

City Council

Michael J. Daymut Ward 1

Annmarie P. Roff Ward 2

Kelly A. Kosek Ward 3

Gordon C. Short Ward 4

Joseph C. DeMio At-Large

James E. Carbone At-Large

Matthew A. Schonhut At-Large

Aimee Pientka, MMC Clerk of Council

Tiffany Mekeel, CMC Assistant Clerk of Council

City of Strongsville

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

July 25, 2018

MEETING NOTICE

The following meeting has been scheduled by Council for <u>Friday</u>, <u>July 27</u>, <u>2018</u>, to be held in the in the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road:

8:15 A.M. Special Council Meeting for the purpose to consider certain ordinances and/or resolutions.

Any other matters which may properly come before this Municipal Body may also be discussed.

BY ORDER OF THE COUNCIL:

Aimee Pientka, MMC Clerk of Council

AGENDA FOR THE STRONGSVILLE CITY COUNCIL SPECIAL MEETING

FRIDAY, JULY 27, 2018 AT 8:15 A.M.

- 1. CALL TO ORDER:
- 2. CERTIFICATION OF POSTING:
- 3. ROLL CALL:
- 4. ORDINANCES AND RESOLUTIONS:
 - Ordinance No. 2018-123 by Ms. Kosek and Ms. Roff. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. First reading 07-16-18.
 - Ordinance No. 2018-124 by Ms. Kosek and Ms. Roff. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" IN SECTION 1, IN ORDER TO INCREASE THE NUMBER OF QUALIFIED ELECTORS TO BE APPOINTED BY THE MAYOR AND CITY COUNCIL TO SERVE ON A CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY. First reading 07-16-18.
- 5. OTHER BUSINESS:
- 6. ADJOURNMENT:

ORDINANCE NO. 2018 – <u>123</u>

By: Ms. Kosek and Ms. Roff

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article IX, Section 2 of the City Charter, the City Council may submit any proposed amendment to the Charter to the electors; and

WHEREAS, therefore, this Council has recommended certain amendments to Article V, Section 5(b) of the City's Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL MEMBERS THEREOF CONCURRING:

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide that Council may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding:

Section 5(b) of Article V of the City Charter shall be amended to read as follows:

ARTICLE V FINANCE

SECTION 5. PUBLIC BIDDING

(b) The Council, by unanimous an affirmative vote of not less than six (6) of its members, may authorize expenditures of funds of the City exceeding the limitations established by the Charter without public bidding and advertising for the acquisition of real estate; for the discharge of non-contractual claims against the City; for personal services; for the joint use of facilities or exercise of powers with other political subdivisions; for the product or services of

public utilities (including those municipally and publicly operated); in the case of a real and present emergency arising in connection with the operation and maintenance of a department, division, commission, bureau or board of the municipality, for work to be done or for the purchase of supplies or materials; or for expenditures without public bidding authorized by the General Laws of Ohio. Notwithstanding the foregoing, if any Council member present votes against the expenditures of funds, the legislation shall not pass. (Amended 11-4-80.)

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 5(b) of Article V shall be and the same is hereby repealed and replaced by the new Section 5(b) of said Article V.

Section 3. That it is the desire of the Council that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 5(b) of Article V of the City Charter be amended to provide that Council by an affirmative vote of not less than six (6) of its members may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding, unless any Council member present votes against the expenditure?

YES
NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 8, 2018.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 6, 2018 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 6, 2018, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 6, 2018 election, all as provided in Article XVIII, Section 9 of the

CITY OF STRONGSVILLE, OHIO ORDINANCE NO. 2018 – 123 Page 3

Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

Section 7. That there is hereby appropriated from the General Fund a sufficient sum of money to pay the costs of carrying out the authorizations and directives of this Ordinance.

Section 8. 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.

			Approved:		
President of Council			Mayor		
Date Passed	d::		Date Approved:		
Carbone Daymut DeMio Kosek Roff Schonhut Short	<u>Yea</u>	<u>Nay</u>	ORD. No.2018 - 12: 1st Rdg. 07-16-18 2nd Rdg. 3rd Rdg. Pub Hrg. Adopted:	Ref: COW Ref:Ref:	

ORDINANCE NO. 2018 – <u>123</u>

By: Ms. Kosek and Ms. Roff

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY, AS AMENDED.

WHEREAS, in accordance with Article IX, Section 2 of the City Charter, the City Council may submit any proposed amendment to the Charter to the electors; and

WHEREAS, therefore, this Council has recommended certain amendments to Article V, Section 5(b) of the City's Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL MEMBERS THEREOF CONCURRING:

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide that Council may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding:

Section 5(b) of Article V of the City Charter shall be amended to read as follows:

ARTICLE V FINANCE

SECTION 5. PUBLIC BIDDING

(b) The Council, by unanimous an affirmative vote of not less than six (6) of its members unanimous vote of members of Council in attendance and voting at that meeting, may authorize expenditures of funds of the City exceeding the limitations established by the Charter without public bidding and advertising for the acquisition of real estate; for the discharge of

non-contractual claims against the City; for personal services; for the joint use of facilities or exercise of powers with other political subdivisions; for the product or services of public utilities (including those municipally and publicly operated); in the case of a real and present emergency arising in connection with the operation and maintenance of a department, division, commission, bureau or board of the municipality, for work to be done or for the purchase of supplies or materials; or for expenditures without public bidding authorized by the General Laws of Ohio.

Notwithstanding the foregoing, if any Council member present votes against the expenditures of funds, the legislation shall not pass.

(Amended 11-4-80.)

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 5(b) of Article V shall be and the same is hereby repealed and replaced by the new Section 5(b) of said Article V.

Section 3. That it is the desire of the Council that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 5(b) of Article V of the City Charter be amended to provide that Council by an affirmative vote of not less than six (6) of its members unanimous vote of members of Council in attendance and voting at that meeting may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding unless any Council member present votes against the expenditure?

YES
NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 8, 2018.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 6, 2018 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive

CITY OF STRONGSVILLE, OHIO ORDINANCE NO. 2018 – 123 Page 3

weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 6, 2018, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 6, 2018 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

Section 7. That there is hereby appropriated from the General Fund a sufficient sum of money to pay the costs of carrying out the authorizations and directives of this Ordinance.

Section 8. 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.

Pres	sident of Cour	ncil	Approved: Mayor	
Date Passe	d:		Date Approved:	
Carbone Daymut DeMio Kosek Roff Schonhut Short	<u>Yea</u>	<u>Nay</u>	Clerk of Council ORD. No. 2018 - 123 Amended:	
			Pub Hrg Ref: Adopted: Defeated:	

ORDINANCE NO. 2018 – <u>124</u>

By: Ms. Kosek and Ms. Roff

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" IN SECTION 1, IN ORDER TO INCREASE THE NUMBER OF QUALIFIED ELECTORS TO BE APPOINTED BY THE MAYOR AND CITY COUNCIL TO SERVE ON A CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article IX, Section 2 of the City Charter, the City Council may submit any proposed amendment to the Charter to the electors; and

WHEREAS, therefore, this Council has recommended certain amendments to Article X, Section 1 of the City's Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL MEMBERS THEREOF CONCURRING:

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide for an increase in the number of qualified electors to be appointed by the Mayor and City Council to serve on a Charter Review Committee:

Section 1 of Article X of the City Charter shall be amended to read as follows:

ARTICLE X CHARTER REVIEW COMMITTEE

SECTION 1. REVIEW.

On January 1, 1965 and at least once every five (5) years thereafter, the Mayor shall appoint a committee of nine qualified electors of the Municipality to be known as a Charter Review Committee, consisting of eleven (11) qualified electors, shall be appointed. The Mayor shall appoint one (1) qualified elector to the Committee from each of the four (4) City Wards. Each Council member shall appoint one (1) qualified elector to the Committee. Such Committee shall review and recommend to Council not less than ninety (90) days prior to the next November election, any alterations, revisions and amendments to this Charter as in its judgment seem advisable. The Council

shall submit to the electors any such proposed alterations, revisions, or amendments to the Charter at the next regular November election. Each said Charter Review Committee shall cease to function on the day of the next November election following its appointment. The members shall serve without compensation unless otherwise provided by ordinance.

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 1 of Article X shall be and the same is hereby repealed and replaced by the new Section 1 of said Article X.

Section 3. That it is the desire of the Council that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 1 of Article X of the City Charter be amended to increase the number of citizens serving on the Charter Review Committee to eleven (11) and to provide that the Mayor shall appoint one (1) qualified elector from each of the City's Wards to the Charter Review Committee and each Council Member shall appoint one (1) qualified elector to the Charter Review Committee?

YES
NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 8, 2018.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 6, 2018 on the foregoing amendments to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendments to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 6, 2018, or to mail a copy of such proposed Charter amendments to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 6, 2018 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

CITY OF STRONGSVILLE, OHIO ORDINANCE NO. 2018 – <u>124</u> Page 3

Section 7. That there is hereby appropriated from the General Fund a sufficient sum of money to pay the costs of carrying out the authorizations and directives of this Ordinance.

Section 8. 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.

President of Council			Approved: Mayor	
Date Passe	od:		Date Approved:	
Carbone Daymut DeMio Kosek Roff Schonhut Short	<u>Yea</u>	<u>Nay</u>	ORD. No. 2018 - 124 Amended: 1st Rdg. 07-16-18 Ref: 2nd Rdg. Ref: 3rd Rdg. Ref:	
			Pub Hrg Ref: Adopted: Defeated:	

ORDINANCE NO. 2018 – <u>124</u>

By: Ms. Kosek and Ms. Roff

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" IN SECTION 1, IN ORDER TO INCREASE THE NUMBER OF QUALIFIED ELECTORS TO BE APPOINTED BY THE MAYOR AND CITY COUNCIL TO SERVE ON A CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY, AS AMENDED.

WHEREAS, in accordance with Article IX, Section 2 of the City Charter, the City Council may submit any proposed amendment to the Charter to the electors; and

WHEREAS, therefore, this Council has recommended certain amendments to Article X, Section 1 of the City's Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL MEMBERS THEREOF CONCURRING:

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide for an increase in the number of qualified electors to be appointed by the Mayor and City Council to serve on a Charter Review Committee:

Section 1 of Article X of the City Charter shall be amended to read as follows:

ARTICLE X CHARTER REVIEW COMMITTEE

SECTION 1. REVIEW.

On January 1, 1965 and at least once every five (5) years thereafter, the Mayor shall appoint a committee of nine qualified electors of the Municipality to be known as a Charter Review Committee After January 1, 2019, the Mayor shall call for the creation of a Charter Review Committee at least once every five (5) years, consisting of eleven (11) qualified electors of the Municipality, shall be appointed. The Mayor shall appoint to the Committee one (1) qualified elector of the Municipality to the Committee from each of the four (4) City Wards. Each Council member shall appoint to the

Committee one (1) qualified elector to the Committee of the Municipality. No employee, elected official or appointed official of the City, including any member of any Board or Commission of the City, shall be eligible to serve on the Charter Review Committee. Such Committee shall review and recommend to Council not less than ninety (90) days prior to the next November election, any alterations, revisions and amendments to this Charter as in its judgment seem—it deems advisable. The Council shall—may submit to the electors any such proposed alterations, revisions, or amendments to the Charter at the next regular November election. Each said Charter Review Committee shall cease to function on the day of the next November election following its appointment. The members shall serve without compensation unless otherwise provided by ordinance.

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 1 of Article X shall be and the same is hereby repealed and replaced by the new Section 1 of said Article X.

Section 3. That it is the desire of the Council that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 1 of Article X of the City Charter be amended to increase the number of citizens serving on the Charter Review Committee to eleven (11) and to provide that the Mayor shall appoint one (1) qualified elector of the Municipality from each of the City's Wards to the Charter Review Committee and each Council Member shall appoint one (1) qualified elector of the Municipality to the Charter Review Committee?

	YES
П	NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 8, 2018.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 6, 2018 on the foregoing amendments to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

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Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendments to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 6, 2018, or to mail a copy of such proposed Charter amendments to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 6, 2018 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

Section 7. That there is hereby appropriated from the General Fund a sufficient sum of money to pay the costs of carrying out the authorizations and directives of this Ordinance.

Section 8. 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.

President of Council		ncil	Approved: Mayor	
Date Passed:			Date Approved:	
Carbone Daymut DeMio Kosek Roff Schonhut Short	<u>Yea</u>	<u>Nay</u>	Clerk of Council ORD. No. 2018 - 124 Amended: 1st Rdg. Ref: 2nd Rdg. Ref: 3rd Rdg. Ref: Pub Hrg. Ref:	
			Adopted: Defeated:	