road, LLC; Owner
Part of PPN 396-12-002
17800 Royalton Road
From OB to GB and R-RS

Neal,

The legal descriptions included in the Clerk of Council's July 11, 2017 memo regarding the above referenced amended application accurately depict the portions of the parcel to be rezoned.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: June 21, 2017

SUBJECT: Rezoning Application
Somera Road Inc.; Owner
PPN: 396-12-002
Address: 17800 Royalton Road
From Office Building (OB) 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

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: June 22, 2017

Re: Rezoning Application
Somera Road Inc., Owner
Part of PPN 396-12-002
17800 Royalton Road
From OB to GB

Neal,

The legal description included in the Clerk of Council's June 21, 2017 memo regarding the above referenced application accurately depicts the area to be rezoned.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: July 5, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-111

At its regular meeting of July 3, 2017, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-111 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 17800 ROYALTON ROAD (A PORTION OF PPN 396-12-002) IN THE CITY OF STRONGSVILLE, FROM OB (OFFICE BUILDING) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION, AND DECLARING AN EMERGENCY.

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

TAM
Attachment

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: July 11, 2017

SUBJECT: Rezoning Application
Somera Road – 17800 Royalton, LLC; Owner
PPN: 396-12-002
Address: 17800 Royalton Road
From Office Building (OB) to ~~Restaurant Service (RS)~~ **General Business (GB) & Restaurant and Recreation Services (R-RS)**

I have received an amended Petition for Zoning Change for the property referenced above. The petition has been amended to change the zoning classification from Office Building (OB) to **General Business (GB) and Restaurant and Recreation Services (R-RS)**, and not GB as previous submitted. The additional attachments also reference this change.

Please check the legal description on the attached amended 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
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

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: July 14, 2017

Please be advised that at its meeting of July 13, 2017, the Strongsville Planning Commission Tabled the following;

ORDINANCE NO. 2017-111:

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 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification.

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: July 28, 2017

Please be advised that at its meeting of July 27, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ALTENHEIM REHAB & MEMORY CARE/ Brandon Rouhier, Agent

Site Plan approval of two parking lot additions for property located at 18627 Shurmer Road, PPN 397-01-092 zoned SR-1 and Public Facility.

ORDINANCE NO. 2017-123:

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 14356 Pearl Road (PPN 393-19-033) in the City of Strongsville from GB (General Business) Classification to R-RS (Restaurant-Recreational Services) Classification and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission Tabled the following;

ORDINANCE NO. 2017-111:

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 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification.

ORDINANCE NO. 2017-122:

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 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Aimee Pientka, Clerk of Council
DATE: July 18, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-111 **AS AMENDED**

At its regular meeting of July 17, 2017, City Council amended and referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-111 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 17800 ROYALTON ROAD (A PORTION OF PPN 396-12-002) IN THE CITY OF STRONGSVILLE, FROM OB (OFFICE BUILDING) CLASSIFICATION TO GB (GENERAL BUSINESS) CLASSIFICATION **AND R-RS (RESTAURANT-RECREATIONAL SERVICES) CLASSIFICATION**, AND DECLARING AN EMERGENCY, **AS AMENDED**

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: August 25, 2017

Please be advised that at its meeting of August 24, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2017-111 AS AMENDED:

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 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification and R-RS (Restaurant-Recreational Services) Classification and Declaring an Emergency, As Amended.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 122

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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), 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 14092 Pearl Road, in the City of Strongsville, from GB (General Business) classification to MS (Motorist Service) classification (PPN 393-18-014), 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 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 further to afford the applicant an opportunity to submit plans to facilitate economic development within the City, and to assure proper development of all lots and land within the City. 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. 2017 - 122
Page 2

First reading: July 17, 2017

Second reading: September 18, 2017

Third reading: _____

Public Hearing: November 4, 2017

Referred to Planning Commission

July 18, 2017
Stated by Planning Comm. July 27, 2017
unfavorable recommendation by
Approved: Planning Commission
September 7, 2017

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. 2017-122 Amended: _____

1st Rdg. 07-17-17 Ref: PC/PZE

2nd Rdg. 09-18-17 Ref: PZE

3rd Rdg. _____ Ref: _____

Pub Hrg. 11-06-17 Ref: _____

Adopted: _____ Defeated: _____

Exhibit A
Legal Description

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio, and known as being Consolidated Parcel "S-1" on the Map of Lot Split and Consolidated, of part of Original Strongsville Township Lot No. 56, as shown in Volume 352 of Maps, Page 60 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Parcel No: 393-18-014 & 015

DATE	REVISIONS
7/20/07	UPDATE

Plat No. 18 of 24
 Recorded for Record
 on 11/30/07
 County Recorder
 PATRICK J. O'MALLEY

Quantity of Sheets
11 of 24
 File # 200707200200
 Vol. 353 Pg. 60

APPROVALS

THIS LOT SPLIT AND CONSOLIDATION IS HEREBY APPROVED
 BY THE PLANNING COMMISSION OF THE CITY OF
 STRONGSVILLE, OHIO THIS 24th DAY OF
July 2007
 CHAIRMAN Ray H. de Rosa

THIS LOT SPLIT AND CONSOLIDATION IS HEREBY APPROVED
 BY THE ENGINEER OF THE CITY OF STRONGSVILLE, OHIO THIS
24th DAY OF July 2007
 DESIGN ENGINEER Steve M. O'Leary

FRANK RUSSO, COUNTY AUDITOR
 APPROVED OWNERSHIP, ONLY, OF
 PERM. PARCEL NO. 393-18-014-015-033
 BY Frank Russo
 Deputy Auditor

PPN 393-18-013
 DANIEL E. BAUR
 DEED VOL. 14631, P. 797

PPN 393-18-014, 015
 S&B STRONGSVILLE LLC
 A.F.N. 200602230884
 VOL. 268 P. 46 C.C.M.R.
 PARCEL "S"

CONSOLIDATED PARCEL "S-1"

52,226 Sq. Ft.
 1.1989 Ac.

PPN 393-18-016, 031
 CAMBRIDGE SERVICES CO., LTD.
 A.F.N. 200704190057
 VOL. 242 P. 71 C.C.M.R.
 PARCEL "I"

Map Instruments Plat
 Iss. 1st. Class. 2007
 1 and 1/2" Scale
 Auditor S&B STRONGSVILLE LLC
 License No. 1522600
 Initial Value: 1,976,000
 Value Addition: \$ 0.00
 State Fee Paid \$ 0.00
 Transfer Fee Paid \$ 1.00
 Iss. 2. 200558
 Iss. 3. 200558
 Iss. 4. 200558
 Iss. 5. 200558
 Iss. 6. 200558
 Iss. 7. 200558
 Iss. 8. 200558
 Iss. 9. 200558
 Iss. 10. 200558
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 Iss. 98. 200558
 Iss. 99. 200558
 Iss. 100. 200558

Executive Title Agency Corp
 1340 E. 9th St. #500
 Cleveland, Ohio 44114-1723
 # 7-310037

ACCEPTANCE
 WE THE UNDERSIGNED, S&B STRONGSVILLE LLC, OWNERS OF
 THE LAND SHOWN HEREON, DO HEREBY ACCEPT THIS LOT
 SPLIT AND CONSOLIDATION AND ACKNOWLEDGE THAT THE SAME
 WAS PREPARED AT OUR REQUEST.
 S&B STRONGSVILLE LLC

BY Emmanuel Ouellet
 WITNESS
 TITLE Secretary/Treasurer
 STATE OF OHIO } SS
 COUNTY OF CUYAHOGA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY
 AND STATE, PERSONALLY APPEARED Emmanuel Ouellet, THE
 INDIVIDUAL WHO EXECUTED THE FOREGOING INSTRUMENT IN
 BEHAVOR OF S&B STRONGSVILLE LLC, AND WHO, IN HIS FREE ACT,
 AND DEED, AND AS SUCH AUTHORIZED REPRESENTATIVE, THE
 FREE ACT AND DEED OF S&B STRONGSVILLE LLC.

IN WITNESS WHEREOF I HAVE HEREINTO SET MY HAND AND
 OFFICIAL SEAL AT Strongsville, OHIO
 THIS 24th DAY OF July 2007
Emmanuel Ouellet
 NOTARY PUBLIC
 EMANUEL OUELLET
 Notary Public in and for the State of Ohio - 26068
 MY COMMISSION EXPIRES

MAP OF LOT SPLIT AND CONSOLIDATION
 MADE FOR AND AT THE INSTANCE OF
 S & B STRONGSVILLE LLC AND THE
 STATE OF OHIO
 BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP
 LOT 56,
 NOW IN THE CITY OF STRONGSVILLE
 CUYAHOGA COUNTY, OHIO

DISTANCES ARE GIVEN IN FEET AND
 DECIMAL PARTS, IMPRESSED MERIDIAN
 AND ARE USED TO INDICATE ANGLES ONLY.



Kenneth L. Bohning
 KENNETH L. BOHNING
 REGISTERED SURVEYOR NO. 6720
 DATE 7/24/07

IT IS THE INTENT OF THIS PLAT TO ALLOW FOR THE TRANSFER
 BY DEED OF SPLIT PARCEL "I" FROM THE STATE OF OHIO TO S
 & B STRONGSVILLE LLC FOR CONSOLIDATION WITH THEIR
 EXISTING PARCEL "S" TO FORM CONSOLIDATED PARCEL "S-1"
 AS SHOWN HEREON.

ROBERT KLAIBER P.E., P.S.

This Survey Plat complies with Cuyahoga County
 Conveyance Standards and is hereby approved.

Plat Vol. _____ Pg. _____
 T.M. _____ Pg. _____
 Date 7/24/07

- SURVEY REFERENCES:**
- ALTA SURVEY OF SUBJECT S. & B. STRONGSVILLE
 PARCEL BY ZARANEK SURVEYING CO. DATED 1/1/00
 - STRONGSVILLE SAVINGS BANK ASSEMBLY PLAT
 BY REITZ ENGINEERING CO. DATED MAY, 1994.

NOTES:

- "R" PIN SET INDICATES 5/8" DIAMETER BY 30" LONG
 REBAR WITH IDENTIFICATION "D.G. BOHNING ASSOC."

DONALD G. BOHNING & ASSOCIATES, INC.
 CIVIL ENGINEERING & SURVEYING
 7979 HUB PARKWAY • VALLEY VIEW, OHIO 44125
 PHONE: (216) 642-1130 FAX: (216) 642-1132

DATE	OCT. 2006
DRN	M.D. K.B.
FILE NO.	373600LSC
ORDER NO.	3736

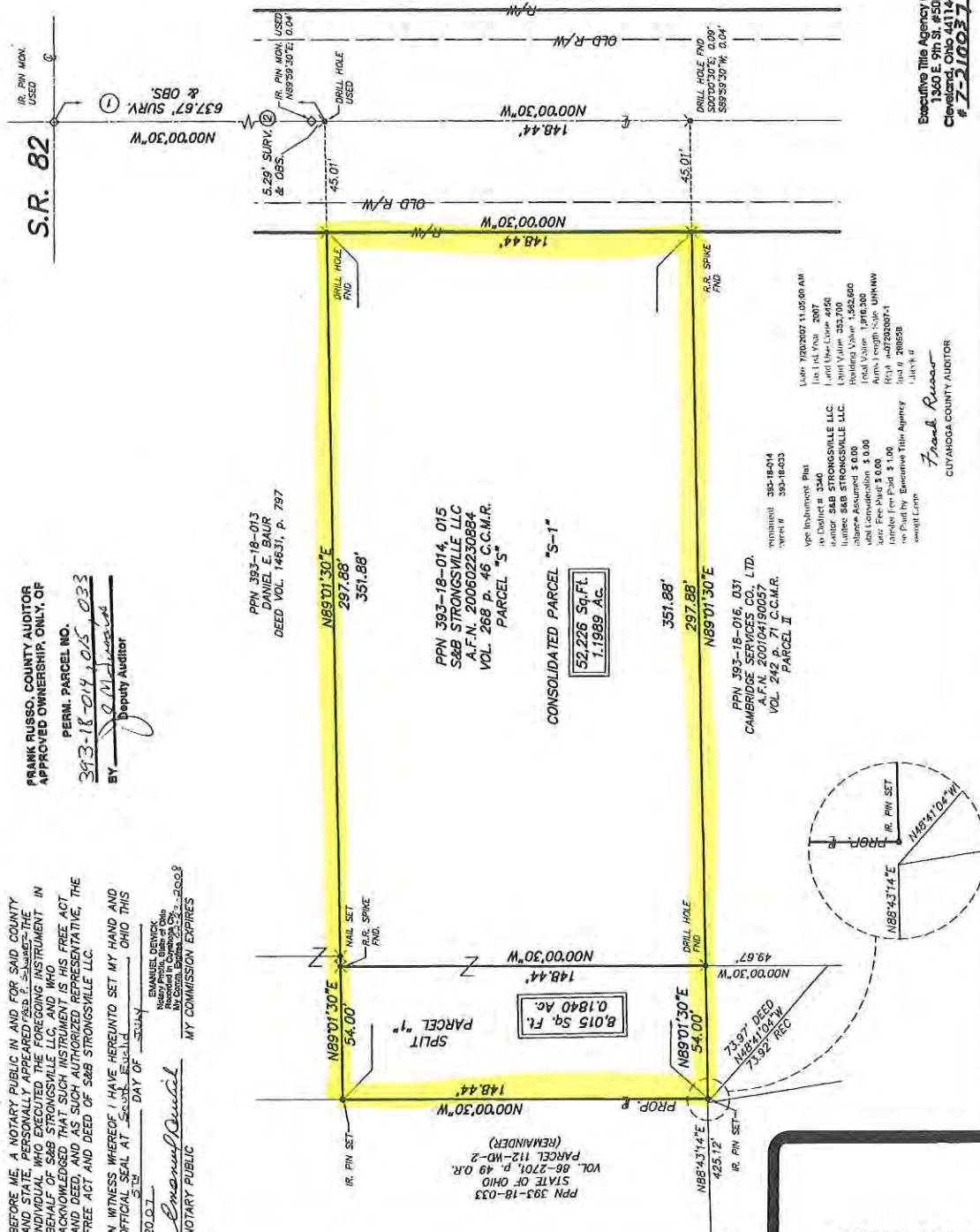


EXHIBIT B

PETITION FOR ZONING CHANGE

Ordinance Number: 2017-122

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 GB use to a class MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: to allow Ganley Buick GMC to expand onto this parcel as a retail automobile dealership sales facility.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: it will expand the footprint of Ganley Buick GMC and it is expected that the vacant building will be razed and the lot to improved with appropriate landscaping, lighting, asphalt, etc.

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

- 1. _____
- 2. _____
- 3. _____

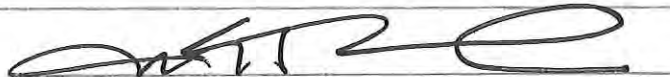
THE PROPOSED USE OF THE PROPERTY IS: additional retail automobile sales, including new and used vehicle storage and customer and employee parking.

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

Name: Joseph Fornal, Treasurer & CFO

Address: 8748 Brecksville Road, Brecksville, Ohio 44141

Telephone Number: 440-584-8202


Signature of Owner(s) TREASURER

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 14 day of JUNE, 2017



Notary Public

My commission expires: _____

ANDREW STEVEN DEVER, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Section 147.03 R.C.

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

PROPERTY DESCRIPTION FORM

Ordinance Number: 2017-122

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: 14052 Pearl Road, Strongsville, Ohio 44136

Permanent Parcel No.: 393-18-014

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

Number and type of buildings which now occupy property (if any): One, two-story brick office and adjoining single story retail space


Acreage: 1.198 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): _____

Said deed restrictions (will) (have) expire(d) on: _____

Said property is presently under lease or otherwise encumbered as follows: Mortgage held by Bank of America

Owner(s)	Percent of Ownership:
1. <u>Ganley Real Estate Co.</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %


Signature of Owner(s) TREASURER

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 14 day of JUNE, 2017.


Notary Public

My commission expires ANDREW STEVEN DEVER, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Section 147.03 R.C.

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: June 26, 2017

SUBJECT: Rezoning Application
Ganley Real Estate Co.; Owner
PPN: 393-18-014
Address: 14052 Pearl Road
From General Business (GB) to Motor Services (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
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

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
Aimee Pientka
George Smerigan, City Planner
Brent Painter, Economic Development Director
Dan Kolick, Assistant Law Director
Carol Oprea, Planning Commission Secretary

From: Lori Daley, Assistant City Engineer

Date: June 29, 2017

Re: Rezoning Application
Ganley Real Estate Co.; Owner
PPN 393-18-014
From GB to MS

Neal,

The legal description included in the Clerk of Council's June 26, 2017 memo regarding the above referenced application accurately depicts the parcel to be rezoned. Please include the attached highlighted map with the legislation.

There is a discrepancy with the address. The applicant lists 14052 Pearl Road as the address, which is consistent with the Cuyahoga County Auditor's website. However, the physical address of the building is 14092 Pearl Road.

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: July 18, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-122

At its regular meeting of July 17, 2017, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-122 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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), 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: July 28, 2017

Please be advised that at its meeting of July 27, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ALTENHEIM REHAB & MEMORY CARE/ Brandon Rouhier, Agent

Site Plan approval of two parking lot additions for property located at 18627 Shurmer Road, PPN 397-01-092 zoned SR-1 and Public Facility.

ORDINANCE NO. 2017-123:

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 14356 Pearl Road (PPN 393-19-033) in the City of Strongsville from GB (General Business) Classification to R-RS (Restaurant-Recreational Services) Classification and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission Tabled the following;

ORDINANCE NO. 2017-111:

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 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification.

ORDINANCE NO. 2017-122:

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 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), 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: September 8, 2017

Please be advised that at its meeting of September 7, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2017- 139

An Ordinance Enacting a New Chapter 840 "MEDICAL MARIJUANA" of Title Two of Part Eight-Business Regulations and Taxation Code of the Codified Ordinances of the City of Strongsville; Amending Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code, to establish a New Section 1242.14 concerning the Regulations of Medical Marijuana in the City of Strongsville and Declaring an Emergency.

ORDINANCE NO 2017 - 140

An Ordinance Amending Section 1258.03 of Title Six of part Twelve-Planning and Zoning Coe of the Codified Ordinances of the City of Strongsville in order to Establish Regulations for the Storage, display and Sale of Vehicles in a General Business District, and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission gave Unfavorable Recommendation to the following;

ORDINANCE NO. 2017-122:

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 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 140

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS 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 1258.03 of Chapter 1258 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville concerning Use Regulations; General Business District, be and is hereby amended to read in its entirety as follows:

1258.03 USE REGULATIONS; GENERAL BUSINESS DISTRICT.

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

(a) Main Buildings and Uses Permitted.

- (1) Offices, stores, services and other use classifications as permitted in Local Business Districts;
- (2) Mortuaries (Funeral Homes);
- (3) Additional retail business stores and services conducted wholly within enclosed buildings and devoted to supplying the retail business needs of the community to the following extent:
 - A. Retail sales.
 1. The sale of all food; frozen food lockers;
 2. The sale of all general merchandise; dry goods, variety and department stores, but excluding the sale of items listed in Sections 1258.06(a)(4) and 1258.06(a)(5);
 3. The sale of all hardware, appliances, china, furniture, floor and wall covering, business equipment, music, radio and television, provided no loudspeakers broadcast outside the parcel;
 4. The sale of bicycles, sport and athletic equipment, pet shops;
 5. Wholesale offices and showrooms, with storage limited to samples;

6. The sale, serving and consumption of food, soft drinks, juices and ice cream in carry-out and sit-down restaurants whenever such use is within a business building located adjacent to another business building having one or more party walls and a common roof with one or more similar business buildings, but not as a separate business building or use, provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07. An outdoor eating area adjacent to and as an accessory use to the main building may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.
7. Restaurants, taverns, night clubs, delicatessens, eating establishments, businesses permitting dancing and live entertainment, whenever such use is within a business building located adjacent to another business building having one or more party walls and a common roof with one or more similar business buildings but not as a separate building or use provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code. An outdoor eating area adjacent to and as an accessory use to the main building may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.
8. Individual retail business stores of 100,000 square feet and larger may be permitted a limited area to display merchandise outside the store building in an approved designated, self-contained, screened area provided a conditional use permit is granted in accordance with the provisions of Section 1242.07 of this Zoning Code.
9. The sale and/or exchange of propane canisters not exceeding twenty (20) pounds at freestanding "big box" stores exceeding 50,000 square feet gross floor area; and freestanding "super" drug stores exceeding 14,000 square feet gross floor area provided a conditional use permit is granted in accordance with the provisions of Section 1242.07 of this Zoning Code.
10. Brewpubs and microbreweries which include attached restaurant facilities for the on-site consumption of food and beverages provided that a conditional use

permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code.

~~(Ord. 2015-114. Passed 7-20-15.)~~

B. Services.

1. Shops for custom work for the making of articles to be sold only at retail on the premises, excluding internal combustion engines;
2. All personal service establishments without limitations on the number of persons engaged in such work, but excluding services listed in Section 1258.06(a)(6);
3. Photographic developing, blueprinting, letter, job and newspaper printing, radio or television stations with ancillary transmittal towers, telephone exchanges, transformer stations;
4. Bus passenger stations, taxi stations; and
5. Veterinary office/out-patient clinic provided such use is a single use in a free-standing building with no dog runs and no overnight housing of animals.

C. Churches. Buildings and land for churches provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code. To be located in a General Business District, a church shall be governed by and meet all requirements, standards and procedures of Chapter 1256 and other Codified Ordinance sections referenced therein.

D. Child/Adult Day Care Centers. Buildings and land for child/adult day care centers, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code.

E. Exercise Facilities. Dance instruction, gymnastics, yoga, martial arts training, gymnasiums, and physical fitness centers, none of which shall exceed 5,000 square feet, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code.

F. Automotive Service Centers. Automotive Service Centers in accordance with the provisions of Section 1258.14 and provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.

G. Training/Amusement Facilities.

~~(Ord. 2016-158. Passed 11-21-16; Ord. 2016-198. Passed 11-21-16.)~~

- (b) Similar Main Uses Permitted. Any other general business store, shop or service not listed above or in any subsequent use classification and determined as similar by the Planning Commission in accordance with the standards set forth in Section 1242.08.

- (c) Accessory Uses Permitted. Any accessory use such as storage of goods or processing operations which are clearly incident to conducting a retail business, office or service establishment or other permitted main use, provided that such accessory use serves solely as an accessory use to permitted main uses on the same zoning lot, and provided such an accessory use has no injurious effect on the adjoining residential districts. The following accessory uses are also permitted:
- (1) Accessory off-street parking and loading facilities as required in Chapter 1270 of this Zoning Code; and
 - (2) Signs in General Business Districts shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the type, design size, location, illumination and other provisions set forth in Chapter 1272 of this Zoning Code.
 - (3) Crematories only as an integral component of a licensed mortuary (funeral home) provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07.
 - (4) **Storage, display, and sale of vehicles associated with an adjacent automobile dealership on abutting property zoned Motorist Service (MS) provided that a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.**

~~(Ord. 2016-158. Passed 11-21-16; Ord. 2016-198. Passed 11-21-16)~~

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 necessary to provide for the appropriate regulation of the storage, display and sale of vehicles in General Business Districts to ensure the safety and welfare of the general public. 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: September 5, 2017 Referred to Planning Commission

Second reading: September 18, 2017 September 6, 2017

Third reading: _____

Favorable recommendation by PC
Approved: September 7, 2017

Public Hearing: November 6, 2017

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 140
Page 5

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. 2017-140 Amended: _____
1st Rdg. 09-05-17 Ref: PC/1P2E
2nd Rdg. 09-08-17 Ref: P2E
3rd Rdg. _____ Ref: _____

Pub Hrg. 11-6-17 Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Tiffany Mekeel, Assistant Clerk of Council

DATE: September 6, 2017

SUBJECT: Referral from Council: Ordinance Nos. 2017-139 & 2017-140

At its regular meeting of September 5, 2017, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-139 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 840 "MEDICAL MARIJUANA" OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AMENDING CHAPTER 1242 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, TO ESTABLISH A NEW SECTION 1242.14 CONCERNING THE REGULATION OF MEDICAL MARIJUANA IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-140 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.

Copies of the ordinances are 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: September 8, 2017

Please be advised that at its meeting of September 7, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2017- 139

An Ordinance Enacting a New Chapter 840 "MEDICAL MARIJUANA" of Title Two of Part Eight-Business Regulations and Taxation Code of the Codified Ordinances of the City of Strongsville; Amending Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code, to establish a New Section 1242.14 concerning the Regulations of Medical Marijuana in the City of Strongsville and Declaring an Emergency.

ORDINANCE NO 2017 - 140

An Ordinance Amending Section 1258.03 of Title Six of part Twelve-Planning and Zoning Coe of the Codified Ordinances of the City of Strongsville in order to Establish Regulations for the Storage, display and Sale of Vehicles in a General Business District, and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission gave Unfavorable Recommendation to the following;

ORDINANCE NO. 2017-122:

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 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 168

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, 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 1273.05 and 1273.09 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and are hereby amended to read in their entirety as follows:

CHAPTER 1273
Wireless Telecommunications Facilities

1273.01	Purpose.
1273.02	Definitions.
1273.03	Conditional use.
1273.04	Proof of unavailability of alternative locations.
1273.05	Application procedures and requirements.
1273.06	General standards.
1273.07	Supplementary standards and conditions.
1273.08	Facilities removal.
1273.09	Annual inspection fees.

* * *

1273.05 APPLICATION PROCEDURES AND REQUIREMENTS.

The following requirements apply to all wireless telecommunications facilities regardless of the zoning district, in which they are to be located:

- (a) When the proposed wireless telecommunications facility is to include a new tower or antenna, a site plan at a scale not less than one inch is equal to 100 feet shall be submitted. The site plan shall indicate all building uses within 300 feet of the proposed facility. Aerial photos and/or renderings may augment the site plan.
- (b) Any applicant requesting permission to install a new tower or antenna shall provide evidence of written contact with all wireless service providers who supply service within a quarter mile of the proposed facility. The applicant shall inquire about potential collocation opportunities at all technically feasible locations. The contacted provider shall be requested to respond in writing to the inquiry within thirty days. The applicant's letter(s) as well as response(s) shall be presented to the Planning Commission as a means of demonstrating the need for a new tower or antenna.
(Ord. 2002-29. Passed 1-6-03.)

- (c) An application to locate an antenna on a building or structure that is listed on a historical register, or is in the Town Center District shall be subject to review by the Architectural Review Board, in addition to the Planning Commission.
(Ord. 2014-035. Passed 5-5-14.)
- (d) Applicant shall provide evidence of legal access to the tower or antenna site thereby maintaining this access regardless of other developments that may take place on the site.
- (e) Where the telecommunications facility is located on property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a long-term lease for the proposed facility and that vehicular access is provided to the facility.
- (f) The applicant shall present a landscaping plan that indicates how the wireless telecommunications facility will be screened from adjoining uses.
- (g) The applicant shall demonstrate that the telecommunications tower or antenna must be located where it is proposed in order to service the applicant's service area. The applicant shall submit an explanation and supporting engineering data proving that a tower or antenna at the proposed site is technically necessary.
- (h) As a condition of approval **for a new wireless telecommunications tower**, the Planning Commission shall establish the amount of a bond, with a surety company approved by the City's Law Director, or cash deposit, in an amount to be determined by the Planning Commission which shall be intended to guarantee the cost of the removal of the **wireless telecommunications tower and related** wireless telecommunications facility in the event the facility is declared abandoned by the Building Commissioner pursuant to Section 1273.08.
- (i) Any decision to deny a request to place, construct or modify a wireless telecommunications antenna and/or tower shall be in writing ~~and supported by evidence contained in a written record of the proceedings of the Planning Commission~~ **setting out the reasons for the denial in a written document from the appropriate City agency or individual.**
- (j) A filing and review fee shall be paid in the amount of ~~Five~~ **hundred** ~~Dollars~~ **dollars** (\$500.00) for a new **wireless telecommunications** antenna ~~on or equipment on or at~~ an existing structure, and in the amount of ~~One~~ **thousand** ~~Dollars~~ **dollars** (\$1,000) for a new **wireless telecommunications** tower.

These Procedures and Requirements apply to a new **wireless telecommunications** facility, a request to modify an existing **wireless telecommunications** facility, or to an addition to an existing **wireless telecommunications** facility.

**Notwithstanding anything in this Chapter to the contrary, the Building Commissioner shall first review any request by an applicant for a modification of an existing wireless tower or base station. If, in the Building Commissioner's judgment, the modification does not "substantially change the physical dimensions" of the tower or base station, the Building Commissioner may issue a permit for the modification, if it meets all other legal requirements, without the necessity of referring the application to the Planning Commission for its review. The term "substantially changes the physical dimensions" of a tower or base station shall have the same meaning as set out in 30 Federal Communication Commission Record 31 (FCC 14-153).
(Ord. 2002-29. Passed 1-6-03.)**

* * *

1273.09 ANNUAL INSPECTION FEES.

The Building Department shall inspect each tower, antenna, and telecommunications facility on an annual basis to insure compliance with all ordinances of the City, especially this Chapter 1273 and to insure that the provider is still utilizing and has not abandoned the tower, antenna or facility. ~~An inspection fee of two hundred dollars (\$200.00) shall be paid on an annual basis on a date established by the Building Commissioner by each provider of an antenna or facility located on a pole, tower or other structure.~~ The owner of the antenna and/or wireless telecommunications facility shall inform the Building Commissioner of any antenna, tower or facility which is no longer in use.

~~(Ord. 2002-29. Passed 1-6-03.)~~

* * *

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 necessary to update requirements with regard to telecommunications facilities, and to ensure the safety and welfare of the general public. 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: October 2, 2017

Referred to Planning Commission

Second reading: October 16, 2017

October 3, 2017

Third reading: _____

Favorable recommendation by PC
Approved: October 5, 2017

Public Hearing: November 20, 2017

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 168
Page 4

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

Attest: _____
Clerk of Council

ORD. No. 2017-168 Amended: _____
1st Rdg. 10-2-17 Ref: PCI P&E
2nd Rdg. 10-16-17 Ref: P&E
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: October 3, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-168

At its regular meeting of October 2, 2017, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-168 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, 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: October 10, 2017

Please be advised that at its meeting of October 5, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2017-168

An Ordinance Amending Sections 1273.05 and 1273.09 of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, in order to update requirements concerning permitting of Wireless Telecommunications Facilities and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 168

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, 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 1273.05 and 1273.09 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville be and are hereby amended to read in their entirety as follows:

CHAPTER 1273
Wireless Telecommunications Facilities

1273.01	Purpose.
1273.02	Definitions.
1273.03	Conditional use.
1273.04	Proof of unavailability of alternative locations.
1273.05	Application procedures and requirements.
1273.06	General standards.
1273.07	Supplementary standards and conditions.
1273.08	Facilities removal.
1273.09	Annual inspection fees.

* * *

1273.05 APPLICATION PROCEDURES AND REQUIREMENTS.

The following requirements apply to all wireless telecommunications facilities regardless of the zoning district, in which they are to be located:

- (a) When the proposed wireless telecommunications facility is to include a new tower or antenna, a site plan at a scale not less than one inch is equal to 100 feet shall be submitted. The site plan shall indicate all building uses within 300 feet of the proposed facility. Aerial photos and/or renderings may augment the site plan.
- (b) Any applicant requesting permission to install a new tower or antenna shall provide evidence of written contact with all wireless service providers who supply service within a quarter mile of the proposed facility. The applicant shall inquire about potential collocation opportunities at all technically feasible locations. The contacted provider shall be requested to respond in writing to the inquiry within thirty days. The applicant's letter(s) as well as response(s) shall be presented to the Planning Commission as a means of demonstrating the need for a new tower or antenna.
(Ord. 2002-29. Passed 1-6-03.)

- (c) An application to locate an antenna on a building or structure that is listed on a historical register, or is in the Town Center District shall be subject to review by the Architectural Review Board, in addition to the Planning Commission.
(Ord. 2014-035. Passed 5-5-14.)
- (d) Applicant shall provide evidence of legal access to the tower or antenna site thereby maintaining this access regardless of other developments that may take place on the site.
- (e) Where the telecommunications facility is located on property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a long-term lease for the proposed facility and that vehicular access is provided to the facility.
- (f) The applicant shall present a landscaping plan that indicates how the wireless telecommunications facility will be screened from adjoining uses.
- (g) The applicant shall demonstrate that the telecommunications tower or antenna must be located where it is proposed in order to service the applicant's service area. The applicant shall submit an explanation and supporting engineering data proving that a tower or antenna at the proposed site is technically necessary.
- (h) As a condition of approval **for a new wireless telecommunications tower**, the Planning Commission shall establish the amount of a bond, with a surety company approved by the City's Law Director, or cash deposit, in an amount to be determined by the Planning Commission which shall be intended to guarantee the cost of the removal of the **wireless telecommunications tower and related** wireless telecommunications facility in the event the facility is declared abandoned by the Building Commissioner pursuant to Section 1273.08.
- (i) Any decision to deny a request to place, construct or modify a wireless telecommunications antenna and/or tower shall be in writing ~~and supported by evidence contained in a written record of the proceedings of the Planning Commission~~ **setting out the reasons for the denial in a written document from the appropriate City agency or individual.**
- (j) A filing and review fee shall be paid in the amount of ~~Five~~ **hundred** ~~dollars~~ **dollars** (\$500.00) for a new **wireless telecommunications** antenna ~~on or equipment on or at~~ an existing structure, and in the amount of ~~One~~ **thousand** ~~dollars~~ **dollars** (\$1,000) for a new **wireless telecommunications** tower.

These Procedures and Requirements apply to a new **wireless telecommunications** facility, a request to modify an existing **wireless telecommunications** facility, or to an addition to an existing **wireless telecommunications** facility.

Notwithstanding anything in this Chapter to the contrary, the Building Commissioner shall first review any request by an applicant for a modification of an existing wireless tower or base station. If, in the Building Commissioner's judgment, the modification does not "substantially change the physical dimensions" of the tower or base station, the Building Commissioner may issue a permit for the modification, if it meets all other legal requirements, without the necessity of referring the application to the Planning Commission for its review. The term "substantially changes the physical dimensions" of a tower or base station shall have the same meaning as set out in 30 Federal Communication Commission Record 31 (FCC 14-153).

~~(Ord. 2002-29. Passed 1-6-03.)~~

* * *

1273.09 ANNUAL INSPECTION FEES.

The Building Department shall inspect each tower, antenna, and telecommunications facility on an annual basis to insure compliance with all ordinances of the City, especially this Chapter 1273 and to insure that the provider is still utilizing and has not abandoned the tower, antenna or facility. ~~An inspection fee of two hundred dollars (\$200.00) shall be paid on an annual basis on a date established by the Building Commissioner by each provider of an antenna or facility located on a pole, tower or other structure.~~ The owner of the antenna and/or wireless telecommunications facility shall inform the Building Commissioner of any antenna, tower or facility which is no longer in use.

~~(Ord. 2002-29. Passed 1-6-03.)~~

* * *

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 necessary to update requirements with regard to telecommunications facilities, and to ensure the safety and welfare of the general public. 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: October 2, 2017

Referred to Planning Commission

Second reading: October 16, 2017

October 3, 2017

Third reading: _____

Favorable recommendation by PC
Approved: October 5, 2017

Public Hearing: November 20, 2017

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 168
Page 4

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

Attest: _____
Clerk of Council

ORD. No. 2017-168 Amended: _____
1st Rdg. 10-2-17 Ref: PCI P&E
2nd Rdg. 10-16-17 Ref: P&E
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: October 3, 2017
SUBJECT: Referral from Council: Ordinance No. 2017-168

At its regular meeting of October 2, 2017, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-168 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTIONS 1273.05 AND 1273.09 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, IN ORDER TO UPDATE REQUIREMENTS CONCERNING PERMITTING OF WIRELESS TELECOMMUNICATIONS FACILITIES, 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: October 10, 2017

Please be advised that at its meeting of October 5, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2017-168

An Ordinance Amending Sections 1273.05 and 1273.09 of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, in order to update requirements concerning permitting of Wireless Telecommunications Facilities and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 190

By: Mayor Perciak and All Members of Council

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A **PEARL ROAD IV** MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (the "Act") provide that this Council may describe public improvements to be made which directly benefit certain parcels, declare Improvements (as defined in Ohio Revised Code Section 5709.40) with respect to such parcels of real property located in the City of Strongsville (the "City") to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owner of such parcels, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, to improve the flow of traffic in and around the parcels described in **Exhibit A** hereto, as such parcels may be consolidated or split (collectively, the "Property"), this Council may cause construction of the public improvements described in **Exhibit B** hereto (collectively, the "Public Improvements"), that once made will directly benefit the Property and the City and its residents; and

WHEREAS, the City has determined that it is necessary and appropriate and in the best interests of the City to provide for service payments in lieu of taxes with respect to the Property pursuant to Section 5709.42 of the Ohio Revised Code (the "Service Payments") to pay costs of the Public Improvements; and

WHEREAS, the Strongsville City School District and Polaris Joint Vocational School District have been notified of this Ordinance consistent with Revised Code Section 5709.83.

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

Section 1. The Public Improvements described in **Exhibit B** hereto, if made or caused to be made by the City, are hereby designated as those Public Improvements that directly benefit, or that once made will directly benefit, the Property, and are determined to be necessary for the public health, safety and welfare.

Section 2. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40, and, in particular, Section 5709.40(B), this Council hereby finds and determines that 100% of the increase in the assessed value of the Property that would first appear on the tax list and duplicate of real property after the effective date of this Ordinance (which increase in assessed value is herein referred to as the "Improvement" or "Improvements" as defined in said Section 5709.40) is a public purpose, and 100% of said Improvement is hereby declared to be a public purpose for a period of 30 years and exempt from taxation commencing with the tax year following the year in which this Ordinance is passed and ending on

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2017 - 190

Page 2

the earlier of (1) the date the Improvements have been exempted from taxation for a period of 30 years or (2) the date on which the City has collected into the Fund established in Section 4 hereof a total amount of Service Payments available for and sufficient to pay the costs provided in Section 4 hereof; provided, however, that Service Payments shall be paid to the Strongsville City School District and Polaris Joint Vocational School District in the amount of the taxes that would have been payable to the Strongsville City School District and Polaris Joint Vocational School District, as applicable, if the Improvements had not been exempted from taxation.

Section 3. As provided in Section 5709.42 of the Revised Code, the owner or owners of the Improvement are hereby required to and shall pay the Service Payments to the County Treasurer on or before the final dates for payment of real property taxes, which Service Payments, together with any associated rollback payments, shall be deposited in the **PEARL ROAD IV** Municipal Public Improvement Tax Increment Equivalent Fund established in Section 4 hereof. In accordance with Ohio Revised Code Section 5709.42, the County Treasurer shall distribute a portion of the Service Payments directly to the Strongsville City School District and Polaris Joint Vocational School District in an amount equal to the property tax payments the Strongsville City School District and Polaris Joint Vocational School District, as applicable, would have received from the portion of the Improvements exempted from taxation, had such Improvements not been exempted from taxation. This Council hereby authorizes the Mayor, Director of Finance and Law Director, and other appropriate officers of the City, to provide such information and certifications, and execute and deliver or accept delivery of such instruments, as are necessary or incidental to collect those Service Payments, and to make such arrangements as are necessary and proper for payment of the Service Payments.

Section 4. This Council hereby establishes pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the **PEARL ROAD IV** Public Improvement Tax Increment Equivalent Fund (the "Fund"), into which shall be deposited all of the Service Payments and any associated rollback payments distributed to the City with respect to the Improvements on the Property by or on behalf of the County Treasurer, as provided in Section 5709.42 of the Ohio Revised Code, and hereby agrees that moneys in that fund shall be used for any or all of the following purposes:

(i) to pay any and all planning, engineering, acquisition, construction, installation, financing costs, and any and all other direct and indirect costs of the Public Improvements, including those costs set forth in Ohio Revised Code Section 133.15(B);

(ii) to pay the interest on and principal of bonds or notes, and premium, if any, including refunding or additional bonds or notes or other obligations issued or loans entered into by the City or other governmental entity to finance costs of the Public Improvements until such notes or bonds or other obligations or loans are paid in full, and to pay any trustee, administrative and other costs related to servicing the obligations and providing and replenishing a reserve fund and to pay any costs charged by the issuer of the obligations; and

(iii) to reimburse the City, or other governmental entity for any funds used to pay costs of the Public Improvements, or to pay interest, principal, or premium, and related costs on any of the aforesaid notes, bonds, loans or other obligations, prior to receipt of Service Payments.

The Fund shall remain in existence so long as the Service Payments are collected and used for the aforesaid purposes, after which said Fund shall be dissolved in accordance with said Section 5709.43.

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2017 - 190

Page 3

Section 5. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen days after its passage. On or before March 31 of each year that the exemption set forth in Section 2 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Section 5709.40 of the Ohio Revised Code.

Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to eliminate existing hazards to vehicular traffic; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least two-thirds of the members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
Clerk of Council

ORD. No. 2017-190 Amended: _____
1st Rdg. 11-6-17 Ref: COWS
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

EXHIBIT A
THE PROPERTY

CITY OF STRONGSVILLE
Pearl Road IV TIF Parcel Numbers

395-03-006

395-05-002

397-17-082

392-16-014

EXHIBIT B

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The Public Improvements consist of the widening of and other improvements to Pearl Road from northern terminus to southern terminus, to Royalton Road from western terminus to eastern terminus, and all intersection sections along such route, including improvements to, or construction or installation of, intersections, signalization, public utilities, curbs, sidewalks, lighting, and storm water management facilities, acquisition of real estate in connection therewith, and all related improvements.

The Public Improvements further include the construction of or improvements to any other public streets, utilities and public facilities in and around the Property and directly benefiting or serving the Property.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 191

By: Mayor Perciak and All Members of Council

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A **SCANNELL PROPERTIES** MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (the "Act") provide that this Council may describe public improvements to be made which directly benefit certain parcels, declare Improvements (as defined in Ohio Revised Code Section 5709.40) with respect to such parcels of real property located in the City of Strongsville (the "City") to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owner of such parcels, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, to improve the flow of traffic in and around the parcels described in **Exhibit A** hereto, as such parcels may be consolidated or split (collectively, the "Property"), this Council may cause construction of the public improvements described in **Exhibit B** hereto (collectively, the "Public Improvements"), that once made will directly benefit the Property and the City and its residents; and

WHEREAS, the City has determined that it is necessary and appropriate and in the best interests of the City to provide for service payments in lieu of taxes with respect to the Property pursuant to Section 5709.42 of the Ohio Revised Code (the "Service Payments") to pay costs of the Public Improvements; and

WHEREAS, the Strongsville City School District and Polaris Joint Vocational School District have been notified of this Ordinance consistent with Revised Code Section 5709.83.

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

Section 1. The Public Improvements described in **Exhibit B** hereto, if made or caused to be made by the City, are hereby designated as those Public Improvements that directly benefit, or that once made will directly benefit, the Property, and are determined to be necessary for the public health, safety and welfare.

Section 2. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40, and, in particular, Section 5709.40(B), this Council hereby finds and determines that 100% of the increase in the assessed value of the Property that would first appear on the tax list and duplicate of real property after the effective date of this Ordinance (which increase in assessed value is herein referred to as the "Improvement" or "Improvements" as defined in said Section 5709.40) is a public purpose, and 100% of said Improvement is hereby declared to be a public purpose for a period of 30 years and exempt from

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2017 – 191

Page 2

taxation commencing with the tax year following the year in which this Ordinance is passed and ending on the earlier of (1) the date the Improvements have been exempted from taxation for a period of 30 years or (2) the date on which the City has collected into the Fund established in Section 4 hereof a total amount of Service Payments available for and sufficient to pay the costs provided in Section 4 hereof; provided, however, that Service Payments shall be paid to the Strongsville City School District and Polaris Joint Vocational School District in the amount of the taxes that would have been payable to the Strongsville City School District and Polaris Joint Vocational School District, as applicable, if the Improvements had not been exempted from taxation. The project to be constructed on the Property is also subject to a 15-year, 100% pre-1994 Community Reinvestment Area tax abatement which is intended to take priority over the exemption granted pursuant to this Ordinance and the Property will capture the full value of the Service Payments in the latter 15 years.

Section 3. As provided in Section 5709.42 of the Revised Code, the owner or owners of the Improvement are hereby required to and shall pay the Service Payments to the County Treasurer on or before the final dates for payment of real property taxes, which Service Payments, together with any associated rollback payments, shall be deposited in the **SCANNELL PROPERTIES** Municipal Public Improvement Tax Increment Equivalent Fund established in Section 4 hereof. In accordance with Ohio Revised Code Section 5709.42, the County Treasurer shall distribute a portion of the Service Payments directly to the Strongsville City School District and Polaris Joint Vocational School District in an amount equal to the property tax payments the Strongsville City School District and Polaris Joint Vocational School District, as applicable, would have received from the portion of the Improvements exempted from taxation, had such Improvements not been exempted from taxation. This Council hereby authorizes the Mayor, Director of Finance and Law Director, and other appropriate officers of the City, to provide such information and certifications, and execute and deliver or accept delivery of such instruments, as are necessary or incidental to collect those Service Payments, and to make such arrangements as are necessary and proper for payment of the Service Payments.

Section 4. This Council hereby establishes pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the **SCANNELL PROPERTIES** Public Improvement Tax Increment Equivalent Fund (the "Fund"), into which shall be deposited all of the Service Payments and any associated rollback payments distributed to the City with respect to the Improvements on the Property by or on behalf of the County Treasurer, as provided in Section 5709.42 of the Ohio Revised Code, and hereby agrees that moneys in that fund shall be used for any or all of the following purposes:

(i) to pay any and all planning, engineering, acquisition, construction, installation, financing costs, and any and all other direct and indirect costs of the Public Improvements, including those costs set forth in Ohio Revised Code Section 133.15(B);

(ii) to pay the interest on and principal of bonds or notes, and premium, if any, including refunding or additional bonds or notes or other obligations issued or loans entered into by the City or other governmental entity to finance costs of the Public Improvements until such notes or bonds or other obligations or loans are paid in full, and to pay any trustee, administrative and other costs related to servicing the obligations and providing and replenishing a reserve fund and to pay any costs charged by the issuer of the obligations; and

(iii) to reimburse the City, or other governmental entity for any funds used to pay costs of the Public Improvements, or to pay interest, principal, or premium, and related costs on any of the aforesaid notes, bonds, loans or other obligations, prior to receipt of Service Payments.

CITY OF STRONGSVILLE, OHIO

Ordinance No. 2017 - 191

Page 3

The Fund shall remain in existence so long as the Service Payments are collected and used for the aforesaid purposes, after which said Fund shall be dissolved in accordance with said Section 5709.43.

Section 5. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen days after its passage. On or before March 31 of each year that the exemption set forth in Section 2 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Section 5709.40 of the Ohio Revised Code.

Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to eliminate existing hazards to vehicular traffic; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least two-thirds of the members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
Clerk of Council

ORD. No. 2017-191 Amended: _____
1st Rdg. 11-6-17 Ref: CDW
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

EXHIBIT A
THE PROPERTY

CITY OF STRONGSVILLE
Scannell Properties TIF Parcel Number
393-01-016

EXHIBIT B

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The Public Improvements consist of the widening of and other improvements to Foltz Parkway, including all intersections from Royalton Road to the southern terminus of Foltz Parkway and including Royalton Road and Drake Road from Prospect Road to the western terminuses of Royalton Road and Drake Road.

The Public Improvements further include the construction of or improvements to any other public streets, utilities and public facilities in and around the Property and directly benefiting or serving the Property.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 192

By: Mr. Daymut

AN ORDINANCE VACATING AND EXTINGUISHING A PUBLIC ACCESS EASEMENT ON PERMANENT PARCEL NO. 394-03-001, ON PROPERTY OWNED BY DUKE CONSTRUCTION LIMITED PARTNERSHIP, ON COMMERCE PARKWAY IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, a request has been made to this Council by the owner of a parcel, requesting that Council vacate and extinguish a Public Access Easement for Future Roadway Extension, located on Permanent Parcel No. 394-03-001, as shown on the Subdivision Plat for Duke Construction Limited Partnership, and recorded in Volume 347, Pages 6 and 7 of Cuyahoga County Records; and

WHEREAS, such Public Access Easement for Future Roadway Extension is no longer needed for municipal purposes; and

WHEREAS, the Planning Commission, at its meeting of November 16, 2017, has recommended the vacation of this easement.

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

Section 1. That, pursuant to O.R.C. Section 723.121, this Council finds and determines that there is good cause to vacate and extinguish the Public Access Easement for Future Roadway Extension, located on Permanent Parcel No. 394-03-001, described in Exhibit A attached hereto and incorporated herein; that such easement is not needed for municipal purposes, and that such vacation and extinguishment will not be detrimental to the general interest, and that it should be made.

Section 2. That accordingly, the Public Access Easement for Future Roadway Extension, as described in Exhibit A, be and is hereby vacated and extinguished, and the owner of the parcel is hereinafter solely responsible and/or liable in regard to the maintenance and use of the previous easement area.

Section 3. That the Clerk of Council is hereby directed to cause a copy of this Ordinance, along with Exhibit A, to be recorded in the office of the Cuyahoga County Fiscal Officer evidencing the vacation of the Easement.

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. 2017 – 192
Page 2

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 necessary to promptly vacate and extinguish an easement no longer needed for municipal public purposes in order to assure proper development of all lots and land within the City of Strongsville. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

 President of Council

Approved: _____
 Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
 Clerk of Council

ORD. No. 2017-192 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

SUBDIVISION PLAT

DUKE CONSTRUCTION LIMITED PARTNERSHIP

Known as being part of Original Strongsville Township, Township Lot 21-A, R. 2, the (L) Split Plat for Duke Construction Limited Partnership, as shown by the recorded plat in Volume 428 of Maps, Page 71 of Cuyahoga County Records, now situated in the

CITY OF STRONGSVILLE
COUNTY OF CUYAHOGA - STATE OF OHIO

McSTEEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS
11000 W. 12th Street
Westlake, Ohio 44092
(440) 585-9800

Shelving shown herein are to be removed and are used to locate utility only. All other utility lines shown herein are to be located and shown as set out on the original plat. All other utility lines shown herein are to be located and shown as set out on the original plat.



Notary Public
Daniel P. MacNeil
Notary Public, State of Ohio
No. 10242, Exp. 03/31/2010

GRANT OF PUBLIC ACCESS EASEMENT FOR FUTURE ROADWAY EXTENSION

I, the undersigned Representative for Duke Construction Limited Partnership, owner of the land shown herein, do hereby grant to the City of Strongsville, Ohio, a public access easement for future roadway extension, as shown and described herein, to be used for the purpose of providing access to the future roadway extension, as shown and described herein, to be used for the purpose of providing access to the future roadway extension, as shown and described herein.

DUKE CONSTRUCTION LIMITED PARTNERSHIP
BY: *[Signature]*
Title: *[Title]*

Signature: *[Signature]*
Title: *[Title]*

ACCEPTANCE

I, the undersigned Representative for Duke Construction Limited Partnership, owner of the land shown herein, do hereby accept this plat and subdivision of the same.

DUKE CONSTRUCTION LIMITED PARTNERSHIP
BY: *[Signature]*
Title: *[Title]*

Signature: *[Signature]*
Title: *[Title]*

Notary Public
Daniel P. MacNeil
Notary Public, State of Ohio
No. 10242, Exp. 03/31/2010

GRANT OF 30' ACCESS EASEMENT

I, the undersigned Representative for Duke Construction Limited Partnership, owner of the land shown herein, do hereby grant to the City of Strongsville, Ohio, a 30-foot access easement, as shown and described herein, to be used for the purpose of providing access to the future roadway extension, as shown and described herein.

DUKE CONSTRUCTION LIMITED PARTNERSHIP
BY: *[Signature]*
Title: *[Title]*

Signature: *[Signature]*
Title: *[Title]*

APPROVALS

This plat has been approved by the Planning Commission of the City of Strongsville, Ohio on this 20th day of May, 2008.

Signature: *[Signature]*
Title: *[Title]*

This plat has been approved by the Engineer of the City of Strongsville, Ohio on this 20th day of May, 2008.

Signature: *[Signature]*
Title: *[Title]*

This plat has been approved by the Board of the City of Strongsville, Ohio on this 20th day of May, 2008.

Signature: *[Signature]*
Title: *[Title]*

GRANT OF 30' ACCESS EASEMENT

I, the undersigned Representative for Duke Construction Limited Partnership, owner of the land shown herein, do hereby grant to the City of Strongsville, Ohio, a 30-foot access easement, as shown and described herein, to be used for the purpose of providing access to the future roadway extension, as shown and described herein.

DUKE CONSTRUCTION LIMITED PARTNERSHIP
BY: *[Signature]*
Title: *[Title]*

Signature: *[Signature]*
Title: *[Title]*

DETAIL of PUBLIC ACCESS EASEMENT FOR FUTURE ROADWAY EXTENSION

LOT 2A-R2
EXISTING BUILDING
CLARK RELIANCE CORP.
P.P. 54-03-008
S 34.00' W 100.00' E
S 100.00' W 34.00' E
S 34.00' W 100.00' E
S 100.00' W 34.00' E

LOT 2A-R3
EXISTING BUILDING
DUKE CONSTRUCTION LIMITED PARTNERSHIP
P.P. 304-03-001
DOC. NO. 200606210190
S 34.00' W 100.00' E
S 100.00' W 34.00' E
S 34.00' W 100.00' E
S 100.00' W 34.00' E

LOT 2A-R2
PUBLIC ACCESS EASEMENT FOR FUTURE ROADWAY EXTENSION
(SEE DETAIL ON SHEET 1)

COMMERCE PRIVACY 30'
600 W. 716 W. A-12 CANAL
S 34.00' W 100.00' E
S 100.00' W 34.00' E
S 34.00' W 100.00' E
S 100.00' W 34.00' E

LOT 2A-R2
EXISTING BUILDING
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DETAIL of 30' ACCESS EASEMENT

LOT 2A-R2
EXISTING BUILDING
CLARK RELIANCE CORP.
P.P. 54-03-008
S 34.00' W 100.00' E
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S 100.00' W 34.00' E

LOT 2A-R3
EXISTING BUILDING
DUKE CONSTRUCTION LIMITED PARTNERSHIP
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DETAIL of ACCESS EASEMENT BENEFITED PARCEL

LOT 2A-R2
EXISTING BUILDING
CLARK RELIANCE CORP.
P.P. 54-03-008
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CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 – 193

By: Mr. Daymut

A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE SWAPPING OUT OF ALL ANTENNAS AND REPLACEMENT OF ALL COAX WITH HYBRID CABLES; INSTALLING FIVE (5) REMOTE RADIO HEADS (RRHs) AND REMOVING THREE (3) FWHR ANTENNAS AT THE CO-LOCATION ON AN EXISTING TELECOMMUNICATIONS TOWER, ON CITY-OWNED PROPERTY LOCATED AT 16099 FOLTZ PARKWAY (PPNs 393-12-002 and 393-10-001), IN THE CITY OF STRONGSVILLE.

WHEREAS, AT&T, through its agent, has submitted a site plan to the Planning Commission for approval of the swapping out of all antennas and replacement of all coax with four (4) hybrid cables; installing five (5) remote radio heads (RRHs); and removing three (3) FWHR antennas at the co-location on the existing telecommunications tower, on City-owned property located at 16099 Foltz Parkway, (PPNs 393-12-002 and 393-10-001) zoned General Industrial; and

WHEREAS, Planning Commission has determined that the proposed modification does not substantially change the physical dimensions of the tower or base station for such facility; and

WHEREAS, the Commission approved said final site plan at its meeting of November 2, 2017.

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

Section 1. That this Council does hereby confirm the approval of the City's Planning Commission of the site plan submitted by AT&T, through its agent, for the swapping out of all antennas and replacement of all coax with four (4) hybrid cables; installing five (5) remote radio heads (RRHs); and removing three (3) FWHR antennas at the co-location on the existing telecommunications tower, on City-owned property located at 16099 Foltz Parkway (PPNs 393-12-002 and 393-10-001).

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 from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2017 - 193
Page 2

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

RES
ORD: No. 2017-193 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 194

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE ESTABLISHING THE MAXIMUM NUMBER OF MEMBERS IN EACH RANK IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 252.01(a) of the Codified Ordinances of the City of Strongsville establishes the membership of the uniformed ranks of the Fire Department; and

WHEREAS, this Council previously established the maximum number of members of each rank of officer in the Fire Department through adoption of Ordinance No. 2016-135 on July 6, 2016; and

WHEREAS, due to certain personnel considerations, this Council has determined that it would be in the City's best interests to now increase the number of Captain positions from four (4) to five (5), and decrease the number of Lieutenant positions from thirteen (13) to twelve (12) in the Fire Department.

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

Section 1. That, pursuant to Section 252.01(a) of the Codified Ordinances of the City of Strongsville, this Council hereby establishes the maximum number of members of each rank of officer in the Fire Department as follows:

Rank	Maximum Number
Chief	1
Assistant Chief	2
Captain	4 5
Lieutenant	13 12*
Firefighter	42**

* This number shall include any lieutenant(s) designated as lieutenant paramedic.

** This number shall include any firefighter(s) designated as firefighter-paramedic.

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 194

Page 2

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 adjust the maximum number of members within the ranks of the Fire Department to conform to optimal manpower levels, to provide for the most efficient daily operation of the Fire Department, 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. 2017-194 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 195

By: Mr. Carbone

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE RECONDITIONING AND UPGRADE TO THE EXISTING AQUA GUARD® SELF-CLEANING BAR/FILTER SCREEN EQUIPMENT AT THE CITY'S WASTEWATER TREATMENT PLANT C, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, in order to continue operating the City's Wastewater Treatment Plant C properly and efficiently and to upgrade the equipment, the Department of Public Service must rebuild/retrofit the existing Aqua Guard® Continuous Self-Cleaning Bar/Filter Screen, which is an integral part of the cleaning process at the facilities; and

WHEREAS, a vendor, which can provide such proprietary parts and services to the City, is able to provide the proper equipment and appurtenances on an expedited basis and at the most advantageous price, all as recommended by American Water, the City's operator of its Wastewater facilities.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Public Service of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **PARKSON CORPORATION** for the reconditioning and upgrade to the existing Aqua Guard® Continuous Self-Cleaning Bar/Filter Screen at the City's Wastewater Treatment Plant C, in order to properly and efficiently continue to operate such Wastewater Plant, and for the benefit of the public's health, safety and welfare.

Section 2. That, for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into a contract with **PARKSON CORPORATION**, without public bidding, in an amount not to exceed \$108,503.00 for the reconditioning of the existing Aqua Guard® Continuous Self-Cleaning Bar/Filter Screen in order to rebuild/retrofit such equipment at Wastewater Treatment Plant C, as more fully set forth in the quotation attached hereto as Exhibit "A" and incorporated herein by reference, and as reflected in a contract to be in a form approved by the Law Director.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the 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 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. 2017 - 195

Page 2

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, and for the further reason that it is immediately necessary to enter into said contract in order to provide continuity and efficient operation of the City's Wastewater facilities, to repair and protect City-owned utilities and property, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote 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. 2017-195 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

Quotation

NUMBER: B02011010
TO: Strongsville, WWTP
17449 W. Sprague Rd.
Strongsville, OH
Attn: Richard Meloy
Tel: 440-243-9840
Fax:
E-Mail: rmeloy@amwater.com

DATE: 7-11-2017
REF.: Project Name: Strongsville WWTP
Project Location: Strongsville, OH
Project Serial #: 200141
Rebuild #: B02011010
Specification Sec.: N/A

Parkson Corporation proposes the reconditioning of your existing Aqua Guard® Continuous Self-Cleaning Bar/Filter Screen and is pleased to provide this *Rebuild/Retrofit Quotation* for the following:

ITEM 1 AQUA GUARD SELF-CLEANING BAR/FILTER SCREEN

Existing Units: 1
Unit #: 20023901
Model: AG-MN-A

1.A Existing Equipment:

Description

Screen Width: 22.5"
Solids Discharge Height: 28'
[as measured from the bottom of the channel to the discharge point]
Screen Angle: 85 °
Screen Opening: 6 mm
Application / Industry: Municipal

Materials of Construction

Elements: high impact polycarbonate alloy
Frame: 304 SS
Conveyor Chain: 304/410
Filter Element Shafts: 304 SS
Side Plate: high impact phenolic

1.B The following parts are recommended for replacement on one (1) unit:

STRONGSVILLE, OH		B02011010
200141		
AG-MN-A85, 22.5" x 28', 6mm, 304ss		
<u>Item Description</u>	<u>Quantity</u>	
Screen Components	1	
Front Seal Components	1	
Rotating UltraBrush	1	
Upper Guide Rail, 304ss	2	
Spacer, Upper Guide Rail		
Lower Guide Rail, 304ss	2	
Spacer, Lower Guide Rail Mounting, 304ss	4	
Guide Rail Assembly, 304ss AS/OH	2	
Flange Bearing, Brush	2	
Pillow Block, Take-up	2	
Flange Bearing, Drive shaft	1	
Bushing,	1	
Bushing,	1	
Sprocket, Brush	1	
Sprocket, Drive shaft	1	
#40 Chain with Master Link	1	
Chain Tightener	1	
Side Seal, Neoprene	2	
Discharge Pan Seal, Neoprene	1	
Filler Plates, 304ss	2	
Nameplates & Labels	1	
<u>Front Seal</u>		
Brush, Strip, 2"	1	
Brush, Strip, 3"	1	
<u>Screen Components</u>		
Filter Shafts (total of 196)	196	
Filter Elements, 6mm	4508	
Side Plates,	392	
Snap Rings	392	
Washers	392	
Conveyor Chain	392	

1.C The following UC parts are recommended for retrofit on one (1) unit:

Perf Conversion, 304ss	
Upper Frame Components	1
Upper frame - extension (Drive side)	1
Upper frame - extension (Opposite drive side)	1
Top Bracket - extension (Varies w/ width)	1
Cover - Rear Chute (Varies w/ width)	1
Rear Chute Mounting Bracket (As shown)	1
Rear Chute Mounting Bracket (Opposite Hand)	1
Spray (inner) - Support Bracket	1
Spray (inner) - Mounting Bracket	1
Cover plate (seal for old brush open)	2
Cover plate (seal for drive shaft bearing)	1
Hardware	1
Shaft - Rotating Brush	1
Brush Bearings Mounting Bracket	2
Brush Drive Mounting Bracket Bolts	2
Brush Drive Mounting Bracket	1
Brush Drive Shaft Spacer	1
Brush Drive Shaft Spacer	1
Pipe Spray - Inner	1
Pipe Spray - outer	1
Perforated Plate Weldment	196
Perforated Plates Material	196
Reducer - Rotating Brush	1
Motor - Rotating Brush	1
Bearing, Flange - Brush(FX3U220N)	2
Rotating Brush	1
Spray Nozzles(number varies w/ width)	15
Local Control Panel	1
Deduct from rebuild Parts from Section 1B	
Bushing,	-1
Bushing,	-1
Sprocket, Brush	-1
Sprocket, Drive shaft	-1
#40 Chain with Master Link	-1
Chain Tightener	-1
Flange Bearing, Brush	-2
Filter Elements, 6mm	-4508

ITEM 2 OFFERINGS - PURCHASE PRICE

2.A Parkson Certified On-site Rebuild with OEM Parts & Technicians (Per Unit)
\$92,093.00 USD

1. To ensure work site safety, customer/owner is responsible for thoroughly cleaning, pressure washing, disinfecting the unit. Customer/Owner is also responsible for providing a forklift for use during the rebuild as well as providing a lifting point above the unit in the concrete roof beam. Customer/Owner is also responsible for pivoting the unit from the channel as far as possible.
2. All parts listed in [1B] above.
3. Parts will be shipped F.O.B. Factory, freight included to jobsite.
4. Pivoting of the unit in and out of the channel is excluded.
5. Work performed by Parkson authorized field technicians, who will test run equipment at completion of rebuild.
6. Taxes excluded.

Rebuild / Start-Up Assistance - Included

Parkson will furnish one certified crew as required to rebuild unit, provide start-up and operator training. Dates of service to be scheduled upon receipt of Buyer's written request.

Additional start-up service can be purchased for \$1,000 per day plus travel and living expenses.

ITEM 3 OPTIONS FOR EXISTING UNITS(S) ONLY

1. Adder for Parts in Section 1C in conjunction with Parts in Section 1B
 ADD... \$16,410.00 USD

ITEM 4 SCHEDULE, VALIDITY, PAYMENT TERMS

4.A Schedule

- Submittal Phase not required on the in-kind rebuild project.
- Informational Package will be made, for the Perf. Conversion, 12 weeks after receipt of acceptable Purchase Order by Parkson and all questions are resolved.
- Parts availability: Eight (8) weeks following receipt of acceptable written Purchase Order. The Parkson Project Manager will coordinate shipment of the unit to and from the factory with the customer for factory rebuilds.
- Field/on-site rebuild will be accomplished within 4 weeks after parts are delivered to customer, but in no event later than 90 days.
- Rebuild must be completed within 90 days after parts arrive on-site.

4.B Validity:

1. Price is valid for thirty (30) calendar days from Quotation date, for shipment of Equipment within the timetable stated above.

4.C Payment Terms:

1. 90% net 30 days upon shipment of parts or unit (if factory option) to site, 10% upon rebuild completion, not to exceed 90 days after shipment of parts should rebuild be delayed by other than Parkson. Payment terms for parts only without any factory labor or field service is 100% net 30 days from shipment.

ITEM 5 WARRANTY, DRAWINGS & MANUALS

5.A Mechanical Warranty:

1. As defined in Section XVI on the attached Standard Conditions of Sale, Parkson offers a one (1) year mechanical warranty for all new parts installed on the Aqua Guard screen by a) factory certified rebuild, b) on-site certified rebuild, or c) on-site supervised, certified rebuild.
2. Installation labor of parts or parts not ordered as part of a rebuild package have a 90-day warranty.

5.B Drawings and Installation, Operation and Maintenance (IO&M) Manuals:

- | | |
|------------------------|--------------|
| 1. Approval Drawings: | Not required |
| 2. Certified Drawings: | Not required |
| 3. IO&M Manuals: | Not required |

TERMS AND CONDITIONS:

Parkson's Standard Conditions of Sale, as stated on the attached, shall apply.

PATENTS:

The Equipment and/or process quoted herein may operate under one or more U.S. patents. The Purchase Price includes a one-time royalty payment (if any), which provides the Buyer with immunity to operate the Equipment specified in the Quotation under any applicable patents.

CLARIFICATIONS AND EXCEPTIONS:

Section _____:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 196

By: Mayor Perciak and Mr. Carbone

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A FIRM OF CONSULTANTS TO PROVIDE CONSULTING SERVICES RELATING TO BUILDING EXTERIOR DESIGN FOR THE CITY OF STRONGSVILLE'S WASTEWATER TREATMENT PLANTS "B" AND "C", AND DECLARING AN EMERGENCY.

WHEREAS, by and through Resolution No. 2017-107, Council authorized the Mayor to request proposals for consulting services relating to the building exterior design, field observation and contract administration in connection with further roofing repair and replacement for the City's Wastewater Treatment Plants "B" and "C"; and

WHEREAS, various proposals were received, the proposers were ranked in accordance with law, and Council is desirous of proceeding to award and enter into an agreement for such services with the firm ranked as the best qualified and best proposer.

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 execute and enter into an agreement with **CONSTRUCTION RESOURCES, INC.**, a firm of professional consultants and the best qualified and highest ranked firm, in a total amount not to exceed \$195,000.00, to provide design and consulting services, including those of certain sub-consultants, in connection with further roofing repair and replacement, building exterior design, field observation and contract administration services for the City's Wastewater Treatment Plants "B" and "C" in the City of Strongsville, in accordance with its proposal, addendum, and related forms and documents, copies of which are attached hereto as Exhibit A and/or on file with the Director of Public Service, and which, in all respects, are hereby approved.

Section 2. That the funds necessary for the purposes of this Ordinance have been appropriated and shall be paid from the Sanitary Sewer 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, and for the further reason that it is immediately necessary to engage a firm providing professional design and consulting services on this project to ensure proper specifications and drawings, 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. 2017 - 196
Page 2

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. 2017-196 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CONSTRUCTION RESOURCES, INC.

33900 Station Street
Solon, OH 44139
(440) 248-9800 FAX (440) 248-9939

PROPOSAL
FOR CONSULTING SERVICES

Page No. 1 of 1 Page

To: Mr. Joseph M. Walker
Director of Public Services
City of Strongsville
16099 Foltz Parkway
Strongsville, OH 44149

SERVICE: Phase II Technical Design

LOCATIONS: WWTP's B & C

PHONE: (440) 376-2119
EMAIL: joe.walker@strongsville.org

DATE: 9/1/17

We hereby submit the following outline for consulting services:

Upon your acceptance of this proposal, Construction Resources, Inc. will be engaged to prepare detail drawings and technical specifications for the scope of work defined in the CRI study completed in May 2017 for Plant B & C WWTP; for an Owner project budget of \$2,500,000. Makarich Structural Engineering LLC will assist CRI in design and visit the project twice during construction for engineering assistance for a fee of \$2,500; this fee is included in the proposed fee below. Adjustment to the budget may be needed after design is complete. The liability for the work to be contracted lies with the awarded contractor and the manufacturers of the products they install. The City will create their own front and back ends of the contract documents, as authored by the Law Department.

We will prepare a draft package of full specifications and drawings for your approval. We will design a roof system that is OBC compliant. We will also design concrete repairs, loose guardrail remounting, louvers for glass block replacement, and man door replacement, as defined in the May 2017 study report. Subsequent to your approval, we will provide a listing of qualified contractors that should be invited to bid. We will be present at the pre-bid meeting to answer appropriate bidder questions and explain the scope of the project. We will assist in reviewing the bids and in recommending the bid to accept.

The draft plans and specifications will be reviewed with you within 120 days from acceptance of this proposal and your approval to proceed.

A separate proposal for a contract administration/field observation service (Phase III) will be submitted, upon your request.

WE PROPOSE hereby to furnish consulting services—complete in accordance with this outline, for the sum of:
One Hundred Twenty Seven Thousand Five Hundred and Zero/100-----dollars (\$127,500.00)

Payable as follows: Net 30 days from billing

The Consultant's services consist of those services done by Construction Resources, Inc., its employees, or outside consultants who may be required to perform the intended scope of work as outlined. The services provided by the Consultant, its findings, or reports prepared will be in accordance with its proposal, Owner's acceptance of these agreements, and generally accepted principles and practices of the industry. In performing its services, the Consultant will use that degree of care and skill ordinarily exercised under similar circumstances by members of its industry. Statements made in reports by the Consultant are opinions based on judgment and are not to be construed as representations of fact. Consultant's liabilities are limited to the total amount of the fee charged to the client.

Authorized signature:

Bud Griffith, President

NOTE: This proposal may be withdrawn by us if not accepted within 10 days.

ACCEPTANCE OF PROPOSAL -- The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____
Thomas P. Perciak, Mayor, City of Strongsville

CONSTRUCTION RESOURCES INC.

33900 Station Street
Solon, OH 44139
(440) 248-9800 Fax (440) 248-9939

PROPOSAL
FOR CONSULTING SERVICES

Page No.1 of 1 Page

To: Mr. Joseph M. Walker
Director of Public Services
City of Strongsville
16099 Foltz Parkway
Strongsville, OH 44149

SERVICE: Phase III part time field observation & contract administration

PROJECT: 2018 WWTP roof project

PHONE: (440) 376-2119
EMAIL: joe.walker@strongsville.org

DATE: 9/1/17

We hereby submit the following outline for consulting services:
Upon your acceptance of this proposal, Construction Resources Inc. will be engaged to assist the City of Strongsville with Contract Administration and with field observation for the 2018 WWTP projects. Our field observer will be present for approximately four hours each contracting day, during contractor activity. Hours needed will be at the discretion of the Observer and their Superintendent. We will also attend weekly project meetings between the contractor(s), and Client. Field reports will be generated for each observation day and submitted to the building owner. We will create a digital photographic dairy. The Client agrees that Construction Resources is not liable for the quality or functionality of the restoration project; the liability lies with the contractor and the manufacturers of the materials they install.

We will also review all contractor submittals, applications for payment, and close out documents.

Our Phase III observation rate is \$60.00 per hour. Project meetings, CA and audits are at a rate of \$90 per hour. The actual fee will depend on the time needed to complete the engagement, and is therefore dependent on contractor time. Should evening, weekend or holiday hours be needed for observation, the hourly rate will be at time and one-half. Travel and field report preparation time is included and billed within total hours charged for Phase III services. At this point, it is estimated that the project will take 36 weeks to complete the work. Consequently, the field observation fee is capped at \$43,200.00, which is 720 straight time hours. The meeting, CA and audit fee is capped at \$24,300, which is 270 straight time hours, assuming weekly project meetings, multiple site visits to deal with issues, a preconstruction meeting, a punch list meeting and a final audit meeting.

WE PROPOSE hereby to furnish consulting services--complete according to this outline, for the sum of:
Sixty Seven Thousand Five Hundred and Zero/100-----dollars (\$ 67,500.00)

Payable as follows: Net 30 days from billing

The Consultant's services consist of those services done by Construction Resources, Inc., its employees, or outside consultants who may be required to perform the intended scope of work as outlined. The services provided by the Consultant, its findings, or reports prepared will be in accordance with its proposal, Owner's acceptance of these agreements, and generally accepted principles and practices of the industry. In performing its services, the Consultant will use that degree of care and skill ordinarily exercised under similar circumstances by members of its industry. Statements made in reports by the Consultant are opinions based on Judgment and are not to be construed as representations of fact. Consultant's liabilities are limited to the total amount of the fee charged to the client.

Authorized signature:

Bud Griffith, President

NOTE: This proposal may be withdrawn by us if not accepted within 10 days.

ACCEPTANCE OF PROPOSAL -- The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____

Thomas P. Perciak, Mayor, City of Strongsville

**Re: WASTEWATER TREATMENT PLANTS "B" AND "C"
BUILDING EXTERIOR DESIGN PROJECT**

**ADDENDUM TO PROPOSALS BETWEEN
THE CITY OF STRONGSVILLE ("CITY") AND
CONSTRUCTION RESOURCES, INC. ("CONSULTANT")
FOR CONSULTING SERVICES**

1. **WARRANTIES.** Consultant warrants that its services will be performed in a professional manner and in accordance with prevailing and applicable industry standards for comparable work within the Northeast Ohio area.

2. **INSURANCE.** Consultant shall maintain throughout the duration of this Agreement insurance in the following amounts:

- (a) Worker's Compensation and Employer's Liability
Worker's Compensation Statutory
Employer's Liability \$500,000/\$500,000/\$500,000
- (b) Comprehensive Automobile Liability
\$1,000,000 combined single limit Bodily Injury and Property Damage
- (c) Comprehensive General Liability including environmental coverage,
(naming the Client as additional insured)
\$1,000,000 per occurrence
\$2,000,000 annual aggregate
\$2,000,000 product/completed operations per
 occurrence
\$1,000,000 personal injury/advertising liability
- (d) Umbrella/Excess Liability
\$2,000,000 per occurrence
\$2,000,000 annual aggregate
\$2,000,000 products aggregate
- (e) Professional Liability Insurance (including errors and omissions) in an amount of \$1,000,000 per claim and annual aggregate, provided that such coverage shall be maintained for a period of not less than two (2) years after completion of the construction of the Project.

The foregoing policies shall be with responsible carriers qualified to do business within the State of Ohio, and shall contain a provision that coverage will not be cancelled or failed to be renewed until at least (30) days' prior written notice has been given to the City. Certificates of Insurance showing such coverage to be in force shall be filed with the City through its Director of Finance prior to commencement of the Services and shall be in proper form.

Consultant hereby agrees to maintain the insurances described above during the term hereof. If Consultant fails to furnish and maintain the insurances required, the City may purchase such insurance on behalf of Consultant, and Consultant shall pay the cost thereof to the City upon demand and shall furnish to the City any information needed to obtain such insurance.

3. CONSULTANT'S INDEMNIFICATION. Consultant hereby agrees to defend, indemnify and hold harmless the City and any of its officers or employees from all loss, damage, cost or expense, including but not limited to attorneys fees and expert witness fees, arising out of or in any way caused by:

- (a) Consultant's negligent performance of services under this Agreement;
- (b) Claims, suits or actions of every kind and description when such suits or actions are caused by negligent, willful and/or wanton acts, and/or errors or omissions of Consultant, its officers, employees, consultants, subconsultants, and/or subcontractors; or
- (c) Injury or damages received or sustained by any party because of the negligent willful and/or wanton acts, and/or errors or omissions of Consultant, its officers, employees, consultants, subconsultants, and/or subcontractors.

Consultant shall include a same or similar indemnity provision in each of its contracts with any approved consultant, subconsultant, and subcontractor, which requires that such person or entity defend, indemnify and hold harmless the City, its officers and employees from all loss, damage, cost, or expense to the extent caused by the negligence, error, omission, or willful or wanton misconduct of such person or entity.

4. POWERS OF THE CITY. Nothing contained in this Agreement shall be considered to diminish the governmental or police powers of the City, including, but not limited to, the City's authority to enter into a similar agreement with any other entity.

5. NONDISCRIMINATION. Consultant agrees to comply with all applicable federal, state, county and local laws regarding nondiscrimination, and specifically agrees not to discriminate against any employee or applicant for employment because of race, color, religion, creed, gender, national origin, or disability.

6. NON-WAIVER. Neither the waiver by either party to this Agreement of any breach of any agreement, condition or provision of this Agreement, nor the failure of either party to seek redress for violation of, or to insist upon strict performance of any agreement, condition or provision, shall be considered to be a waiver of the agreement, condition or provision or of any subsequent breach of any agreement, condition or provision. No provision of this Agreement may be waived except by written agreement of the party to be charged.

7. NOTICES. Any notice or other communication required or permitted hereunder shall be deemed to be properly given when sent by certified or registered mail, postage prepaid, return receipt requested, or when hand delivered, and addressed as follows:

If to City (w/ a copy to Law Director):
Director of Public Service
City of Strongsville
16099 Foltz Parkway
Strongsville, Ohio 44149

If to Consultant:
Bud Griffith, President
Construction Resources, Inc.
33900 Station Street
Solon, OH 44139

Either party may at any time, by giving ten (10) days' written notice to the other party, designate any other address in substitution of the foregoing address to which the notice or communication shall be transmitted.

8. PARAGRAPH HEADINGS. The paragraph headings contained herein are merely for convenience and reference, and are not intended to be a part of this Agreement, or in any manner to limit or describe the scope or intent of this Agreement or the particular paragraphs to which they refer.

9. LEGAL RELATIONSHIP OF PARTIES. It is expressly understood and agreed that during the term of this Agreement, Consultant shall be engaged in the provision of services solely as an independent contractor, and shall have no right to control City's officials, employees, agents, contractors, or representatives. It is further expressly understood that Consultant's officers, employees, agents, contractors, and representatives are acting solely and exclusively under the direction and control of Consultant. Nothing in this Agreement shall be deemed to create or establish a relationship of employment, agency, or representation between the City and Consultant, its officers, employees, agents, contractors or representatives; and Consultant shall have no authority whether express, implied, apparent or otherwise to bind or obligate the City in terms of any third parties.

10. NO PARTNERSHIP. Nothing contained herein shall make, or be deemed to make, the City and Consultant a partner of one another, and this Agreement shall not be construed as creating a partnership between the parties.

11. COMPLIANCE WITH CERTAIN STATE LAWS. Consultant is in compliance with and shall abide by the applicable reporting provisions of O.R.C. Sections 9.23-9.239 regarding reporting obligations with respect to the State Auditor; and also with respect to the amended requirements of O.R.C. Section 3517.13 regarding limitations and restrictions on contributions to the campaign committees of certain officials of the City.

12. PUBLIC RECORDS LAW. The Consultant recognizes the requirements of Ohio Revised Code Section 149.43 *et seq.*, otherwise known as the "Ohio Public Records Law," and fully waives and releases any claim against the City of Strongsville and any of its officers and employees relating to the release of any of its documents or information. Furthermore, the Consultant agrees to defend, indemnify and hold the City of Strongsville and its officers and employees harmless from any and all claims arising from the release of any document or information made available to the City of Strongsville unless subject to lawful exemption.

13. MUNICIPAL INCOME TAX. The vendor/contractor, if located within the City or doing business within the City, shall withhold all City income taxes due or payable under the provisions of the Municipal Income Tax ordinance for wages, salaries, and commissions paid to its employees pursuant to Chapter 881, sections 881.03/.04 of the Codified Ordinances of the City of Strongsville. The vendor/contractor shall likewise require its subcontractors to withhold any such City income taxes due for services performed under this Contract, as required by section 881.04. The vendor/contractor is further required to register with the City's Tax Administrator under SCO 881.27, and to file any Municipal Income Tax Returns and pay any taxes required by Chapter 881.

14. **SINGULAR AND PLURAL.** Wherever the context shall so require, the singular shall include the plural and the plural shall include the singular.

15. **BINDING EFFECT AND PERMITTED SUCCESSORS AND ASSIGNS.** This Agreement and all of the covenants hereof shall be binding upon and inure to the benefit of both the City and Consultant, and their respective partners, successors, permitted assigns and legal representatives. Neither the City nor Consultant shall have the right to assign or transfer its interests or obligations hereunder without the advance written consent of the other party.

Acceptance of the terms of this Addendum to Scope of Services and Fee Proposal is acknowledged by both Consultant and City through the following signatures of their respective authorized representatives.

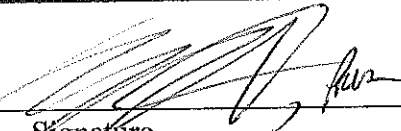
"CITY"
CITY OF STRONGSVILLE

By: _____
Signature

Thomas P. Perciak, Mayor
Typed Name/Title

Date of Signature

"CONSULTANT"
CONSTRUCTION RESOURCES, INC.

By: 
Signature

Bud Griffith, President
Typed Name/Title

11/14/17
Date of Signature

CERTIFICATION OF FUNDS

I, Joseph K. Dubovec, Director of Finance of the Client of Strongsville, Ohio hereby certify that the money to meet this Agreement has been lawfully appropriated for the purpose of the Agreement and is in the treasury of the Client, or is in the process of collection to the credit of the appropriate fund free from prior encumbrance.

Date

Director of Finance

CERTIFICATE OF LAW DIRECTOR

I hereby certify that I have reviewed and approved the form of the foregoing Agreement this ____ day of _____, 2017.


Neal M. Jamison, Law Director

CITY OF STRONGSVILLE
EQUAL OPPORTUNITY REQUIREMENTS
for
SERVICE and SUPPLY CONTRACTS

The City of Strongsville has adopted by Resolution No. 1977-70 regulations which provide that all prospective BIDDERS on CONTRACTS in excess of \$2,500.00 for Services, Equipment and Material Supplies or Vendors must complete and file with the BID the following Affirmative Action Certification, or BID will be deemed non-responsive and void.

This Certification becomes part of the resultant CONTRACT.

In providing goods and/or services hereunder Vendor, Lessor or CONTRACTOR agrees to comply with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 and provisions of Executive Order no. 11246, dated September 24, 1965 as amended by Executive Order No. 11375, dated October 13, 1967 and such other executive orders on non-discrimination in Employment as may be issued with the rules, regulations and orders pursuant thereto as the same may be amended or revised from time to time all of which are specifically included by reference and made a part hereof. Vendor, Lessor or CONTRACTOR agree to include the substance of the foregoing clause in every Sub-Contract or Purchase Order for performance of work in furnishing goods and/or services hereunder.

Company: Construction Resources, Inc.
By: 
Date: 11/14/77

NON-COLLUSION AFFIDAVIT

STATE OF OHIO)
) SS:
COUNTY Cuyahoga)

Bud Griffin, being first duly sworn, deposes and says that
he/she is President of the party making the foregoing
(Title)

Proposal; that such Proposal filed herewith is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such Proposal is genuine and not collusive or sham; that said Proposer has not, directly or indirectly, induced or solicited any other Proposer to put in a false or sham Proposal, and has not, directly or indirectly, colluded, conspired, connived or agreed with any Proposer or anyone else to put in a sham Proposal or that anyone shall refrain from proposing; that said Proposer has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the Proposal price of said Proposer or of any other Proposer or to fix any overhead, profit, or cost element of such Proposal price or that of any other Proposer, or to secure any advantage against the City of Strongsville or anyone interested in the proposed Contract; that all statements contained in such Proposal are true; that said Proposer has not, directly or indirectly, submitted his Proposal price or any breakdown thereof or the contents thereof, or divulged information or data relative thereto, or paid or agreed to pay, directly or indirectly, any money, or other valuable consideration for assistance or aid rendered or to be rendered in procuring or attempting to procure the Contract above referenced, to any corporation, partnership, company, association, organization, or to any member or agent thereof, or to any other individual, except to such person or persons as hereinabove disclosed to have a partnership or other financial interest with said Proposer in his general business; and further that said Proposer shall not pay or agree to pay, directly or indirectly, any money or other valuable consideration to any corporation, partnership, company, association, organization, or to any member or agent thereof, or to any other individual, for aid or assistance in securing the Contract above referenced in the event the same is awarded to the Proposer.

[Signature]
Affiant

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 14th day
of NOVEMBER, 2017.

[Signature]
Notary Public

COLLEEN A. HEALEY
Notary Public, State of Ohio
My Commission Exp. 4-1-2020

DELINQUENT PERSONAL PROPERTY STATEMENT

Construction Resources, Inc.

(name of contractor/proposer)

Strongsville hereby affirms under oath, pursuant to R.C. 5719.042 that at the time the Proposal was submitted, my company (was) (was not) charged with delinquent personal property taxes on the General Tax List of Personal Property for Cuyahoga County, Ohio.

If such charge for personal property tax exists on the General Tax List of Personal Property Cuyahoga County, Ohio the amount of such due and unpaid delinquent taxes including due and unpaid penalties and interest shall be set forth below.

A copy of this statement shall be transmitted to the Cuyahoga County Fiscal Officer and the Cuyahoga County Treasurer within thirty days of the date it is submitted. A copy of this statement shall also be incorporated into the Contract made between the City of Strongsville and the Proposer, and no payment shall be made with respect to any Contract unless such statement has been so incorporated as a part thereof.

Delinquent Personal Property Tax

\$ 0

Penalties

\$ 0

Interest

\$ 0

Construction Resources, Inc.

(Company Name)

By:

[Signature]

Its:

President

STATE OF OHIO)

) SS:

COUNTY CUYAHOGA)

14th SWORN TO BEFORE ME, a Notary Public in and for said county and state, on this day of NOVEMBER, 2017.

Colleen A. Healey
Notary Public

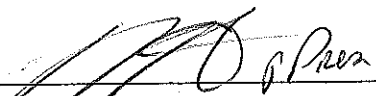
COLLEEN A. HEALEY
Notary Public, State of Ohio
My Commission Expires 4-1-2020

**DECLARATION AND REPRESENTATION
IN ACCORDANCE WITH O.R.C. §9.24
(Unresolved Findings for Recovery)**

In accordance with provisions of Ohio Revised Code Section 9.24, the undersigned contractor/bidder hereby certifies and represents to the City that it does not currently have any unresolved findings for recovery against it pending with the Ohio Auditor of State. The undersigned further understands and acknowledges that pursuant to law, the City, as owner, will conduct a search of the Auditor of State's available database to verify the within information; and further that if the undersigned contractor/bidder appears on the list indicating that there are one or more unresolved findings for recovery, then it will be prohibited under law and disqualified from being awarded a contract for goods, services or construction paid for in whole or in part with state funds. Such findings may also be considered by the City in determining the lowest and best contractor/bidder, even if no state funds are involved.

CONTRACTOR/BIDDER

Construction Resources, Inc.

By: 

Title: President

Date: 11/14/17

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

SWORN TO AND SUBSCRIBED before me this 14th day of NOVEMBER, 2017.


Notary Public

COLLEEN A. HEALEY
Notary Public, State of Ohio
My Commission Exp: 4-1-2020

**CERTIFICATION AND REPRESENTATIONS
CONCERNING CAMPAIGN CONTRIBUTIONS TO CITY OFFICIALS**

In accordance with City policy and consistent with the intent of provisions of Ohio Revised Code Section 3517.13 as amended, the undersigned contractor/bidder hereby certifies and represents to the City that neither it nor any of the following have during the past two (2) years made individual contributions exceeding \$1,000.00 to any City officials or their campaign committees who have or would be involved in awarding the contract, bid or purchase order being proposed or entered into: (i) an individual; or (ii) partner or owner of partnership or unincorporated association; (iii) shareholder of association; (iv) more than 20% shareholder if a corporation; (v) administrator of estate; (vi) executor of estate; (vii) trustee of trust or; (viii) spouse of any of the above.

The undersigned further understands and acknowledges that the City can confirm and verify the above information; and that if any of these certifications or representations are false, then the City will have the discretion to prohibit and disqualify the undersigned from being awarded a contract, bid or purchase order by the City for goods or services exceeding \$500.00 in value during any calendar year.

CONTRACTOR/BIDDER

Construction Resources, Inc.

By: [Signature], Pres.

Title: President

Date: 11/14/17

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

SWORN TO AND SUBSCRIBED before me this 14th day of NOVEMBER, 2017.

[Signature]
Notary Public

COLLEEN A. HEALEY
Notary Public, State of Ohio
My Commission Exp. 4-1-2020

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 197

By: Mayor Perciak and Mr. Short

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AGREEMENT(S) TO PURCHASE PROPERTY-CASUALTY AND RELATED INSURANCE COVERAGES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, by and through Ordinance No. 2016-216 Council authorized the Mayor and Director of Finance to enter into a contract with **TRAVELERS COMPANIES**, as carrier, through **THE FEDELI GROUP** for the purchase of the City's property-casualty, liability and related insurance coverages for the departments of the City under a new municipal insurance program commencing December 1, 2016 for a twelve (12) month period ending November 30, 2017; and

WHEREAS, the market for public entities insurance is limited to a few carriers and a proliferation of pools, and is becoming less favorable according to the City's independent insurance consultant; and

WHEREAS, the product and insurance program offered by Travelers Companies through The Fedeli Group is among the most competitive, and the carrier is highly rated; and

WHEREAS, because the City can maintain price stability and competitive rates, with no diminution in terms, conditions or coverage limits, the City's insurance consultant, Compensation Analysis, Inc., and Director of Finance have recommended that the City renew its policy and continue with The Fedeli Group with underwriting of coverages through Travelers Companies as the carrier for the next year; and

WHEREAS, therefore, this Council finds it would be in the City's best interest to forego the normal bidding or proposal procedure in order to obtain and renew insurance coverages at a reasonable and advantageous rate with minimal rate increase over the last year, to protect the City, its officers, employees, real and personal property.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Finance and various other Departments of the City of Strongsville, in that it is necessary to enter into a renewal of the contract with **TRAVELERS COMPANIES**, in order to avoid a gap in insurance coverage, to protect the City's officers, employees, real and personal property, to maintain reasonable insurance protection with advantageous premiums, and preserve the expenditure of funds in relation to insurance coverages and potential liability.

Section 2. That, for the reasons aforesaid, the Mayor and the Director of Finance be and are hereby authorized and directed to enter into a renewal of the agreement with **TRAVELERS COMPANIES** through **THE FEDELI GROUP** for the purchase of applicable

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 197

Page 2

insurance coverages to continue the City's current property-casualty and liability insurance program, commencing on December 1, 2017 for a twelve (12) month period ending November 30, 2018, in an amount not to exceed \$383,771.00 in annual premium. A copy of the agreement and policies including coverages are on file in the office of the Director of Finance and in the office of the City's insurance consultant, and shall be in a form to be approved by the Law Director.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the General Fund, Street Construction, Maintenance and Repair 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 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, property, health, safety and welfare, and for the further reason that the immediate renewal of the aforesaid insurance coverages is required in order to prevent a gap in coverages, to properly and completely protect the financial interests and property of the City, to ensure competitive premium rates, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote 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. 2017-197 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 198

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE 2018 CUYAHOGA COUNTY SUPPLEMENTAL GRANT PROGRAM FOR USE BY THE CITY OF STRONGSVILLE DEPARTMENT OF RECREATION & SENIOR SERVICES; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville Recreation & Senior Services Department offers a wide variety of programs and activities for residents and non-residents, and further sponsors many different types of community events; and

WHEREAS, Cuyahoga County has announced the availability of a Supplemental Grant Program for 2018 in connection with community development needs related to the health or welfare of the community; and

WHEREAS, in order to submit a timely application to be eligible to receive funding under the Cuyahoga County Supplemental Grant Program for the year 2018, the City, through its Department of Recreation & Senior Services, is requesting authorization to apply for such funding on a reimbursement basis in an amount of up to a maximum of \$50,000.00 for a community-sponsored activity/program; and

WHEREAS, when the City is advised that its application for funding under the Supplemental 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 Director of Recreation & Senior Services to submit an application for financial assistance to Cuyahoga County for the 2018 Supplemental Grant Program, in the form on file with the Director of Recreation & Senior Services.

Section 2. That this Council hereby approves the acceptance of any award of funding under such Grant Program for 2018, and hereby authorizes the Mayor, Director of Finance, Director of Recreation & Senior Services, and/or other appropriate officers of the City to do all things necessary in furtherance thereof.

Section 3. That any advance of funds under this Ordinance will be made from the Multi-Purpose Complex 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.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 198

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 the submission of such application for financial assistance in order to meet the application deadline to enable the City to proceed with the proposed community program, to accept such funds when awarded, 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. 2017-198 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 199

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF BREAD AND BAKERY PRODUCTS FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Orlando Baking Company]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, as in prior years, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **ORLANDO BAKING COMPANY** for the purchase of certain bread and bakery products in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **ORLANDO BAKING COMPANY**, without public bidding, in a total amount not to exceed \$6,500.00 during 2018 for the purchase of certain bread and bakery products for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 199
Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote 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. 2017-199 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

**Ehrnfelt Senior Center
Bread price Quote for 2018**

Date 9/18/17

Name of Company Orlando Baking Co.

Product	Price
Deli Rye	\$2.93
9 Grain	\$3.14
Deli Whole Wheat	\$2.67
Deli Italian	\$2.61
28 oz. Texas Toast	\$2.23
Raisin Bread	\$3.58
English Muffin	\$3.79
Dinner Rolls- Wheat	\$2.93
<i>36/PER CASE</i> Bagels Cinnamon #1374 Blueberry #1378 Plain #1370 Wheat #1376 Everything #1372	\$13.74 FOR CASE OF 36 = .38 cents EACH
4" Hamburger buns (12 pack)	\$1.73

BreadpriceQuote2018



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 200

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL FOODS AND DAIRY PRODUCTS FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Avalon Foodservice, Inc.]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, as in prior years, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **AVALON FOODSERVICE, INC.** for the purchase of certain general foods and dairy products in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **AVALON FOODSERVICE, INC.**, without public bidding, in a total amount not to exceed \$20,000.00 during 2018 for the purchase of certain general foods and dairy products for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 200

Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote 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. 2017-200 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

Ehrnfelt Senior Center
General Food/Dairy Price Quote for 2018

Date 9-27-17
Vendor Name AVAN

Size	Description	
100	Dairy Sour Cream Cup	20.36
1 oz	Juice Tomato Freshpack	17.16
12 46 oz	Applesauce Fancy	29.16
#10 cans	Pears Diced in Light Syrup	
#10 Cans		
6	Sauce Spaghetti Meatless	33.62
#10 can	Pancake Mix	33.72
6 5 lb.		
1	Noodles Egg medium 1/4"	20.55
10 lb.	Elbows Heavy Wall	23.21
1 20 lb.		
6	Ketchup Fancy	31.25
10# cans	Dressing buttermilk Ranch	45.63
4	Dressing Italian	32.65
1 4 1 Gallon	Quick Oats	31.08
12 42oz	Crackers Premium Saltines	16.24
500 2 pack	Eggbeaters	69.50
12-2#	Peanut Butter	7.52
5#		

EXHIBIT A

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 201

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF GENERAL FOODS, DAIRY AND BREAD PRODUCTS FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Gordon Food Services]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, as in prior years, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **GORDON FOOD SERVICES** for the purchase of certain general foods, dairy and bread products in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **GORDON FOOD SERVICES**, without public bidding, in a total amount not to exceed \$28,000.00 during 2018 for the purchase of certain general foods, dairy and bread products for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 201
Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote 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. 2017-201 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

Ehrnfelt Senior Center
 General Food/Dairy Price Quote for 2018

Date 9-18-17

Vendor Name Gordon Food Service



Size	Description	
100 1 oz	Dairy Sour Cream Cup	17.98
8 46 oz	Juice Tomato Freshpack	11.01
6 #10 cans	Applesauce Fancy	31.66
6 #10 Cans	Pears Diced in Light Syrup	50.14
6 #10 can	Sauce Spaghetti Meatless	35.79
6 5 lb.	Pancake Mix	27.97
1 10 lb.	Noodles Egg medium 1/4"	12.63
1 20 lb.	Elbows Heavy Wall	18.19
6 10# cans	Ketchup Fancy	32.66
4 1 Gallon	Dressing buttermilk Ranch	27.87
4 1 Gallon	Dressing Italian	29.11
12 42oz	Quick Oats	32.64
500 2 pack	Crackers Premium Saltines	14.57
12-2#	Eggbeaters	69.86
5#	Peanut Butter	12.16
6	5# White Cake Mix	57.03
6	5# Yellow Cake Mix	59.74

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 202

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [AC Zak Distributors, LLC]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, as in prior years, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **AC ZAK DISTRIBUTORS, LLC dba MIKE'S SERVICE MEATS** for the purchase of certain meat, fish and poultry in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **AC ZAK DISTRIBUTORS, LLC dba MIKE'S SERVICE MEATS** without public bidding, in a total amount not to exceed \$10,500.00 during 2018 for the purchase of certain meat, fish and poultry for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 202
Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote 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. 2017-202 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

Ehrnfelt Senior Center
Meat Price Quote per pound for 2018

Description	
Chicken - bone in breast	1.29
Layout bacon	4.25
Ground beef	2.39
Skinless turkey breast- for sandwiches	4.15
Breakfast sausage link	2.99
Tavern Ham- for sandwiches	2.49
Boneless skinless chicken breast- 4 oz.	2.99
Beef Round Roast	2.85
Boneless skinless chicken breast- 5 oz.	2.99
Swiss Steak	—
St. Louis ribs	3.00
Pork Loin <i>3lbs</i>	1.74
Tilapia <i>5/7oz</i>	2.50
Battered Pollock <i>9oz</i>	3.59
Cook-in-bag boneless Turkey Breast	2.59

Apples

40# Box

Large Loose Eggs
15 DZD \$15.30
CASE

Butter cups 8# - 31.92
CASE

SPARS - 20.75
5oz - 1oz

Slice AMOR 2.44 LB.
- WHITE/YELLOW

Slice SWISS - 3.35 LB.

Smoked RICHMOND
3.09 LB

SPECIAL 2.14

Swiss Cubes
4.19 LB

Cheddar Cubes
3.61 LB.

COLBY JACK CUBES
3.14 LB

PEPPER JACK CUBES
3.88 LB

Butter Ball

SOPHIE
PIEROGI'S
POT-CHE - 3.09.
SPATZLES - 2.39

AC Zak Distributors, LLC
-dba- Mike's Service Meats

3272 West 67th Place
Cleveland, Ohio 44102

Florian Maruszak
Owner
216-631-9420
zakdist@att.net



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 203

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Blue Ribbon Meats, Inc.]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, as in prior years, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **BLUE RIBBON MEATS, INC.** for the purchase of certain meat, fish and poultry in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **BLUE RIBBON MEATS, INC.**, without public bidding, in a total amount not to exceed \$18,500.00 during 2018 for the purchase of certain meat, fish and poultry for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 203
Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote 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. 2017-203 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

**Ehrnfelt Senior Center
Meat Price Quote per pound for 2018**

Date: 9-20-2017

Name of Company: Blue Ribbon Meats Inc

Description	
Chicken – bone in breast	2.39
Layout bacon	4.69
Ground beef	2.79
Skinless turkey breast- for sandwiches	4.99
Breakfast sausage link	3.10
EZ Carve Ham- for sandwiches	2.89
Boneless skinless chicken breast- 4 oz. fresh	3.19
Beef Top Round Roast	3.25
Boneless skinless chicken breast- 5 oz. fresh	3.19
Swiss Steak	5.25
St. Louis ribs raw	3.19
Pork Loin bnls cc	2.45
Tilapia IQF 3/5	2.99
Battered Pollock 3oz	5.49
Cook-in-bag boneless Turkey Breast	3.99
Total	53.84

MeatpriceQuote2018



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 204

By: Mayor Perciak and Mr. Southworth

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PRODUCE FOR USE AT THE WALTER F. EHRSFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. [Sanson Company]

WHEREAS, in certain previous years, Council had authorized the Mayor to advertise for bids for various categories of food products and supplies for use at the Walter F. Ehrnfelt Recreation & Senior Center; and

WHEREAS, for most categories no bids were received; and

WHEREAS, the Director of Recreation & Senior Services, therefore, has recommended to the Mayor and this Council that due to the fact that the existing contracts for such items will expire, the Walter F. Ehrnfelt Recreation & Senior Center will need to purchase food products and supplies for 2018; and it appears that there will likely again be a lack of bids submitted for such food products and supplies, therefore, it would be in the City's best interests to accept negotiated prices with various vendors for the various food products and supplies needed in order to provide better quality products and conserve public funds; and

WHEREAS, the Mayor and Council are desirous of proceeding with the recommendation of the Director of Recreation & Senior Services.

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Walter F. Ehrnfelt Recreation & Senior Center, in that it is immediately necessary to enter into a contract, without public bidding, with **THE SANSON COMPANY** for the purchase of certain produce products in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor to enter into a contract with **THE SANSON COMPANY**, without public bidding, in a total amount not to exceed \$15,000.00 during 2018 for the purchase of certain produce products for use by the Walter F. Ehrnfelt Recreation & Senior Center, based upon initial unit prices, as more fully set forth in Exhibit "A", attached hereto and incorporated herein by reference.

Section 3. That the funds for the purposes of said contract will be appropriated and shall be paid from the Multi-Purpose Complex 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

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2017 - 204
Page 2

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 enter into said contract in order to provide for the continuity of services, operation and maintenance of the Walter F. Ehrnfelt Recreation & Senior Center, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

_____ 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. 2017-204 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

Ehrnfelt Senior Center
2018 Produce Price

Item	Sanson
Bananas 40 lbs.	\$17.85
Carrots 25 lbs	\$8.00
Pineapple 8 lbs.	\$10.00
Broccoli #14	\$18.00
Celery # 24	\$18.00
Cucumber #24	\$10.00
Green peppers- med. Case	\$14.00
Romaine Lettuce #24 case	\$20.00
Tomatoes layer 4x4	\$14.00
Potato 100 count	\$16.00
Red potato A- 50 lbs.	\$16.00
Mushrooms 10 lbs.	\$14.00
Strawberries-8 qt	\$10.00
Blueberries-12 pints	\$28.00
Onions Yellow- 50 lbs.	\$16.00
Onions Red- 25 lbs.	\$15.00
2.5# Spinach	\$15.00
Red Leaf Lettuce	\$14.00
Romaine Lettuce heads	\$16.00
Total	\$289.85

Produceprice2018

EXHIBIT A

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 – 205

By: Mr. Southworth

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF STRONGSVILLE DURING 2018.

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

Section 1. That the Mayor be and is hereby authorized to advertise for bids for the purchase of youth sports wearing apparel for use by the Recreation Department of the City of Strongsville during 2018, in accordance with specifications on file in the office of the Director of Recreation & Senior Services, 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 Multi-Purpose Complex Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this 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. 2017-205 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 206

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OHIO GOVERNMENT BENEFIT COOPERATIVE CONSORTIUM AGREEMENT HEALTH CARE PROGRAM FOR CITY EMPLOYEES AND ELIGIBLE DEPENDENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville government has been progressive in its approach to continually providing a comprehensive health benefits plan for its employees and eligible dependents in order to keep health insurance premiums as reasonable as possible; and

WHEREAS, the Ohio Government Benefit Cooperative sponsors a joint self-insurance health care program for political subdivisions and groups of political subdivisions, for the purposes of maximizing benefits and/or reducing costs of medical, prescription drug, vision, dental, life and /or other group insurance coverages for the political subdivisions' and groups of political subdivisions' employees and their eligible dependents and designated beneficiaries; and

WHEREAS, the City of Strongsville considers that it is in the best interests of the City to join Ohio Government Benefit Cooperative; and

WHEREAS, Council is now desirous of proceeding to enter into an agreement for such program.

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 authorizes the City of Strongsville to join the Ohio Government Benefit Cooperative in accordance with the terms and conditions of the Ohio Government Benefit Cooperative Consortium Agreement attached hereto as Exhibit A, and made a part hereof.

Section 2. That the Mayor is hereby authorized and directed, on behalf of the City of Strongsville, to execute and deliver the Consortium Agreement.

Section 3. That the Mayor and Director of Finance are hereby authorized and directed, on behalf of the City of Strongsville, to execute and deliver such documents and to take such actions as may be necessary or appropriate to enroll the City of Strongsville in the Ohio Government Benefit Cooperative's benefit programs, and to execute and deliver such other documents and take such other actions as may be necessary or appropriate at any time or from time to time to continue participation in the benefit programs.

Section 4. That the Director of Finance is hereby authorized and directed to certify and remit when due to the Ohio Government Benefit Cooperative, all funds to be paid in accordance with the Consortium Agreement, including without limitation all funds necessary to pay for the City of Strongsville's participation in all benefit programs.

Section 5. That the funds necessary for the purposes of this Ordinance have been appropriated and shall be paid from the Health Insurance Reserve Fund.

Section 6. That the Mayor or the Mayor's designee is hereby appointed to be the City of Strongsville's representative on the Board of Directors of the Ohio Government Benefit Cooperative, and is hereby authorized and directed to serve and act as a member of the Board of Directors in accordance with the governing documents and actions of the Ohio Government Benefit Cooperative.

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 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 8. 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 said agreement in order to participate with the consortium in maximizing health benefits, 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. 2017-206 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 – 207

By: Mayor Perciak and All Members of Council

**A RESOLUTION IN SUPPORT OF PANCREATIC CANCER
AWARENESS DURING THE MONTH OF NOVEMBER.**

WHEREAS, in the United States of America, pancreatic cancer is the third leading cause of cancer deaths and is projected to be the second leading cause by the year 2020, and in 2017, more than 53,000 Americans will be diagnosed with the disease; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is sometimes too late for an optimistic prognosis, and as one of the deadliest cancers, pancreatic cancer survival within the first year of diagnosis is 20 percent and the five-year rate just 7 percent; and

WHEREAS, the Pancreatic Cancer Action Network is the leading national patient advocacy organization that serves the pancreatic cancer community nationwide by focusing its efforts on public policy, research funding, patient services, public awareness and education related to developing effective treatments and a cure for this devastating disease; and

WHEREAS, the good health and well-being of the residents of our community are enhanced by increased awareness about pancreatic cancer, and the Pancreatic Cancer Action Network and their affiliates in the Cleveland area support those patients currently battling pancreatic cancer, as well as honor those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, the City of Strongsville recognizes in a special way that there are members of our own community and workplaces who have been touched in some way by the disease of pancreatic cancer; and

WHEREAS, annually, the month of November is designated as Pancreatic Cancer Awareness Month, with this year November 16, 2017 being named World Pancreatic Cancer Day.

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

Section 1. That the City, through the Mayor and this Council, recognize the importance of Pancreatic Cancer Awareness Month during the month of November, with November 16, 2017 being named World Pancreatic Cancer Day, and encourage the residents of the City of Strongsville to support efforts to raise awareness of this disease and encourage all endeavors to find a cure.

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 actions were in meetings open to the public, in compliance with all legal requirements.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2017 - 207
Page 2

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

President of Council

Approved: _____
Mayor

Date Passed: _____ Date Approved: _____

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

Attest: _____
Clerk of Council

RES
ORD. No. 2017-207 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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