



# City of Strongsville

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

## City Council

James A. Kaminski  
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



November 11, 2021

### MEETING NOTICE

City Council has scheduled the following meetings for **Monday, November 15, 2021**, 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.**

**Finance Committee** will meet to discuss Ordinance Nos. 2021-139, 2021-140, 2021-141, 2021-142, 2021-148 and 2021-149.

*Motion to approve the Finance Committee meeting minutes of October 28, 2021.*

**Public Safety and Health Committee** will meet to discuss Ordinance Nos. 2021-150, 2021-151, 2021-152 and 2021-153.

**Public Service and Conservation Committee** will meet to discuss Ordinance Nos. 2021-154 and 2021-155.

**Communications and Technology Committee** will meet to discuss Ordinance No. 2021-156.

**Recreation and Community Services Committee** will meet to discuss Resolution Nos. 2021-157, 2021-158, 2021-159 and 2021-160.

**Committee of the Whole** will consider a motion to go into Executive Session for the purpose of discussing personnel matters pertaining to the Council Office.

**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 15, 2021 AT 8:00 P.M.**

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

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**AGENDA**

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
  - *Council Meeting – November 1, 2021*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
7. REPORTS OF COUNCIL COMMITTEE:
  - SCHOOL BOARD – Ms. Kosek:
  - SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Short:
  - BUILDING AND UTILITIES – Mr. DeMio:
  - COMMUNICATIONS AND TECHNOLOGY – Ms. Roff:
  - ECONOMIC DEVELOPMENT – Mr. Carbone:
  - FINANCE – Mr. DeMio:
  - PLANNING, ZONING AND ENGINEERING – Mr. Schonhut:
  - PUBLIC SAFETY AND HEALTH – Mr. Short:
  - PUBLIC SERVICE AND CONSERVATION – Mr. Kaminski:
  - RECREATION AND COMMUNITY SERVICES – Ms. Kosek:
  - COMMITTEE-OF-THE-WHOLE – Mr. Schonhut:
8. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:
  - MAYOR PERCIAK:
  - FINANCE DEPARTMENT:
  - LAW DEPARTMENT:

9. AUDIENCE PARTICIPATION:

10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2021-139 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 AN ARBY'S 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 11/01/21.*
- Ordinance No. 2021-140 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 FREDDY'S 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 11/01/21.*
- Ordinance No. 2021-141 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 SPRAGUE ROAD 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 11/01/21.*
- Ordinance No. 2021-142 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 STRICKLAND 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 11/01/21.*
- Ordinance No. 2021-148 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2021 AND REPEALING ORDINANCE NO. 2021-137.

- Ordinance No. 2021-149 by Mayor Perciak and All Members of Council. 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. 2021-150 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THIRD AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BROOK PARK, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2022, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-151 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIFTH AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF OLMSTED FALLS, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2022, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-152 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS TO THE HVAC SYSTEM AT THE CITY'S POLICE DEPARTMENT HEADQUARTERS BUILDING ON ROYALTON ROAD, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-153 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING AN AGREEMENT WITH CUYAHOGA COUNTY AND THE CUYAHOGA COUNTY JUVENILE COURT IN CONNECTION WITH A COMMUNITY DIVERSION PROGRAM TO ADDRESS JUVENILE MISDEMEANOR AND STATUS OFFENDERS IN THE CITY OF STRONGSVILLE FOR THE YEARS 2022 AND 2023, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-154 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION, OF CERTAIN OBSOLETE PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY. [GovDeals]
- Ordinance No. 2021-155 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF CERTAIN OBSOLETE AND SURPLUS VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY. [Greater Cleve. Auto Auction]
- Ordinance No. 2021-156 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2020-084 TO INCREASE THE DOLLAR AMOUNT AUTHORIZED FOR THE PURCHASE OF CELLULAR COMMUNICATIONS SERVICES AND EQUIPMENT FOR USE BY VARIOUS DEPARTMENTS OF THE CITY; AND DECLARING AN EMERGENCY.
- Resolution No. 2021-157 by Mayor Perciak and All Members of Council. 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 2022, AND DECLARING AN EMERGENCY.

- Resolution No. 2021-158 by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR NIGHTLY JANITORIAL SERVICES AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER FACILITY IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Resolution No. 2021-159 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE KIWANIS CLUB OF STRONGSVILLE IN ORDER FOR THE CITY OF STRONGSVILLE TO PURCHASE PARK BENCHES FOR THE COMMONS AREA IN THE STRONGSVILLE TOWN CENTER.
- Resolution No. 2021-160 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE STRONGSVILLE CITY CLUB IN ORDER FOR THE CITY OF STRONGSVILLE TO PURCHASE TRASH RECEPTACLES FOR THE CITY OF STRONGSVILLE COMMONS AREA.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

- Application for Permit: **NEW D5I:** To: Seafood Shake Boil Strongsville Inc. dba: **Seafood Shake Boil**, 16532 Royalton Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 11/22/21).
- Application for Permit: **TRFO C1-C2:** To: Jayom LLC dba: **Mobil Beverage**, 8952 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 11/29/21).
- Application for Permit: **NEW D3:** To: Khouri Enterprises Inc. dba: **Gourmet Family Restaurant**, 15313 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 11/29/21).
- Application for Permit: **NEW D3A:** To: **Barrio Bros LLC** 13169 Prospect Road, Strongsville, Ohio 44149 (Responses must be postmarked no later than 11/29/21).

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 139

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 AN **ARBY'S** 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 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 **ARBY'S** 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 **ARBY'S** 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.

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: \_\_\_\_\_, 2021      Date Approved: \_\_\_\_\_, 2021

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-139      Amended: \_\_\_\_\_  
 1st Rdg. 11-01-21      Ref: Finance  
 2nd Rdg. \_\_\_\_\_      Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_      Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_      Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_      Defeated: \_\_\_\_\_



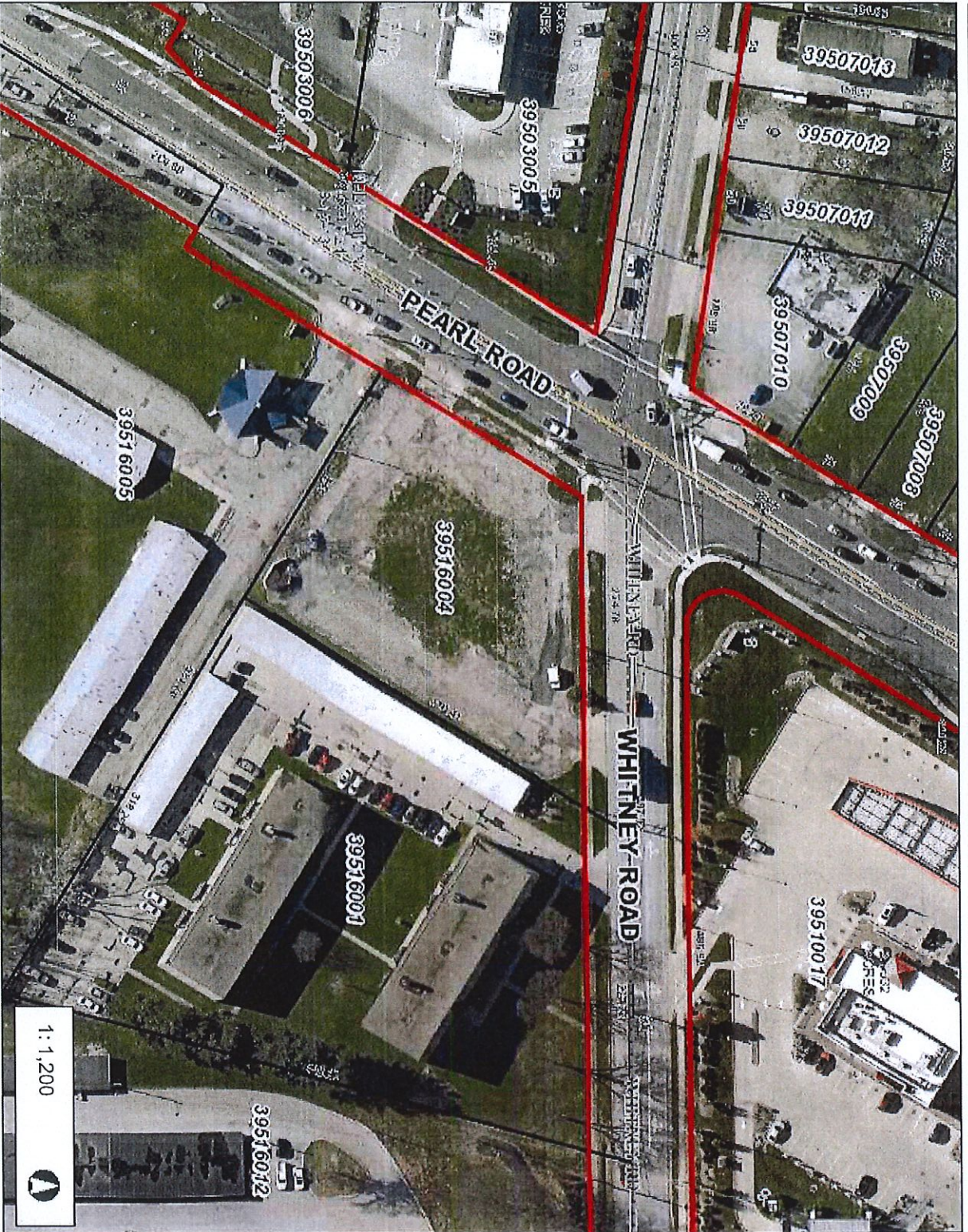
**EXHIBIT A**  
**THE PROPERTY**

**CITY OF STRONGSVILLE**  
**ARBY'S TIF Parcel Numbers**

395-16-004



# Cuyahoga County GIS Viewer



1:1,200



200 0 100 200 Feet

Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



Date Created: 10/6/2021

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

*Arby's  
TIF*

*395-16-004*

## **EXHIBIT B**

### **DESCRIPTION OF THE PUBLIC IMPROVEMENTS**

The Public Improvements consist of

- (i) the widening of and other improvements to Pearl Road from terminus to terminus and 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,
- (ii) the widening of and other improvements to Whitney Road from terminus to terminus and 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 the Property.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 140

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 **FREDDY'S** 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 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 **FREDDY'S** 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 **FREDDY'S** 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.

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: \_\_\_\_\_, 2021

Date Approved: \_\_\_\_\_, 2021

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-140 Amended: \_\_\_\_\_  
 1st Rdg. 11-01-21 Ref: Finance  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

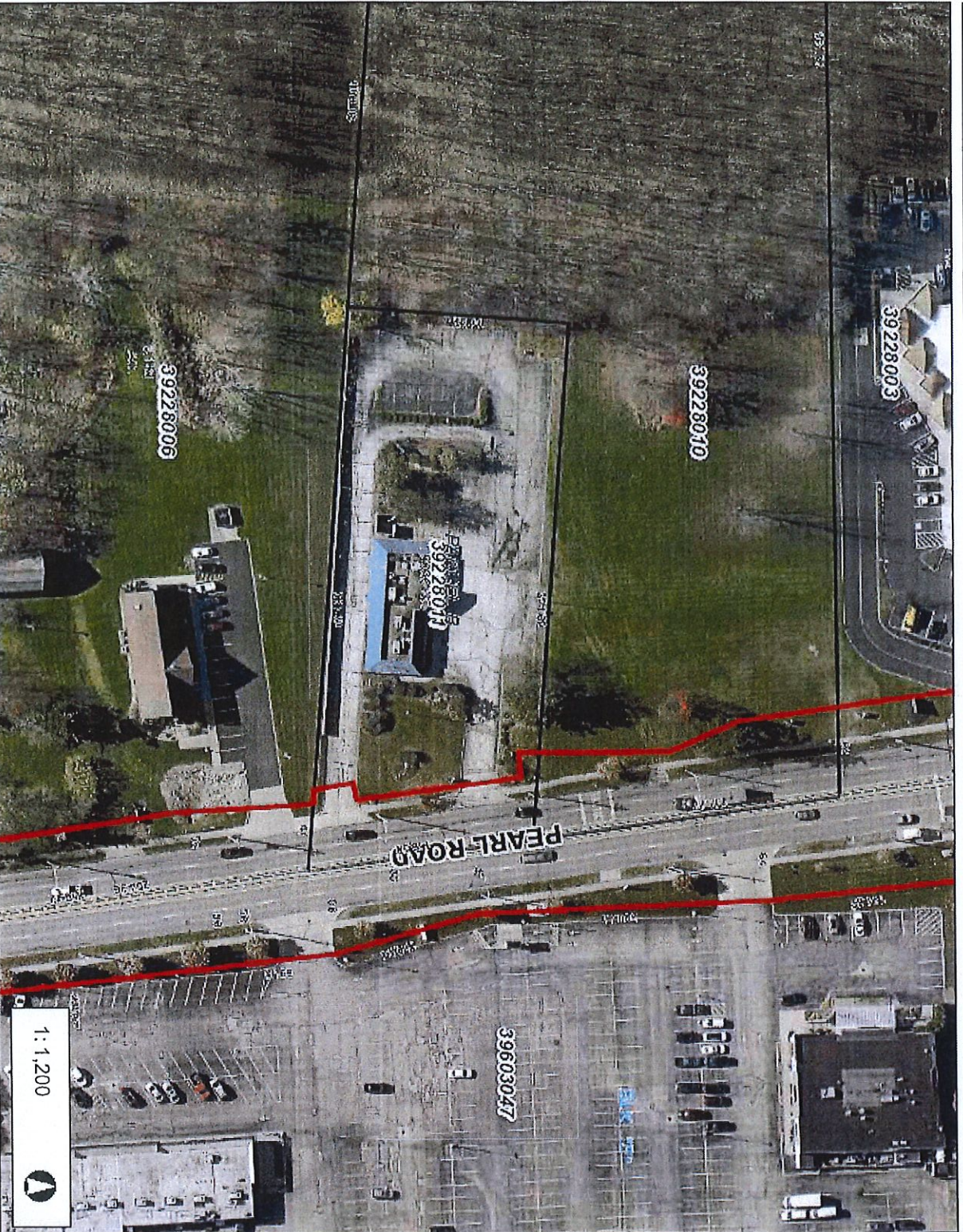
**EXHIBIT A**  
**THE PROPERTY**

**CITY OF STRONGSVILLE**  
**FREDDY'S TIF Parcel Numbers**

392-28-011



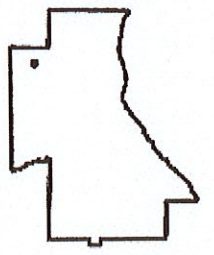
# Cuyahoga County GIS Viewer



Projection:  
MGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

1:1,200

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



Date Created: 10/6/2021

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

*Freddy's*  
*T11F*  
*392-28-011*



## **EXHIBIT B**

### **DESCRIPTION OF THE PUBLIC IMPROVEMENTS**

The Public Improvements consist of

- (i) the widening of and other improvements to Pearl Road from terminus to terminus and 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,
- (ii) the widening of and other improvements to Royalton Road from terminus to terminus and 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 the Property.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 141

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 **SPRAGUE ROAD 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 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 **SPRAGUE ROAD** 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 **SPRAGUE ROAD** 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.

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: \_\_\_\_\_, 2021      Date Approved: \_\_\_\_\_, 2021

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-141      Amended: \_\_\_\_\_  
 1st Rdg. 11-01-21      Ref: Finance  
 2nd Rdg. \_\_\_\_\_      Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_      Ref: \_\_\_\_\_

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Pub Hrg. \_\_\_\_\_      Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_      Defeated: \_\_\_\_\_

**EXHIBIT A**  
**THE PROPERTY**

**CITY OF STRONGSVILLE**  
**SPRAGUE ROAD TIF Parcel Numbers**

395-12-001



# Cuyahoga County GIS Viewer



Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:2,400



Date Created: 10/6/2021

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

*Sprague Rd.  
TIF  
395-12-001*

## EXHIBIT B

### DESCRIPTION OF THE PUBLIC IMPROVEMENTS

The Public Improvements consist of

- (i) the widening of and other improvements to Sprague Road from terminus to terminus and 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,
- (ii) the widening of and other improvements to Webster Road from terminus to terminus and 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,
- (iii) the widening of and other improvements to W. 130th Street from terminus to terminus and 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 the Property.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 142

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 **STRICKLAND** 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 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 **STRICKLAND** 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 **STRICKLAND** 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.

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: \_\_\_\_\_, 2021      Date Approved: \_\_\_\_\_, 2021

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-142 Amended: \_\_\_\_\_  
 1st Rdg. 11-01-21 Ref: Finance  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

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Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

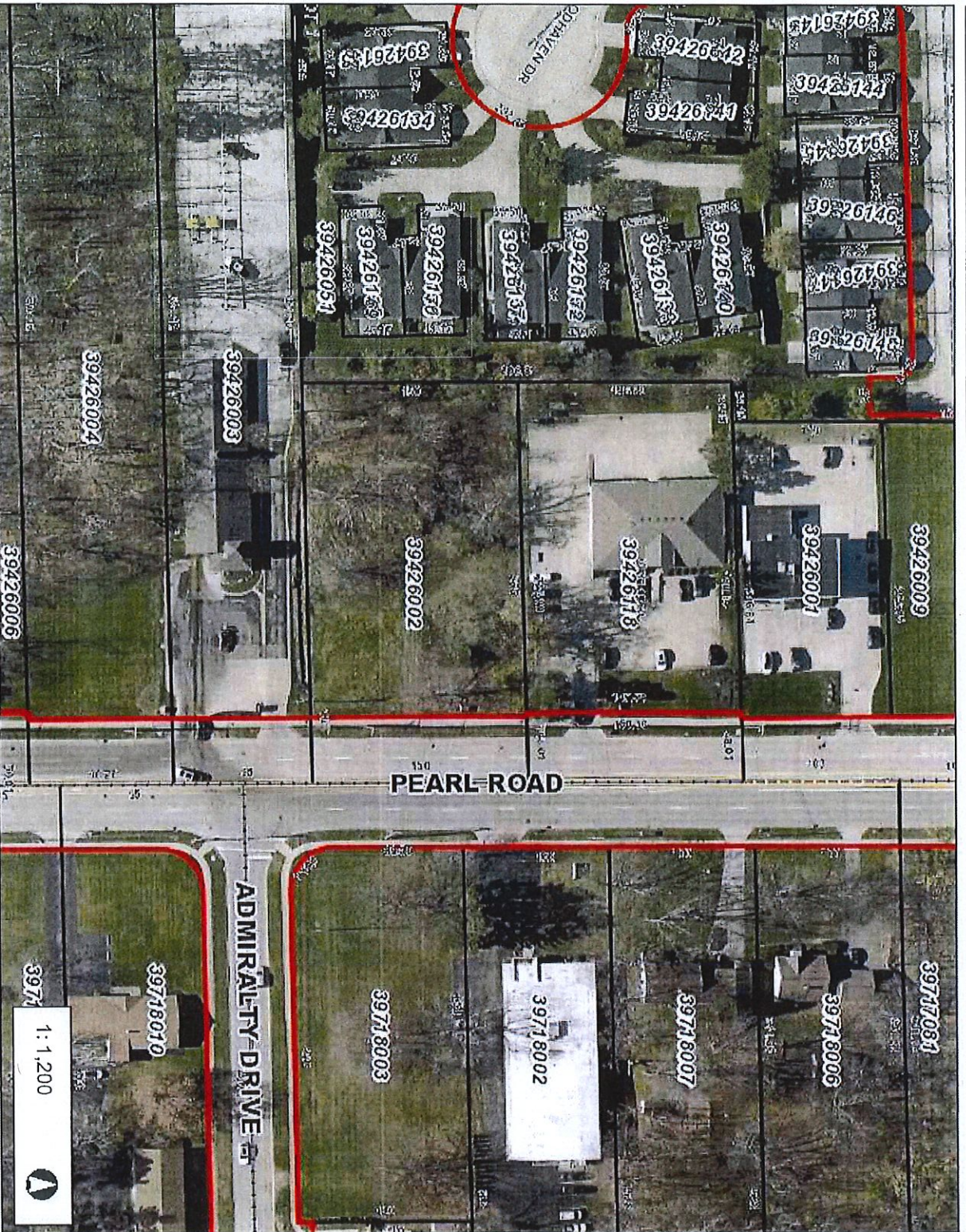
**EXHIBIT A**  
**THE PROPERTY**

**CITY OF STRONGSVILLE**  
**STRICKLAND TIF Parcel Numbers**

394-26-002



# Cuyahoga County GIS Viewer

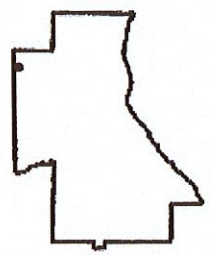


Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

*Strickland TIF*

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:1,200



Date Created: 10/6/2021

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

*394-26-002*

## **EXHIBIT B**

### **DESCRIPTION OF THE PUBLIC IMPROVEMENTS**

The Public Improvements consist of

- (i) the widening of and other improvements to Pearl Road from terminus to terminus and 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,
- (ii) the widening of and other improvements to Drake Road from terminus to terminus and 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 the Property.

CITY OF STRONGSVILLE, OHIO  
 ORDINANCE NO. 2021 - 148  
 BY: MAYOR THOMAS P. PERCIAK

AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2021 AND REPEALING ORDINANCE NUMBER 2021-137.

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

Section 1: THAT THERE BE APPROPRIATED FROM THE FOLLOWING FUNDS AND AS FURTHER DETAILED IN THE SCHEDULE ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN:

<u>General Fund - 101</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
<b>101 Total General Fund</b>		<b>\$ 19,292,300.00</b>	<b>\$ 8,080,700.00</b>	<b>\$ 20,721,092.00</b>	<b>\$ 48,094,092.00</b>

<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,456,300.00	\$ -	\$ -	\$ 1,456,300.00
204	Street Construction & Maintenance	5,112,300.00	11,478,300.00	-	16,590,600.00
205	State Highway Maintenance	-	149,600.00	-	149,600.00
206	Motor Vehicle License Tax	-	1,000,000.00	-	1,000,000.00
207	Emergency Vehicle Fund	-	2,446,000.00	-	2,446,000.00
208	Fire Levy	8,683,900.00	950,900.00	-	9,634,800.00
209	Fire Pension	1,706,600.00	-	-	1,706,600.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,357,100.00	1,000,000.00	2,357,100.00
213	Local Fiscal Recovery	-	4,678,184.00	-	4,678,184.00
214	Multi-Purpose Complex	3,191,500.00	1,965,100.00	-	5,156,600.00
215	Southwest General Hospital	-	361,446.00	-	361,446.00
216	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
217	Law Enforcement State Seizures	-	60,000.00	-	60,000.00
218	Law Enforcement Drug Fine	-	400.00	-	400.00
219	Law Enforcement DWI/DUI	-	5,000.00	-	5,000.00
220	Tree Fund	-	147,000.00	-	147,000.00
222	Community Diversion	11,200.00	4,000.00	-	15,200.00
223	Bond Escrow	-	700,000.00	-	700,000.00
224	Earned Benefits	710,200.00	-	-	710,200.00
<b>200 Total Special Revenue Funds</b>		<b>\$ 20,872,000.00</b>	<b>\$ 25,350,030.00</b>	<b>\$ 1,000,000.00</b>	<b>\$ 47,222,030.00</b>

<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 3,507,900.00	\$ -	\$ 3,507,900.00
333	Pearl Road TIF # 1	-	1,443,200.00	-	1,443,200.00
334	Royalton Road TIF	-	203,900.00	-	203,900.00
335	Pearl Road TIF # 2	-	173,400.00	-	173,400.00
336	Pearl Road TIF # 3	-	53,000.00	-	53,000.00
337	Westwood Commons TIF	-	40,400.00	-	40,400.00
338	Giant Eagle TIF	-	182,600.00	-	182,600.00
339	GETGO TIF	-	41,200.00	-	41,200.00
340	Clover Senior TIF	-	234,600.00	-	234,600.00
341	Pearl Road TIF # 4	-	281,300.00	-	281,300.00
342	Cane's/Chase TIF	-	20,600.00	-	20,600.00
<b>300 Total Debt Service Funds</b>		<b>\$ -</b>	<b>\$ 6,182,100.00</b>	<b>\$ -</b>	<b>\$ 6,182,100.00</b>

**Capital Improvement Capital Project Funds - 400**

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 75,000.00	\$ -	\$ 75,000.00
442	General Capital Improvement	-	5,912,700.00	-	5,912,700.00
447	TIF Capital Improvements	-	1,615,231.00	-	1,615,231.00
<b>400</b>	<b>Total Capital Project Funds</b>	<b>\$ -</b>	<b>\$ 7,602,931.00</b>	<b>\$ -</b>	<b>\$ 7,602,931.00</b>

**Enterprise Funds - 500**

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 1,884,800.00	\$ 8,272,335.00	\$ -	\$ 10,157,135.00

**Internal Service Fund - 600**

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
661	Health Insurance Reserve	\$ -	\$ 6,712,300.00	\$ -	\$ 6,712,300.00
664	Worker's Compensation Reserve	-	1,224,000.00	-	1,224,000.00
<b>600</b>	<b>Total Internal Service Funds</b>	<b>\$ -</b>	<b>\$ 7,936,300.00</b>	<b>\$ -</b>	<b>\$ 7,936,300.00</b>

<b>Grand Total All Funds</b>	<b>\$ 42,049,100.00</b>	<b>\$ 63,424,396.00</b>	<b>\$ 21,721,092.00</b>	<b>\$ 127,194,588.00</b>
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**Itemized list of Transfers and Advances by Fund**

Description	Amount
General Fund to Street Construction Fund	\$ 3,500,000.00
General Fund to Fire Levy Fund	800,000.00
General Fund to Multi-Complex Fund	1,950,000.00
General Fund to Police Pension Fund	900,000.00
General Fund to Fire Pension Fund	1,032,000.00
General Fund to Recreation Capital Improvement Fund	1,000,000.00
General Fund to General Capital Fund	8,200,000.00
<b>Total Transfers</b>	<b>\$ 17,382,000.00</b>
General Fund Advance to Drainage Levy	1,000,000.00
General Fund Advance to Local Fiscal Recovery Fund	2,339,092.00
Drainage Levy Advance Repayment to General Fund	1,000,000.00
<b>Total Advance and Advance Repayments</b>	<b>\$ 4,339,092.00</b>
<b>Total Transfers, Advances and Advance Repayments</b>	<b>\$ 21,721,092.00</b>

Section 2: That all expenditures within the fiscal year ending December 31, 2021 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided.

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

Section 4: AS AN ORDINANCE providing for the appropriation of monies and consistent with the City's Charter Article III, Section 13, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, or otherwise at the earliest time allowed by law.

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date Passed

\_\_\_\_\_  
Date Approved

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-148 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

<u>Yea</u>	<u>Nay</u>
Carbone _____	_____
DeMio _____	_____
Kaminski _____	_____
Kosek _____	_____
Roff _____	_____
Schonhut _____	_____
Short _____	_____

2

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

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 375,600.00	\$ 36,000.00	\$ -	\$ 411,600.00
011411	Mayors Office	265,100.00	19,400.00	-	284,500.00
015412	Police Department	10,171,300.00	1,315,100.00	-	11,486,400.00
011413	Human Resources	259,600.00	56,900.00	-	316,500.00
011414	Finance Department	559,200.00	18,200.00	-	577,400.00
011415	Legal Department	534,900.00	74,900.00	-	609,800.00
011416	Communication & Technology	718,200.00	534,500.00	-	1,252,700.00
011417	Building Department	1,048,200.00	184,800.00	-	1,233,000.00
011418	Mayors Court	157,300.00	320,000.00	-	477,300.00
011420	Rubbish Department	-	2,894,800.00	-	2,894,800.00
011421	Cemetery Department	132,100.00	264,000.00	-	396,100.00
011422	Architectural Board of Review	-	6,000.00	-	6,000.00
011423	Planning Commission	117,000.00	64,000.00	-	181,000.00
011424	Civil Service	-	61,400.00	-	61,400.00
011425	Board of Appeals	-	15,900.00	-	15,900.00
011428	Parks Department	116,200.00	208,000.00	-	324,200.00
011429	Public Safety	177,800.00	-	-	177,800.00
011430	General Miscellaneous	-	1,623,200.00	-	1,623,200.00
011435	Economic Development	174,300.00	77,000.00	-	251,300.00
015415	OPID Grant	55,000.00	17,700.00	-	72,700.00
015414	Corrections Officers	818,000.00	88,000.00	-	906,000.00
015413	Regional Dispatch Center	3,612,500.00	200,900.00	-	3,813,400.00
011468	Non Government Transfers	-	-	20,721,092.00	20,721,092.00
<b>Total General Fund</b>		<b>\$ 19,292,300.00</b>	<b>\$ 8,080,700.00</b>	<b>\$ 20,721,092.00</b>	<b>\$ 48,094,092.00</b>
031000	Police Pension	1,456,300.00	-	-	1,456,300.00
046419	Street Repairs	4,228,400.00	10,007,900.00	-	14,236,300.00
046426	Traffic Signal Maintenance	114,500.00	215,000.00	-	329,500.00
046427	Snow Removal	-	580,400.00	-	580,400.00
046433	Municipal Garage	769,400.00	675,000.00	-	1,444,400.00
056000	State Highway Maintenance	-	149,600.00	-	149,600.00
066000	Motor Vehicle License Tax	-	1,000,000.00	-	1,000,000.00
075000	Emergency Vehicle Fund	-	2,446,000.00	-	2,446,000.00
085000	Fire Levy	8,683,900.00	641,700.00	-	9,325,600.00
085001	Fire Station Ward 1	-	117,200.00	-	117,200.00
085002	Fire Station Ward 2	-	47,500.00	-	47,500.00
085003	Fire Station Ward 3	-	32,500.00	-	32,500.00
085004	Fire Station Ward 4	-	112,000.00	-	112,000.00
095000	Fire Pension	1,706,600.00	-	-	1,706,600.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,357,100.00	1,000,000.00	2,357,100.00
131000	Local Fical Recovery	-	4,678,184.00	-	4,678,184.00
143304	Sports Programs	278,200.00	222,700.00	-	500,900.00
143305	Recreation Administration	488,700.00	728,100.00	-	1,216,800.00
143306	Fitness	454,300.00	150,700.00	-	605,000.00
143310	Aquatics	689,900.00	109,800.00	-	799,700.00
143311	Recreation Programs	174,100.00	39,200.00	-	213,300.00
143430	Special Events	-	14,900.00	-	14,900.00
143431	Old Town Hall	8,900.00	60,800.00	-	69,700.00
143439	Senior Services	642,800.00	393,400.00	-	1,036,200.00
143451	Recreation Maintenance	454,600.00	209,000.00	-	663,600.00
143500	Program Refunds	-	36,500.00	-	36,500.00
152000	Southwest General Hospital	-	361,446.00	-	361,446.00
165000	Law Enforcement Federal Seizures	-	7,000.00	-	7,000.00
175000	Law Enforcement State Seizures	-	60,000.00	-	60,000.00
185000	Law Enforcement Drug Fine	-	400.00	-	400.00
195000	Law Enforcement DWI/DUI	-	5,000.00	-	5,000.00
204000	Tree Maintenance	-	147,000.00	-	147,000.00
225000	Community Diversion	11,200.00	4,000.00	-	15,200.00
223100	Bond Escrow	-	700,000.00	-	700,000.00
224000	Earned Benefits	710,200.00	-	-	710,200.00
<b>Total Special Revenue Funds</b>		<b>\$ 20,872,000.00</b>	<b>\$ 25,350,030.00</b>	<b>\$ 1,000,000.00</b>	<b>\$ 47,222,030.00</b>

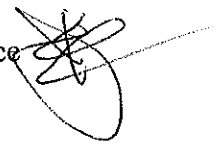


**EXHIBIT "A"**  
**SCHEDULE OF BUDGETS BY DEPARTMENT - page 2 of 2**

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	3,507,900.00	-	3,507,900.00
333000	Pearl Road TIF # 1	-	1,443,200.00	-	1,443,200.00
334000	Royalton Road TIF	-	203,900.00	-	203,900.00
335000	Pearl Road TIF # 2	-	173,400.00	-	173,400.00
336000	Pearl Road TIF # 3	-	53,000.00	-	53,000.00
337000	Westwood Commons TIF	-	40,400.00	-	40,400.00
338000	Giant Eagle TIF	-	182,600.00	-	182,600.00
339000	GETGO TIF	-	41,200.00	-	41,200.00
340000	Clover Senior TIF	-	234,600.00	-	234,600.00
341000	Pearl Road TIF # 4	-	281,300.00	-	281,300.00
342000	Cane's/Chase TIF	-	20,600.00	-	20,600.00
	<b>Total Debt Service</b>	\$ -	\$ 6,182,100.00	\$ -	\$ 6,182,100.00
413000	Recreation Capital Improvement	-	75,000.00	-	75,000.00
421000	General Capital Improvement	-	5,912,700.00	-	5,912,700.00
447100	Pearl & Whitney TIF	-	175,500.00	-	175,500.00
447102	Prospect & Albion TIF	-	50,300.00	-	50,300.00
447103	Goodyear & 5/3 TIF	-	100,500.00	-	100,500.00
447104	42/82 TIF	-	1,288,931.00	-	1,288,931.00
	<b>Total Capital Projects</b>	\$ -	\$ 7,602,931.00	\$ -	\$ 7,602,931.00
512501	Engineering and Administration	696,600.00	921,900.00	-	1,618,500.00
512502	Plant Expenditures	-	4,628,500.00	-	4,628,500.00
512503	Line Expenditures	1,188,200.00	950,000.00	-	2,138,200.00
512504	Sewer Capital Improvements	-	1,396,800.00	-	1,396,800.00
512505	Sewer Debt Payments	-	375,135.00	-	375,135.00
	<b>Total Sanitary Sewer</b>	\$ 1,884,800.00	\$ 8,272,335.00	\$ -	\$ 10,157,135.00
661000	Health Insurance Reserve	-	6,712,300.00	-	6,712,300.00
664000	Workers Compensation Reserve	-	1,224,000.00	-	1,224,000.00
	<b>Total Internal Service</b>	\$ -	\$ 7,936,300.00	\$ -	\$ 7,936,300.00
	<b>GRAND TOTAL</b>	\$ 42,049,100.00	\$ 63,424,396.00	\$ 21,721,092.00	\$ 127,194,588.00

CITY OF STRONGSVILLE, OHIO  
FINANCE DEPARTMENT  
MEMORANDUM

**To:** All Members of City Council  
**From:** Joseph K. Dubovec, Director of Finance  
**Date:** Wednesday, November 10, 2021  
**Subject:** Appropriation Ordinance 2021-148



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Appropriation Ordinance 2021-148 on Monday night's Council Meeting agenda, reflects a net decrease of \$375,300 when compared to the previous Appropriation Ordinance. The necessary changes are listed below;

- 1) Increase of \$22,700 for additional expenditures associated with the OPIOD Grant - General Fund.
- 2) Decrease of \$398,000 transfer of unspent Bent Tree Lift Station Project from 2021 to 2022 – Sanitary Sewer Fund.

Please feel free to contact me should you have any questions.  
Respectfully,

Joseph K. Dubovec

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 149

By: Mayor Perciak and All Members of Council

**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. 2020-161, Council authorized the Mayor and Director of Finance to enter into a contract with **LIBERTY MUTUAL INSURANCE COMPANY**, 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, 2020 for a twelve (12) month period ending November 30, 2021; and

WHEREAS, the market for public entities insurance is limited to a few carriers and a proliferation of pools; and

WHEREAS, the City's Director of Finance has been advised by the City's independent insurance consultant, Compensation Analysis, Inc., that it would be in the City's best interests for the next year to now accept the insurance program of Travelers Companies, which is among the most competitive and 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 and Director of Finance have recommended that the City 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 insurance coverages at a reasonable and advantageous rate to protect the City, its officers, employees, and 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 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.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2021 – 149**  
**Page 2**

**Section 2.** That, for the reasons aforesaid, the Mayor and the Director of Finance be and are hereby authorized and directed to enter into an agreement with **TRAVELERS COMPANIES, as carrier, through THE FEDELI GROUP** for the purchase of applicable insurance coverages to continue the City's current property-casualty and liability insurance program, commencing on December 1, 2021, for a twelve (12) month period ending November 30, 2022, in an amount not to exceed \$447,073.00 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 purchase 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-149 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 150

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THIRD AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BROOK PARK, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2022, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2018-074 on May 21, 2018, the Strongsville City Council authorized an Agreement with the City of Brook Park for public safety services; and

WHEREAS, through adoption of Ordinance No. 11024-2018 on May 15, 2018, the Brook Park City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on May 23, 2018, Strongsville and Brook Park entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Brook Park Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Brook Park Police Department and the Brook Park Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

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

WHEREAS, on January 6, 2020, the parties entered into a *First Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year and one-half of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2020-003; and

WHEREAS, additionally, on January 4, 2021, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon two (2) years of operations and consistent with the Agreement, and as authorized by Strongsville City Ordinance No. 2021-002; and

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

WHEREAS, Brook Park has agreed to such an Amendment providing for an increase in fees commencing January 1, 2022.

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 150

Section 1. That the Mayor be and is hereby authorized and directed to enter into a Third Amendment to Agreement for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of Brook Park, Ohio, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2022, commencing January 1, 2022, at an adjusted rate of \$52,917.00 per month, for a total of \$635,004.00 for the year 2022, in accordance with the terms and conditions set forth in the Third Amendment to Agreement attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

Section 2. That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2022 and shall be paid from the General Fund.

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

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

\_\_\_\_\_  
President of Council  
Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-150 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**THIRD AMENDMENT TO AGREEMENT  
FOR PUBLIC SAFETY DISPATCH SERVICES  
BETWEEN  
THE CITY OF STRONGSVILLE, OHIO AND  
THE CITY OF BROOK PARK, OHIO**

**THIS THIRD AMENDMENT TO AGREEMENT** made at Strongsville, Ohio, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the **CITY OF STRONGSVILLE**, Ohio, hereinafter designated as “Strongsville”, and the **CITY OF BROOK PARK**, Ohio, hereinafter designated as “Brook Park”.

**WITNESSETH:**

WHEREAS, through adoption of Ordinance No. 2018-074 on May 21, 2018, the Strongsville City Council authorized an Agreement with the City of Brook Park for public safety services; and

WHEREAS, through adoption of Ordinance No. 11024-2018 on May 15, 2018, the Brook Park City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on May 23, 2018, Strongsville and Brook Park entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Brook Park Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Brook Park Police Department and the Brook Park Fire Department and other public safety resources (such as animal control) generally with regard to emergency and non-emergency incidents, and with communication support and services/systems directly related to the dispatch function, and subject to other specific terms and conditions contained therein; and

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

WHEREAS, for the year 2019, there was no adjustment to the amount paid by Brook Park, from the rate of pay set forth in the Agreement between the parties; and

WHEREAS, on January 6, 2020, the parties entered into a *First Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2020-003; and

WHEREAS, additionally, on January 4, 2021, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon two (2) years of operations and consistent with the Agreement, and as authorized by Strongsville City Council in Ordinance No. 2021-002; and

WHEREAS, based upon three and one-half years of operations and in accordance with provisions of said Agreement, it is now necessary to further amend the provision relating to payment for Dispatch Services.

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

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

\* \* \*

“E. Payment for Dispatch Services: Brook Park, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville the amount of Forty-Three Thousand Three Hundred Thirty-Three Dollars and 33/100 (\$43,333.33) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month. For the period of operation from January 1, 2020 through December 31, 2020, Brook Park will pay Strongsville at an increased rate of pay of Forty-Five Thousand Nine Hundred Thirty-Three and 33/100 Dollars (\$45,933.33) per month by the first of each month for Dispatch Services provided in that month, for a total of Five Hundred Fifty-One Thousand One Hundred Ninety-Nine and 96/100 Dollars (\$551,199.96) for such year of operation. For the period of operation from January 1, 2021 through December 31, 2021, Brook Park will pay Strongsville at an increased rate of pay of Forty-Eight Thousand Six Hundred Eighty-Nine and 32/100 Dollars (\$48,689.33) per month by the first of each month for Dispatch Services provided in that month, for a total of Five Hundred Eighty-Four Thousand Two Hundred Seventy-One and 84/100 Dollars (\$584,271.96) for such year of operation. **For the period of operation from January 1, 2022 through December 31, 2022, Brook Park will pay Strongsville at an increased rate of pay of Fifty-Two Thousand Nine Hundred Seventeen and 00/100 Dollars (\$52,917.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Six Hundred Thirty-Five Thousand Four and 00/100 Dollars (\$635,004.00) for such year of operation.**”

\* \* \*

2. This Third Amendment to Agreement amends, modifies and supplements the Agreement effective January 1, 2022 only as specifically set forth herein. All rights and obligations of Strongsville and Brook Park under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

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



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

Signed in the presence of:

**CITY OF BROOK PARK**  
**("Brook Park")**

Anthony J. D'Amico

By: Michael D. Gammella 10/14/21  
Michael D. Gammella, Mayor

**CITY OF STRONGSVILLE**  
**("Strongsville")**

\_\_\_\_\_

By: \_\_\_\_\_  
Thomas P. Perciak, Mayor

**CERTIFICATE OF FINANCE DIRECTOR**

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

10-13-21  
Date

Gregory M. Cingle  
Gregory M. Cingle, Finance Director,  
City of Brook Park

**CERTIFICATE OF LAW DIRECTOR FOR THE**  
**CITY OF BROOK PARK**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 13<sup>th</sup> day of October, 2021.

Carol Dillon Horvath  
Carol Dillon Horvath, Law Director

**CERTIFICATE OF LAW DIRECTOR FOR THE**  
**CITY OF STRONGSVILLE**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Neal M. Jamison, Law Director

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 151

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIFTH AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF OLMSTED FALLS, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2022, AND DECLARING AN EMERGENCY.**

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

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

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

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

WHEREAS, thereafter, on January 18, 2017, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the second year of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2017-008; and

WHEREAS, additionally, thereafter on November 15, 2017, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon three years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2017-208; and

WHEREAS, on January 21, 2020, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon five years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-010; and

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2021 – 151**  
**Page 2**

WHEREAS, on December 21, 2020, the parties entered into a *Fourth Amendment to Agreement* providing for an adjustment to the provision for payment based upon six years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-175; and

WHEREAS, now based upon the seven (7) years of operations and in accordance with provisions of said Agreement, it is now necessary to further amend and adjust the provision relating to payment for Dispatch Services; and

WHEREAS, therefore, Olmsted Falls has agreed to a *Fifth Amendment to Agreement* providing for an increase in fees commencing January 1, 2022.

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

**Section 1.** That the Mayor be and is hereby authorized and directed to enter into a *Fifth Amendment to Agreement for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of Olmsted Falls, Ohio*, providing for an adjustment in the payment of fees to the City of Strongsville for dispatch services for 2022, commencing January 1, 2022, at an adjusted rate of \$23,334.00 per month, for a total of \$280,008.00 for the year 2022, in accordance with the terms and conditions set forth in the *Fifth Amendment to Agreement* attached hereto as Exhibit "A" and incorporated herein by reference, which in all respects is hereby approved.

**Section 2.** That any funds received pursuant to this Ordinance shall be deposited into the General Fund, and any expenditures required by the City to effectuate the Agreement have been appropriated for 2022 and shall be paid from the General Fund.

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

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

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2021 - 151  
Page 3

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-151 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

2021-151-151

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

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

**WITNESSETH:**

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

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

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

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

WHEREAS, thereafter, on January 18, 2017, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the second year of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2017-008; and

WHEREAS, additionally, thereafter on November 15, 2017, the parties entered into a *Second Amendment to Agreement* providing for an adjustment to the provision for payment based upon three years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2017-208; and

WHEREAS, for the year 2019, there was no adjustment to the amount paid by Olmsted Falls, from the rate of pay set forth in the Second Amendment To Agreement between the parties; and

WHEREAS, however, thereafter on January 21, 2020, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon five years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-010; and

WHEREAS, on December 21, 2020, the parties entered into a *Fourth Amendment to Agreement* providing for an adjustment to the provision for payment based upon six years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2020-175; and

WHEREAS, now based upon the seven (7) years of operations and in accordance with provisions of said Agreement, it is now necessary to amend the provision relating to payment for Dispatch Services.

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

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

\* \* \*

“F. Payment for Dispatch Services: Falls, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville for the first year of the contract, the amount of Twenty Thousand Dollars (\$20,000.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total annual fee of Two Hundred Forty Thousand Dollars (\$240,000.00) through December 31, 2015. For the second year of the contract, payment shall be as computed in this Section F, but in no event shall it exceed the sum of Twenty Thousand Dollars (\$20,000.00) per month. For the period of operation from January 1, 2017 through December 31 2017, Falls will pay Strongsville at an increased rate of Twenty Thousand Two Hundred Dollars (\$20,200.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total of Two Hundred Forty-Two Thousand Four Hundred Dollars (\$242,400.00) for such third year of operation. For the period of operation from January 1, 2018 through December 31, 2018, Falls will pay Strongsville at an increased rate of Twenty Thousand Three Hundred Seventeen (\$20,317.00) per month by the first (1<sup>st</sup>) of each month for Dispatch Services provided in that month, for a total of Two Hundred Forty-Three Thousand Eight Hundred Four Dollars (\$243,804.00) for the fourth year of operation. For the period of operation from January 1, 2020 to December 31, 2020, Olmsted Falls will pay Strongsville at an increased rate of pay of Twenty-One Thousand Five Hundred Thirty-Six and 00/100 Dollars (\$21,536.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Two

Hundred Fifty-Eight Thousand Four Hundred Thirty-Two and 00/100 Dollars (\$258,432.00) for such year of operation. For the period of operation from January 1, 2021 to December 31, 2021, Olmsted Falls will pay Strongsville at an increased rate of pay of Twenty-Two Thousand Eight Hundred Twenty-Eight and 16/100 Dollars (\$22,828.16) per month by the first of each month for Dispatch Services provided in that month, for a total of Two Hundred Seventy-Three Thousand Nine Hundred Thirty-Seven and 92/100 Dollars (\$273,937.92) for such year of operation. **For the period of operation from January 1, 2022 to December 31, 2022, Olmsted Falls will pay Strongsville at an increased rate of pay of Twenty-Three Thousand Three Hundred Thirty-Four and 00/100 Dollars (\$23,334.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Two Hundred Eighty Thousand Eight and 00/100 Dollars (\$280,008.00) for such year of operation.**"

\* \* \*

2. This Fifth Amendment to Agreement amends, modifies and supplements the Agreement effective January 1, 2022 only as specifically set forth herein. All rights and obligations of Strongsville and Falls under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

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

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

Signed in the presence of:



**CITY OF OLMSTED FALLS**  
**("Falls")**

By:

  
James Patrick Graven, Mayor

**CITY OF STRONGSVILLE**  
**("Strongsville")**

By:

\_\_\_\_\_

Thomas P. Perciak, Mayor

**CERTIFICATE OF FINANCE DIRECTOR**

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

10/29/2021  
Date

Cory Swaisgood  
Cory Swaisgood, Finance Director,  
City of Olmsted Falls

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF OLMSTED FALLS**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 28<sup>th</sup> day of OCTOBER, 2021.

Andrew D. Bemer  
Andrew D. Bemer, Law Director

**CERTIFICATE OF LAW DIRECTOR FOR THE  
CITY OF STRONGSVILLE**

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Neal M. Jamison, Law Director



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 152

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR EMERGENCY REPAIRS TO THE HVAC SYSTEM AT THE CITY'S POLICE DEPARTMENT HEADQUARTERS BUILDING ON ROYALTON ROAD, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.**

WHEREAS, the burner assembly and heat exchanger in the HVAC system at the City's Police Department headquarters building on Royalton Road is in need of emergency repair; and;

WHEREAS, it accordingly is immediately necessary to contract with an existing qualified and readily available local vendor already providing HVAC services to various City Departments, and is able to provide the proper equipment, appurtenances and installation on an expedited basis and at the most advantageous price.

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 Police Department of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **THE K COMPANY, INC.**, for the purchase, replacement and installation of a burner assembly and heat exchanger for the HVAC system at the City's Police Department headquarters building, in order to maintain the continued and efficient operation of the City's Police Department, and for the benefit of the public 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 **THE K COMPANY, INC.**, without public bidding, in a total amount not to exceed \$21,601.45 for the purchase, replacement and installation of a burner assembly and heat exchanger for the HVAC system at the City's Police Department headquarters building, as more fully set forth in the proposal attached hereto as Exhibit A, and incorporated herein by reference.

**Section 3.** That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the General Capital Improvement Fund.

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

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2021 – 152**  
**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 maintain continuity and efficient operation of the City's Police Department headquarters building, to repair and protect City-owned 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-152 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

# PROPOSAL



**Service Not Excuses**

**To:**  
 STRONGSVILLE POLICE DEPARTMENT  
 18688 ROYALTON ROAD  
 STRONGSVILLE, OH 44136

**Job Name/Location:**  
 STRONGSVILLE PD-HEAT EXCHANGER-GASKETS  
 18688 ROYALTON ROAD  
 Mike or Alan  
 STRONGSVILLE, OH 44136

**Date** 10/05/21  
**Customer #** STROPD

**Proposal #** B35895S  
**Page #** 1

LOCHINVAR : BOILER 1 : MODEL# FTX850N : SERIAL# 103499141

While onsite completing other work, our technician found the burner assembly has failed and the heat exchanger is leaking, which will need to be replaced. The heat exchanger only may be covered under warranty; however the manufacturer stated we will have to ship the heat exchanger back to them for a complete inspection before they will determine if they will covered it under warranty. See cost options for this repair below.

**Option 1:** Cost of repair if heat exchanger is covered under warranty (includes labor, freight and burner assembly) = \$7476.45.

**Option 2:** Cost of repair if heat exchanger is **NOT** covered under warranty (includes labor, freight, burner assembly and heat exchanger) = \$21601.45.

To approve please sign and fax to: 330-773-2962 or email to: sharonhaydu@thekcompany.com

Thank you,

*Sharon Haydu*

**We Propose to furnish material and labor in accordance with the above specifications, for the sum of:**

\*\*TWENTY ONE THOUSAND SIX HUNDRED ONE DOLLARS AND 0.45 CENT(S)

21,601.45 Dollars

**Payment To Be Made As Follows:**

NET 30 DAYS

**This proposal is good for: 30 Days**

The above 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 Of Acceptance \_\_\_\_\_

Print Name \_\_\_\_\_

**THE K COMPANY, INC.**  
**Equal Opportunity Employer**  
 2234 S. Arlington Rd Akron, OH 44319 330-773-5125 Fax 330-773-2962



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 153

By: Mayor Perciak and All Members of Council

**AN ORDINANCE APPROVING AND AUTHORIZING AN AGREEMENT WITH CUYAHOGA COUNTY AND THE CUYAHOGA COUNTY JUVENILE COURT IN CONNECTION WITH A COMMUNITY DIVERSION PROGRAM TO ADDRESS JUVENILE MISDEMEANOR AND STATUS OFFENDERS IN THE CITY OF STRONGSVILLE FOR THE YEARS 2022 AND 2023, AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Chapter 2151 and the Rules of Juvenile Procedure provide general authority for the Cuyahoga County Juvenile Court to establish legal mechanisms to divert complaints before they are filed for formal court action, while protecting the constitutional due process rights of accused juveniles; and

WHEREAS, Ohio Revised Code Section 2152.73 also specifically permits the Cuyahoga County Juvenile Court to participate with other public agencies in programs which have as their objective the prevention and control of juvenile delinquency; and

WHEREAS, the Cuyahoga County Juvenile Court has developed a Community Diversion Program to address juvenile misdemeanor and status offenders, in order to divert youths who are juvenile offenders involving misdemeanor and status offenses from formal court action and to utilize community resources to ameliorate such situations; and

WHEREAS, the Cuyahoga County Juvenile Court developed and implemented such Community Diversion Program for misdemeanor and status offense complaints against juveniles in the City of Strongsville for offenses that are committed elsewhere by Strongsville residents; and

WHEREAS, since approximately 2002, this Council, through prior Ordinances, has previously authorized agreements with the Cuyahoga County Juvenile Court for such purpose and to implement such a program; and

WHEREAS, this Council, therefore, desires to once again enter into an agreement with Cuyahoga County and the Cuyahoga County Juvenile Court, for the term of January 1, 2022 through December 31, 2023, to assist the City in addressing juvenile misdemeanor and status offenses, and to request financial assistance thereunder.

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 to enter into an Agreement with **CUYAHOGA COUNTY** and the **CUYAHOGA COUNTY JUVENILE COURT** to assist the City in addressing juvenile misdemeanor and status offenses and to request financial assistance in connection with a Community Diversion Program established by the Cuyahoga County Juvenile Court, for the term of January 1, 2022 through December 31, 2023, a copy of which is attached hereto as Exhibit "1" and incorporated herein by reference, which is in all respects hereby approved.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2021 – 153**  
**Page 2**

**Section 2.** That funds received from the Cuyahoga County Juvenile Court in connection with the Community Diversion Program shall be placed into the Community Diversion Fund; and any local funds necessary to carry out the Community Diversion Program shall be paid from such fund, known as Special Revenue Fund No. 222.

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

**Section 4.** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to continue to participate with the Cuyahoga County Juvenile Court in the Community Diversion Program to assist the City in dealing with juvenile misdemeanor and status offenses, 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-153 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**CUYAHOGA COUNTY  
COURT OF COMMON PLEAS, JUVENILE COURT DIVISION  
COMMUNITY DIVERSION PROGRAM  
CITY OF STRONGSVILLE  
AGREEMENT**

THIS AGREEMENT is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021 by and between the County of Cuyahoga, Ohio (hereinafter called the "COUNTY"), the Cuyahoga County Court of Common Pleas, Juvenile Court Division (hereinafter called the "COURT") and City of Strongsville, a government entity, with principal offices located at 16099 Foltz Parkway, Strongsville, Ohio 44149 (hereinafter called the "VENDOR").

WITNESSETH THAT:

WHEREAS, the COURT desires to engage the VENDOR's services to develop and implement the Community Diversion Program (hereinafter called the "CDP"), or utilize another COURT-approved CDP, to hear status, misdemeanor, and/or felony offense complaints that occur in the City of Strongsville or are committed elsewhere by City of Strongsville residents and the VENDOR can provide these services from January 1, 2022 to December 31, 2023.

NOW THEREFORE, the parties hereto do mutually agree as follows:

- I. TARGET POPULATION – The youth referred to the program shall be ages ten (10) to seventeen (17) and residents of Cuyahoga County referred by the COURT's Early Intervention and Diversion Center staff (hereinafter called the "YOUTH"). Occasionally, youth eighteen (18) years old and/or residents outside of Cuyahoga County but still subject to the jurisdiction of the COURT may also be referred.
  
- II. DESCRIPTION OF SERVICES – The CDP shall implement effective diversion services with a focus on rehabilitation and accountability versus deterrence-based sanctions. Effective diversion services are responsive to preserving protective and prosocial factors for YOUTH.
  - A. Diversion techniques that have been proven through research to be ineffective or harmful to adolescent development including, but not limited to, "scared straight," boot camps, prison or morgue site visits, or other intimidation or punitive techniques are *not permitted* types of programming.
  
  - B. Permitted types of programming include, but are not limited to, online diversion programs under the supervision of the CDP, skills building groups, Restorative Justice programs, truancy prevention/intervention programs, community service, meetings with YOUTH/family, family group conferences, mentoring, face to face follow-ups, referrals to behavioral health services, and phone call check ins with YOUTH, family, and/or community providers.
  
  - C. The CDP may, but is not required to, engage the services of a volunteer attorney,

licensed to practice law in the State of Ohio and pre-approved by the COURT, to assist in facilitating the program. The attorney may not conduct hearings, meetings, or proceedings designed or appearing to simulate official court proceedings. Use of the title "Magistrate" is *not permitted* pursuant to Sup. R. 19 and Juv. R. 40. Issuance of documents similar in appearance to official court documents (e.g., use of the phrases Notice of Hearing, Journal Entry, Dispositional Entry, etc.) are not permitted.

- III. BUDGET – Funding for this AGREEMENT is contingent upon the availability of funds and shall not exceed a newly allocated amount of **\$24,800.00** and any carryover from previous contract terms for the term of the AGREEMENT. Funding allocation is based upon internal COURT reports of percentage of overall YOUTH served by each CDP in the previous three (3) consecutive calendar years. All funds disbursed to the VENDOR from the COURT shall be monitored by the COURT via monthly invoices submitted to the COURT's Fiscal Department. Upon depletion of any carryover funds, the VENDOR shall receive a **\$200.00 stipend per YOUTH served** upon successful engagement of the YOUTH. Successful engagement is defined as at least one meeting face to face or via video conference with the YOUTH. Failure to provide adequate or substantial verification of receipt and expenditure of funds shall result in the COURT discontinuing funding.
- A. VENDORS who maintain a balance of monies from prior contracts with the COURT (as calculated by the COURT pursuant to the COURT's audit practices) shall utilize all carryover monies prior to requesting payment of new funds. New funds will not be issued by the COURT until all carryover monies are exhausted and accounted for via the monthly invoice process by utilizing the same \$200.00 stipend per YOUTH served upon successfully engaging the YOUTH and family as defined in Section III above and/or for pre-approved programming improvement activities as defined in Section VI(C) below.
  - B. VENDORS that charge fees to participants may not reject a YOUTH's participation in the program merely based upon inability to pay. Any fee charged may not exceed the VENDOR's actual cost of the program.
  - C. VENDORS shall invoice the COURT for all programmatic activities, whether for new funding or for credit of spending carryover monies.
  - D. YOUTH that were not successfully engaged are not eligible for a stipend.
  - E. If a YOUTH receives additional case referral while services are currently being provided through the CDP, the VENDOR is not eligible for an additional stipend. However, YOUTH that receive a new case referral after prior services were completed are eligible to invoice the COURT for a new stipend.
- IV. PROGRAM RECORDS – VENDOR is subject to verification of funding by the COURT and shall maintain accurate internal records of the following:

- A. Name and case number of each YOUTH served;
  - B. Date of first contact;
  - C. Contact type (e.g., face to face, phone call, letter/mail notification, etc.);
  - D. Specific diversion service(s) provided; and
  - E. Total number of hours spent with diversion service(s).
- V. MONITORING AND QUALITY ASSURANCE SITE VISITS – VENDOR shall assist the COURT in collecting relevant data regarding success and failure rates, utilization of various program services, the number of YOUTH served each month, the specific service each YOUTH received each month, as well as fiscal monitoring to ensure the CDP delivered services according to Section II(B). The COURT may also schedule programming and/or fiscal audits on a yearly basis to evaluate procedural aspects of the program for efficiency, including data on the YOUTH participants and on the types of services received to determine if the VENDOR performed the expected deliverables. The annual audit will be scheduled in advance and in collaboration with the VENDOR.
- VI. INVOICING – The VENDOR shall submit monthly invoices to the COURT’s Fiscal Department. VENDOR shall utilize the attached invoice sheet. Failure to do so by the tenth (10th) of each month for the previous month’s services may result in non-payment by the COURT and potential termination of this AGREEMENT.
- A. All invoices shall include the VENDOR’s name, program name, address, phone, invoice number, federal tax ID number, VENDOR number, and month of services. All invoices must be signed and dated for verification by the VENDOR.
  - B. Additional or corrected invoicing for services beyond the previous month must be requested separately in writing and describing the reasons for the additional billing along with specific supporting documentation to substantiate the requested claim.
  - C. Requests for credit towards carryover dollars for expenses related to improving programming (e.g., training specific to diversion best practices, trauma training, adolescent development training, training for effective practices in working with youth and families, and other programming needs to facilitate effective diversion) may be submitted to the COURT’s Programmatic Contact below for pre-approval. If approved, such expenses may then be included in the next month’s invoice for utilization of carryover dollars.
  - D. Under no circumstances will the COURT accept or process any initial invoice received after the end of the second month following the end of the month in which services were completed. For example, if services were completed in January, then the two-month period expires on March 31.
  - E. The COURT shall review invoices for completeness before making payment. The invoices submitted are subject to adjustment for computational or processing errors, incorrect rates, and/or non-covered services, and subject to audit by the COURT. Incomplete invoices shall be returned for correction. Please submit invoices to the



following address:

Cuyahoga County Juvenile Court  
Fiscal Department, 4th Floor  
9300 Quincy Ave  
Cleveland, Ohio 44106

Or emailed to:  
JJCBilling@cuyahogacounty.us

VII. PERFORMANCE OBJECTIVES

- A. 80% of YOUTH served during the AGREEMENT period will successfully complete the program without referral to the COURT for official COURT processing.
- B. 80% of YOUTH referred will be engaged in and complete services with no new charges.
- C. 90% of YOUTH engaged in services will complete services within a targeted timeframe of ninety (90) calendar days.
- D. 100% of services provided will align with best diversion practices as described in Section II(B) above.

VIII. PERFORMANCE INDICATORS

- A. Number of YOUTH successfully terminated from the program divided by the number of YOUTH referred to the program during the contract period.
- B. Number of YOUTH engaged divided by number of YOUTH referred and completed services with no new charges.
- C. Number of YOUTH completing services within ninety (90) calendar days divided by number of YOUTH engaged in services.
- D. Number of types of services provided divided by number of services provided that align with best practices as described in Section II(B) above.

IX. OPERATIONAL DETAILS

- A. Service Site: All services are provided at various locations throughout the COUNTY.

B. Contact Person:

**VENDOR**  
PROGRAMMATIC CONTACT  
Marie McManus  
16099 Foltz Parkway  
Strongsville, Ohio 44149  
(440) 580-3257  
marie.mcmanus@strongsville.org

**COURT**  
PROGRAMMATIC CONTACT  
Bridget Gibbons  
9300 Quincy Ave  
Cleveland, Ohio 44106  
(216) 443-5938  
BGibbons@cuyahogacounty.us

FISCAL CONTACT  
Sarah Baker  
9300 Quincy Ave  
Cleveland, Ohio 44106  
(216) 443-8268  
SBaker@cuyahogacounty.us

- X. RETENTION OF ACCOUNTING AND REPORTING PROCEDURES – The VENDOR shall maintain and preserve all fiscal and programmatic records, books, documents, and papers that pertain to the performance of this AGREEMENT. VENDOR shall maintain a ledger that specifies funds received from the COURT for this AGREEMENT. All other funds must be accounted for separately from the funds for the operational services for the CDP. Such records shall be subject to inspection, review, and audit by COURT personnel. The VENDOR shall maintain the aforementioned records for at least five (5) years following the termination of this AGREEMENT or a longer period, as may be required by the applicable records retention schedule.
- XI. PROFESSIONALLY WRITTEN RECORDS – All correspondence and reports to the COURT shall be computer-generated and shall appear professional, with the VENDOR'S name, address, and contact information included.
- XII. ON SITE VISITS – The COURT shall be allowed to access, review, and discuss activities and records and shall be allowed to interview individual youth, family, and/or VENDOR'S staff that are served or paid in whole or in part under this AGREEMENT.
- XIII. BUILDING CODES-SAFETY ORDINANCES – If applicable, all buildings, offices and facilities utilized by the program where the YOUTH shall be present shall conform to and abide by all Federal, State, County, and City building codes and safety ordinances. Documentation of such shall be presented to the COURT upon request.
- XIV. INSURANCE – VENDOR shall procure, maintain, and pay premiums for the insurance coverage and limits of liability indicated below with respect to products, services, work, and/or operations performed in connection with this AGREEMENT.

**A. Workers' Compensation Insurance** as statutorily required by the State of Ohio.

For VENDORS with employees working outside of Ohio, Worker's Compensation

Insurance as required by the various state and federal laws as applicable, including Employers' Liability coverage.

**B. Commercial General Liability Insurance** with limits of liability not less than:

\$1,000,000 each occurrence bodily injury and property damage;  
\$1,000,000 personal and advertising injury;  
\$1,000,000 general aggregate; and  
\$1,000,000 products/completed operations aggregate.

Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.

This policy must include, or not specifically exclude, coverage for Sexual Abuse and Molestation in the same amount This must be explicitly noted on the Certificate of Insurance.

**C. Additional Insurance Coverage**

- i. **Professional Liability Insurance/Errors & Omissions Liability Insurance** providing coverage for claims arising out of the provision of design, architectural, engineering, consultants, counselors, medical professionals, legal, and/or **other** professional services with a limit of liability not less than:

\$1,000,000 per claim; and  
\$2,000,000 aggregate.

**D. Insurance Coverage Terms and Conditions**

- i. The insurance policies of the **VENDOR** required for this **AGREEMENT** shall:
1. Name the "County of Cuyahoga, Ohio and its employees" as an Additional Insured. This does not apply to Workers' Compensation, All Risk Equipment Insurance, Professional Liability/Errors & Omissions Insurance, and Technology Professional/Errors & Omissions Insurance.
  2. Contain a waiver of subrogation provision wherein the insurer(s) waives all rights of recovery against the **COUNTY**.
  3. Be primary and not in excess or contingent on any other basis.
  4. The Certificates of Insurance evidencing these coverages shall contain the following additional insured and waiver of subrogation

language where applicable:

- a. "Cuyahoga County and its employees are additional insureds for purposes of commercial general liability and automobile liability"; and/or
  - b. "Waiver of subrogation in favor of the COUNTY."
- ii. The insurance required for this AGREEMENT shall be provided by insurance carrier(s) licensed to transact business and write insurance in the state(s) where operations are performed and shall carry a minimum of A.M. Best's rating of A-VII or above.
  - iii. The terms of this AGREEMENT shall be controlling and shall not be limited by any insurance policy provision.
  - iv. These insurance provisions shall not affect or limit the liability of the VENDOR stated elsewhere in this AGREEMENT or as provided by law.
  - v. VENDOR shall require any and all of its subcontractors to procure, maintain, and pay premiums for the insurance coverages and limits of liability outlined above with respect to products, services, work, and/or operations performed in connection with this AGREEMENT.
  - vi. The COUNTY reserves the right to require insurance coverages in various amounts or to modify or waive insurance requirements on a case-by-case basis whenever it is determined to be in the best interest of the COUNTY.
  - vii. If the Bid/Proposal/RFQ specifies the need for higher limits of liability for any applicable insurance provision, the Bid/Proposal/RFQ specifications shall govern.
  - viii. Where coverages are made on a claims-made basis, the claims-made retroactive date on the policy shall be prior to the commencement of professional activity related to this AGREEMENT.
  - ix. VENDOR shall furnish a Workers' Compensation Certificate and Certificate of Insurance evidencing the insurance coverages required herein are in full force and effect. Acceptance of a non-conforming certificate of insurance by the COUNTY shall not constitute a waiver of any rights of the parties under this AGREEMENT.

XV. ANTI-DISCRIMINATION – The COUNTY will follow its policies of non-discrimination. VENDOR hereby agrees that in all matters pertaining to the employment of labor, skilled or unskilled, in the performance of this AGREEMENT, the VENDOR shall at all times conduct its business in a manner that assures there shall be no

discrimination exercised against any person because of race, color, national origin, religion, age, handicap, veteran status, or any factor as specified in the Civil Rights Act of 1964 and subsequent amendments. It is further agreed that the VENDOR shall fully comply with all appropriate Federal and State laws regarding such regulations including the Americans with Disabilities Act.

- XVI. ASSIGNABILITY – None of the work or services covered by this AGREEMENT shall be subcontracted without the prior written approval of the COURT.
- XVII. RELIGIOUS AFFILIATIONS – Religious programs/programming if offered shall be voluntary and non-denominational. Non-participation by YOUTH shall not result in any penalty.
- XVIII. CONFIDENTIALITY – The parties will comply with all laws regarding confidentiality including, but not limited to, R.C. 2151.421, R.C. 5153.17 and, as applicable, R.C. 5101.131. In addition, products of mediation, mediators' notes, mediation records, and mediation communications are confidential and subject to the restrictions set forth in R.C. 2317.02, R.C. 2317.023, and R.C. 3109.052. Authorized COURT representatives shall be allowed reasonable access to VENDOR'S records for review of activities that pertain to the performance of this AGREEMENT, and to interview individual participants served and/or VENDOR staff paid under this AGREEMENT only after permission is obtained from the affected mediation participants and suitable written assurances of confidentiality are given to the VENDOR. This does not authorize a jurist, public defender, prosecutor, COURT employee, or State of Ohio employee to obtain information about a specific mediation in contravention of the specified statutes. The VENDOR shall comply with the provisions of the Privacy Act of 1974 and instruct its employees to use the same degree of care as it uses with its own data to keep confidential information concerning client data, the business of the COURT, its financial affairs, its relations with its citizens and its employees, as well as any other information which may be specifically classified as confidential by the COURT. Client related information is highly confidential. All Federal and State regulations and statutes related to confidentiality shall be applicable to the VENDOR and it shall have an appropriate contract with its employees to that effect.
- XIX. LICENSURE – The VENDOR shall have the appropriate license(s) or certification(s) necessary to provide the services of this AGREEMENT. The VENDOR shall also immediately notify the COURT of any change in licensure status affected by the certifying authority.
- XX. AMENDMENT – This AGREEMENT constitutes the entire agreement of the parties in the subject matter hereof and may not be changed, modified, discharged, or extended except by written agreement executed by the COURT and the VENDOR. The VENDOR agrees that no representation or warranties shall be binding upon the COURT unless expressed in writing herein or in a duly executed amendment hereof.
- XXI. TERMINATION – This AGREEMENT may be terminated by the COURT or the VENDOR upon thirty (30) days prior written notice to the other party. Termination

pursuant to this paragraph shall not affect the COURT'S obligation to pay the VENDOR pursuant to the Budget Section of this AGREEMENT for services performed and expenses incurred prior to termination.

- XXII. BREACH OF AGREEMENT REMEDIES – Upon breach or default of any of the provisions, obligations or duties embodied in this AGREEMENT, the parties may exercise any administrative, contractual, equitable, or legal remedies available, without limitation. The waiver of any occurrence of breach or default is not a waiver of subsequent occurrences, and the parties retain the right to exercise all remedies hereinabove mentioned. If the VENDOR fails to perform an obligation or obligations under this AGREEMENT and thereafter such failure(s) is (are) waived by the COURT, such waiver is limited to the particular failure(s) so waived and shall not be deemed to waive other failures hereunder. Waiver by the COURT is not effective unless it is in writing and signed by the COURT.
- XXIII. SERVICE CONTINUITY – In the event that the funding for the CDP is not renewed, the VENDOR shall develop a plan for cases still receiving services at the end of the AGREEMENT period and submit said plan to the COURT.
- XXIV. ETHICS REQUIREMENTS – The VENDOR shall comply with all COUNTY ethics as well as all requirements within the provisions set forth in the State of Ohio, Office of the Governor, Executive Order 2007-01S, which establishes new ethics requirements.
- XXV. FINDINGS FOR RECOVERY – The VENDOR represents and warrants that it is not subject to an “unresolved” finding for recovery under R.C. 9.24.
- XXVI. CRIMINAL RECORDS CHECK – The VENDOR shall comply with the provisions as specified in R.C. 109.572 regarding criminal records checks for prospective employees and volunteers. The COURT shall receive upon request verification of police checks, reference checks, and confirmation of educational requirements for all employees and volunteers of the VENDOR assigned to this program.
- XXVII. PUBLIC RECORDS – All parties hereto acknowledge that the COUNTY is a political subdivision in the State of Ohio and the COURT are subject to the Ohio Revised Code, Rules of Superintendence, and other laws related to the keeping and access to Public Records, including any and all applicable Sunshine Laws, open meeting requirements, and retention schedules effecting any and all manner of communication with the COUNTY and COURT and any and all documents in any format or media.
- XXVIII. GOVERNING LAW AND JURISDICTION – This AGREEMENT shall be governed by and construed under the laws of the State of Ohio without regard to conflicts of law provisions. The parties agree that the state and federal courts sitting in Ohio will have exclusive jurisdiction over any claim arising out of this AGREEMENT, and each party consents to the exclusive jurisdiction of such courts. The VENDOR hereby agrees not to challenge any provision in this AGREEMENT, including this Governing Law and Jurisdiction provision, and not to attempt to remove any legal action outside of Cuyahoga

County for any reason.

XXIX. This AGREEMENT has been properly authorized pursuant to the required provisions of any and all charter provisions, ordinances, resolutions, and regulations of COUNTY and the VENDOR. The individuals signing on behalf of the parties to this AGREEMENT are authorized to execute this AGREEMENT on behalf of the COURT and the COUNTY and the VENDOR.

XXX. ELECTRONIC SIGNATURES – By entering into this AGREEMENT, the VENDOR agrees on behalf of the contracting business entity, its officers, employees, subcontractors, subgrantees, agents, or assigns, to conduct this transaction by electronic means by agreeing that all documents requiring COUNTY signatures may be executed by electronic means and that the electronic signatures affixed by the COUNTY to said documents shall have the same legal effect as if the signature was manually affixed to a paper version of the document. The VENDOR also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of R.C. ch. 304 and 1306 as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

IN WITNESS WHEREOF, the COUNTY, the COURT, and the VENDOR have executed this AGREEMENT as of the date first above written.

City of Strongsville

Approved as to legal form only by the  
Law Department of the City of Strongsville.

By \_\_\_\_\_  
Law Director

By: \_\_\_\_\_  
Thomas P. Perciak, Mayor

Date \_\_\_\_\_

Cuyahoga County Juvenile Court

By: \_\_\_\_\_  
Terease Z. Neff, Court Administrator

Cuyahoga County, Ohio

By: \_\_\_\_\_  
Armond Budish, County Executive

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 154

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION, OF CERTAIN OBSOLETE PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.  
[GovDeals]**

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

**Section 1.** That this Council finds that the Service Department of the City of Strongsville is in possession of certain vehicles, equipment and materials, which are obsolete, surplus, have little monetary value, and are no longer needed for any municipal purpose, as more particularly described in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference, and further finds, therefore, that it will be in the best interest of the City that such property be sold by public internet auction through GovDeals.

**Section 2.** That pursuant to Ohio Revised Code Section 721.15, the City is authorized to sell or dispose of property by internet auction; and that, pursuant to Article IV, Section 3(e) of the City Charter, the Mayor and Director of Finance be and are hereby authorized to dispose of such obsolete tangible property identified in Exhibit "A", and to perform all acts required in furtherance thereof.

**Section 3.** That the Director of Finance and the Mayor, therefore, are authorized to retain the services of **GovDeals** to effectuate the sale of such obsolete property by internet auction through an appropriate user agreement between the City and GovDeals, and in a form to be approved by the Law Director; and that the Director of Finance, Mayor and the Director of Public Service be and are further authorized and directed to execute all documents and perform all acts required to complete the sale of such obsolete and unneeded property by public internet auction.

**Section 4.** That the public internet auction will be conducted through GovDeals in accordance with its rules, regulations and procedures, including listing of the obsolete and unneeded property for sale by auction to the public on the internet. That as required by law, the property will be listed for ten (10) days, including Saturdays, Sundays and legal holidays.

**Section 5.** That the net proceeds of the operation of this Ordinance shall be deposited into the Street Construction, Maintenance & Repair Fund; and any funds required for the purposes of this Ordinance have been appropriated and shall be paid from the Street, Construction, Maintenance & Repair Fund.

**Section 6.** 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. 2021 – 154

Page 2

Section 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the immediate sale of such obsolete and unneeded municipal property is necessary in order to provide necessary storage space for the Service Department, to enable the Department to replace obsolete equipment, 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-154 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

Serial /VIN#

Description

CITY ID#

PU1516-JR & PU1517-JR

OMJC Portable Traffic Signals

none

Traffic Signal Trailer

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**EXHIBIT A**

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 155

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF CERTAIN OBSOLETE AND SURPLUS VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY. [Greater Cleve. Auto Auction]**

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

**Section 1.** That this Council finds that the Service Department of the City of Strongsville has obsolete and surplus vehicles, as described in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference, which are unfit for public use by reason of obsolescence or as surplus items, and are no longer needed for any municipal purpose; and further finds that it will be in the best interests of the City that such vehicles be sold at a public auction.

**Section 2.** That, pursuant to Article IV, Section 3(e) of the City Charter, the Mayor and Director of Finance be and are hereby authorized and directed to sell such vehicles at public auction.

**Section 3.** That the Director of Finance and the Mayor are authorized to retain the services of the **Greater Cleveland Auto Auction** to effectuate the sale of such vehicles for auction; and the Director of Finance and Mayor are further authorized and directed to execute all documents and perform all acts required to complete the auction and the sale of the auctioned vehicles.

**Section 4.** That any proceeds of sale shall be deposited into the Street, Construction, Maintenance & Repair Fund; and any funds required for the purposes of this Ordinance have been appropriated and shall be paid from the Street, Construction, Maintenance & Repair Fund.

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

**Section 6.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the immediate sale of such obsolete and surplus vehicles are necessary in order to provide needed storage space for the Service 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.

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2021 - 155  
Page 2

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2021-155 Amended: \_\_\_\_\_

1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_

Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

<u>Serial /VIN#</u>	<u>Description</u>	<u>CITY ID#</u>
1FTNF20567EA13988	Ford F250	307
1FTZRI5E97PA06663	Ford Ranger	2406

**EXHIBIT A**

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 156

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2020-084 TO INCREASE THE DOLLAR AMOUNT AUTHORIZED FOR THE PURCHASE OF CELLULAR COMMUNICATIONS SERVICES AND EQUIPMENT FOR USE BY VARIOUS DEPARTMENTS OF THE CITY; AND DECLARING AN EMERGENCY.**

WHEREAS, by and through Ordinance No. 2020-084, Council authorized the Mayor to request authority in the name of the City of Strongsville to participate in the General Services Administration Federal Supply Schedule (GSA) contracts for the purchase of various cellular communications services and equipment, including wireless voice and data services, in support of the City's general communication needs through Cellco Partnership dba Verizon Wireless, for use by various departments of the City in a total amount not to exceed \$137,500.00, and for a term ending May 26, 2022, which the Department of Communication & Technology has entered into pursuant to United States General Services Administrative Cooperative Purchasing Program; and

WHEREAS, the Director of Communication & Technology now has advised this Council that additional digital usage in support of the City's general communication needs will be required to be purchased during the remainder of the term ending May 26, 2022 from Cellco Partnership dba Verizon Wireless, under GSA IT Schedule 70; Contract No. GS-35F-0119P, for use by the Department of Communication & Technology and various departments of the City; and

WHEREAS, in order to fund the aforesaid additional purchases, it will be necessary to increase the total dollar amount authorized by Ordinance No. 2020-084 from \$137,500.00 to \$193,500.00; and

WHEREAS, this Council, therefore, is desirous of amending Section 1 of Ordinance No. 2020-084, in order to increase the amount authorized to be expended for additional cellular communications services and equipment, including wireless voice and data services, in support of the City's general communication needs, by the Director of Communication & Technology with Cellco Partnership dba Verizon Wireless, from \$137,500.00 to \$193,500.00.

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

**Section 1.** That Section 1 of Ordinance No. 2020-084 be and is hereby amended to read in its entirety as follows:

**“Section 1.** That the Mayor be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in the United States General Services Administration Federal Supply Schedule, Information Technology contracts for the purchase of cellular communications services and equipment from **CELLCO PARTNERSHIP dba VERIZON WIRELESS** for use by various departments of the City in amounts not to exceed

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2021 – 156**  
**Page 2**

a total of ~~\$137,500.00~~ **\$193,500.00** retroactive to May 26, 2020 through May 26, 2022, for a two-year period, based upon the rates set forth in the price list for such contract, which the General Services Administration has entered into pursuant to law, and that is on file with the City's Director of Communication & Technology and summarized on Exhibits A and B attached hereto and incorporated herein."

**Section 2.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the General Fund; Street Construction, Maintenance & Repair Fund; Fire Levy Fund; Multi-Purpose Complex Fund and 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 increase the amount authorized to be expended for the purchase of additional various cellular communications services and equipment, including wireless voice and data services, in support of the City's general communications needs, for use by the various departments of the City in order to maintain continuity and efficiency in the operation of City Departments, 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2021-156 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2021 – 157

By: Mayor Perciak and All Members of Council

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 2022, AND DECLARING AN EMERGENCY.

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 2022, 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 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 advertising for public bidding for this equipment, in order to maintain continuity of Recreation Department programs for the benefit and enjoyment of its patrons, and to conserve public funds. Therefore, provided, this Resolution 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

RES  
ORD. No. 2021-157 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_



CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2021 – 158

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR NIGHTLY JANITORIAL SERVICES AT THE WALTER F. EHRRNFELT RECREATION & SENIOR CENTER FACILITY IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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 Nightly Janitorial Services at the Walter F. Ehrnfelt Recreation & Senior Center facility in the City of Strongsville during 2022 and 2023, 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 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 advertising for public bidding for these services in order to properly maintain the Recreation Center facilities to protect the health and safety of City employees, guests and invitees to City-owned facilities, and to conserve public funds. Therefore, provided, this Resolution 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	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

RES  
ORD. No. 2021-158 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2021 – 159

By: Mayor Perciak and All Members of Council

**A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE KIWANIS CLUB OF STRONGSVILLE IN ORDER FOR THE CITY OF STRONGSVILLE TO PURCHASE PARK BENCHES FOR THE COMMONS AREA IN THE STRONGSVILLE TOWN CENTER.**

WHEREAS, the Kiwanis Club of Strongsville is a charitable group of local residents and neighbors dedicated to improving the lives of children and families in the community; and

WHEREAS, in the recent past, the Kiwanis Club of Strongsville generously gave monetary donations to benefit Strongsville children and families, such as helping with the maintenance and improvements to the Castletown playground; and

WHEREAS, now again, the Kiwanis Club of Strongsville has donated a check in the amount of \$4,864.00 to be used by the City for the purchase of four (4) park benches to be installed at the Commons area of the Strongsville Town Center for the enjoyment of the community; and

WHEREAS, therefore, the City is desirous of accepting such gracious donation.

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

**Section 1.** That this Council hereby extends its gratitude and appreciation to the Kiwanis Club of Strongsville for its donation of \$4,864.00 to be utilized by the City for the purchase of four (4) park benches to be installed at the Strongsville Commons Area.

**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.

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO  
RESOLUTION NO. 2021 – 159  
Page 2

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

**RES**  
ORD. No. 2021-159 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2021 – 160

By: Mayor Perciak and All Members of Council

**A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE STRONGSVILLE CITY CLUB IN ORDER FOR THE CITY OF STRONGSVILLE TO PURCHASE TRASH RECEPTACLES FOR THE CITY OF STRONGSVILLE COMMONS AREA.**

WHEREAS, the Strongsville City Club sponsors many events throughout the City of Strongsville, most notably, the Rib Burn-off, which is held at the Commons Area within the Strongsville Town Center; and

WHEREAS, in order to keep the Commons Area well-maintained, the City intends to purchase additional trash receptacles; and

WHEREAS, the Strongsville City Club has donated a check in the amount of \$941.00 to be used by the City for the purchase of one (1) trash receptacle to be placed at the Commons area of the Strongsville Town Center; and

WHEREAS, the City is therefore desirous of accepting such gracious donation.

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

**Section 1.** That this Council hereby extends its gratitude and appreciation to the Strongsville City Club for its donation of \$941.00 to be utilized by the City for the purchase of one (1) trash receptacle for the Strongsville Commons Area.

**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.

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO  
RESOLUTION NO. 2021 - 160  
Page 2

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____

Attest: \_\_\_\_\_  
Clerk of Council

*RES*  
ORD. No. *2021-160* Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
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Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_