

City of Strongsville

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Strongsville, Ohio 44149-5598
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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

December 2, 2021

MEETING NOTICE

City Council has scheduled the following meetings for **Monday, December 6, 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 and 2021-162.

Planning, Zoning & Engineering Committee will meet to discuss Ordinance No. 2021-163 and Resolution No. 2021-164.

Public Safety and Health Committee will meet to discuss Ordinance Nos. 2021-165, 2021-166 and 2021-167.

Public Service and Conservation Committee will meet to discuss Ordinance No. 2021-168.

Committee of the Whole will consider a motion to go into Executive Session for the purpose of discussing matters pertaining to potential civil litigation.

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, DECEMBER 6, 2021 AT 8:00 P.M.**

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

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Council Meeting – November 15, 2021*
6. PUBLIC HEARING:
 - On the matter of the possible reappointment and re-employment of Neal M. Jamison, who will be retired effective December 31, 2021 and seeking re-employment to his former and same position as Law Director for The City of Strongsville, to be effective January 1, 2022.
7. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
 - Motion to confirm the Mayor's reappointment of Neal M. Jamison as Law Director for the City of Strongsville to be effective January 1, 2022 in compliance with Section 145.381 of the Ohio Revised Code.
8. 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:

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

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

10. AUDIENCE PARTICIPATION:

11. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 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. Second reading 11/15/21.*
- 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. Second reading 11/15/21.*
- 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. Second reading 11/15/21.*
- 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. Second reading 11/15/21.*

- Ordinance No. 2021-162 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE IN ORDER TO AMEND SECTION 5-275 OF ARTICLE 5; AMEND SECTIONS 9-006, 9-007 AND 9-009 OF ARTICLE 9; TO FIX THE COMPENSATION OF CERTAIN HOURLY EMPLOYEES; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-163 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A PARTNER AGREEMENT WITH THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY IN CONNECTION WITH AN ELECTRIC VEHICLE CHARGING STATION PROJECT AT THE CITY OF STRONGSVILLE PUBLIC SQUARE AREA PROPERTY, AND DECLARING AN EMERGENCY.
- Resolution No. 2021-164 by Mayor Perciak and All Members of Council. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE REMOVAL OF THREE EXISTING ANTENNAS, ONE EXISTING TOWER MOUNTED AMPLIFIER; INSTALLATION OF SIX PROPOSED ANTENNAS, A SURGE PROTECTION UNIT, ONE PROPOSED FIBER TRUNK AND TWO PROPOSED DC POWER TRUNKS, LOCATED ON AN EXISTING TELECOMMUNICATIONS TOWER AT 20025 LUNN ROAD (PPN 393-26-003), IN THE CITY OF STRONGSVILLE.
- Ordinance No. 2021-165 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SIXTH AMENDMENT TO THE AGREEMENT FOR PUBLIC SAFETY DISPATCH SERVICES BETWEEN THE CITY OF STRONGSVILLE AND THE CITY OF BEREA, IN CONNECTION WITH AN ADJUSTMENT OF FEES COMMENCING JANUARY 1, 2022, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-166 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF NEW MONITOR/DEFIBRILLATORS AND AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS), ALL WITH ACCESSORIES; A FIVE-YEAR SERVICE AND MAINTENANCE PLAN FOR THE MONITOR DEFIBRILLATORS, FOR USE BY THE CITY'S FIRE AND EMERGENCY SERVICES DEPARTMENT, AND FOR TRADE-IN AND CREDIT FOR VARIOUS OBSOLETE EQUIPMENT TO BE APPLIED TO THE PURCHASE PRICE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-167 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FY2021 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FUNDS FOR THE PURCHASE OF A FIXED AIR COMPRESSOR CASCADE FILL SYSTEM WITH APPURTENANCES FOR USE BY THE CITY'S FIRE DEPARTMENT; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2021-168 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MASONRY RESTORATION MAINTENANCE, INC., IN CONNECTION WITH THE CITY OF STRONGSVILLE CLOCK TOWER EXTERIOR RESTORATION PROJECT, AND DECLARING AN EMERGENCY.

12. COMMUNICATIONS, PETITIONS AND CLAIMS:
13. MISCELLANEOUS BUSINESS:
14. 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. 11-15-21 Ref: Finance
 3rd Rdg. _____ Ref: _____

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

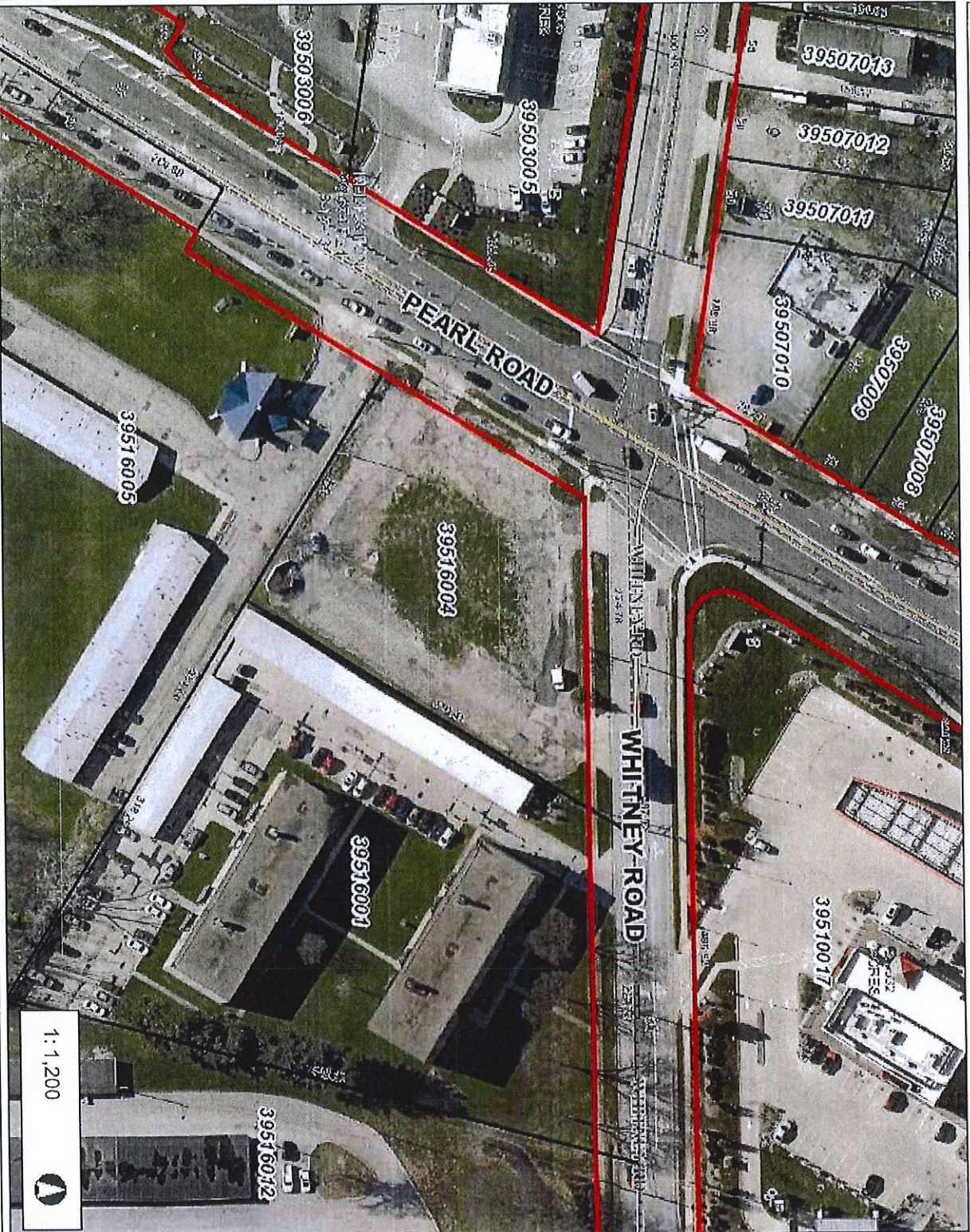
EXHIBIT A
THE PROPERTY

CITY OF STRONGSVILLE
ARBY'S TIF Parcel Numbers

395-16-004



Cuyahoga County GIS Viewer



Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

1:1,200

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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. 11-15-21 Ref: Finance
 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:
WGS_1984_Web_Mercator_Auxiliary_Sphere

1:1,200

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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. 11-15-21 Ref: FINANCE
 3rd Rdg. _____ Ref: _____

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

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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. 11-15-21 Ref: Finance
 3rd Rdg. _____ Ref: _____

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

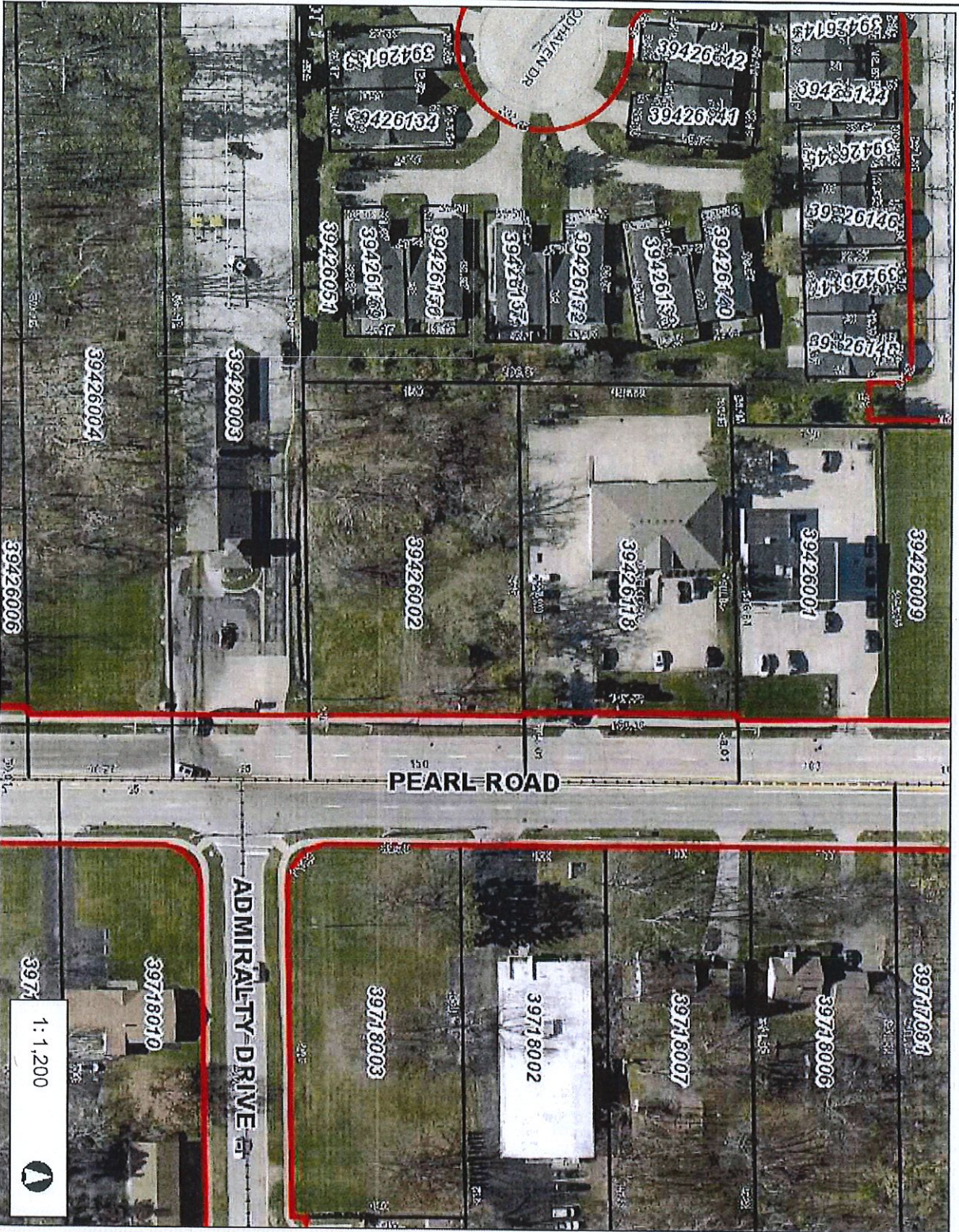
EXHIBIT A
THE PROPERTY

CITY OF STRONGSVILLE
STRICKLAND TIF Parcel Numbers

394-26-002



Cuyahoga County GIS Viewer



Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

200 Feet
0 100 200 Feet

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

Cuyahoga County
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP



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 – 162

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE IN ORDER TO AMEND SECTION 5-275 OF ARTICLE 5; AMEND SECTIONS 9-006, 9-007 AND 9-009 OF ARTICLE 9; TO FIX THE COMPENSATION OF CERTAIN HOURLY EMPLOYEES; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, this Council has determined to amend Section 5-275 with regard to the Pay Range Allocation for Law Director; to amend Sections 9-006, 9-007 and 9-009 of Article 9, and to fix the compensation of certain hourly part-time employees in accordance with State law, all effective 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 General Salary Ordinance be and is hereby amended in order that it shall read in its entirety as follows:

ARTICLE 1
General Provisions

1-001 SHORT TITLE.

This Ordinance shall be known as "The General Salary Ordinance".

1-002 PERSONNEL PLAN.

This Ordinance, the position specifications developed pursuant to Article 3, and Administrative Rules and Regulations prescribed by the Mayor shall constitute the Personnel Plan which, together with the Rules and Regulations of the Civil Service Commission and duly authorized collective bargaining agreements in full force and effect, shall govern the personnel management functions of the City.

The Personnel Plan may be separately bound in bulk form under that Title for convenience in administration.

ARTICLE 2
Definitions

As used in, or in conjunction with, this General Salary Ordinance, unless otherwise specified herein or in the Codified Ordinances of the City or the context otherwise requires, the following words and phrases shall mean:

Abolishment - an action taken resulting in the elimination of a particular job or position.

Active Service - being present and able to perform the duties to which an employee of the City has been assigned and actually performing such duties.

Appointing Authority - an individual, officer, commissioner, agency, board, or body having the authority to appoint or remove a person from a position in the service of the City according to provisions contained in the law.

Appointment - the designation of a person to become an employee in a position, and his/her induction into employment in such position according to law.

Calendar Month - from the first day to and including the last day of any one of the twelve calendar months.

Calendar Week - seven consecutive calendar days, starting at 12:01 a.m. on Sunday and ending at Midnight the following Saturday.

Continuous Service - service in a position with the City without any interruption after an appointment or reinstatement. Continuous service shall not be deemed to be interrupted by absence on authorized and approved sick leave or other authorized and approved leave, provided the employee returns to active employment with the City on or before the expiration of such leave.

Demotion - the change of an employee from a position in one pay range to a position in a different pay range having a lower maximum rate of pay.

Downgrading - the opposite of upgrading. An action taken by the Council causing a position to be reassigned from one pay range to a different pay range having a lower maximum rate of pay; or to a lower rate of pay if single rates are used to compensate workers.

Employee - means any incumbent of a position.

Intermittent Employment - an irregular work schedule that cannot be accurately predicted beyond the immediate future.

Officer - elected officials, department heads, and members of boards and commissions who receive their authority from provisions of the law.

Original Appointment - initial appointment of a person to a position in the municipal service, or appointment after service has been interrupted by resignation, retirement or discharge.

Overtime - time at work which has been authorized by a competent authority during which an employee is on duty or on authorized vacation leave, holiday leave, personal leave, or serving jury duty, working for the City in excess of the standard work week of forty (40) hours, except in the Division of Fire.

Paid Status - time in a position for which compensation is due for actual work performed plus time away from work for an authorized leave for which compensation is due.

Pay Period - that period of time for which an employee regularly receives compensation.

Pay Range - a division of a pay schedule, or compensation plan having a minimum rate, a maximum rate, and one or more intermediate steps.

Position - any office, employment, or job, calling for the performance of specific duties, and the exercise of specific responsibilities as determined by competent authority.

Probationary Period - an established period of time after appointment during which an employee is required to demonstrate his/her ability to perform the duties of a position to which the employee has been appointed in order to retain appointment to such position.

Promotion - the change of an employee from a position in one pay range to a position in a different pay range having a higher maximum rate of pay.

Regular Full-time - means an employee who is employed on a regular and continuing basis and for whom there is a reasonable expectancy that such employment will continue in excess of six (6) months and, excluding overtime, is in employment 1,560 or more hours per calendar year or an average of 35 or more hours per week.

Regular Part-time - means an employee who is employed on a regular and continuing basis and for whom there is a reasonable expectancy that such employment will continue in excess of six (6) months and, excluding overtime, is in employment less than 1,560 hours per calendar year.

Reinstatement - the return of a person to a position in the same position from which he/she resigned, or to a position in a lower pay range in the same occupational group providing such action is approved by the appointing authority within one year from the date of resignation.

Resignation - the voluntary termination of employment by an employee.

Seasonal – means an employee who is employed on a regular or part-time basis but limited to a specific season or per the stipulations of an applicable collective bargaining agreement.

Scheduled Working Time - regularly scheduled working time assigned by the appointing authority or an authorized designee.

Temporary Appointment - the appointment of a person selected by the appointing authority (without regard to the existence of an eligible list if the appointment is in the classified service) for a period not to exceed ninety (90) work days.

Upgrading - the opposite of downgrading. An action taken by Council raising a position to a higher rate or a range of pay by amending the General Salary Ordinance. Upgrading does not constitute a promotion.

Workday - a workday consists of a regularly scheduled work period assigned by the appointing authority in any twenty-four (24) hour period, except as otherwise specifically provided by ordinance.

Workweek - a regularly recurring period of seven (7) twenty-four (24) hour days consisting of five (5) workdays and two (2) days off, except as specifically otherwise provided by ordinance.

ARTICLE 3

Development and Maintenance of Position Plan

Article No.	Title
3-001	Objectives.
3-003	Composition of the Position Plan.
3-005	Position Specifications.
3-007	Use of the Plan.
3-009	Maintenance of the Plan.
3-011	Amendments to Position Plan.

3-001 OBJECTIVES.

The development of the employee position plan is for the purposes of establishing descriptive guides for positions in the City service; and, except where otherwise provided by a duly authorized collective bargaining agreement in full force and effect, to allocate positions to ranges of pay which are equitable in relation to all positions under the plan, and to otherwise allow for and promote an orderly and efficient administration of the personnel matters of the City.

It is not the purpose of this Ordinance or the establishment of the positions therein to determine the practicability of appointment or promotion to a position through competitive examination, or to otherwise regulate matters within the jurisdiction of the Civil Service Commission. The employee position plan shall include (a) the position schedule set forth in Article 5 of this Ordinance and (b) a complete inventory of all positions in the City service and accurate descriptions and specifications for each. In the plan, position titles shall be

standardized and each of them shall be indicative of a definite range of duties and responsibilities and shall have the same meanings throughout the City service. Positions in the City service shall be reviewed to determine those which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be compensated equitably within the same range of pay under similar working conditions.

3-003 COMPOSITION OF THE POSITION PLAN.

The position plan shall consist of:

- (a) Position titles, descriptive of the work of the position, which will identify each position, and which may be designated by a numerical code.
- (b) Written specifications for each position containing a description of the nature of work and relative responsibility; illustrative examples of work performed in the position; requirements in terms of knowledge, abilities, the type of experience and training generally providing these knowledge, abilities, and skills.
- (c) A list showing the pay range to which each position in the City service is allocated, set forth in Article 5, except where otherwise provided by collective bargaining agreement.

3-005 POSITION SPECIFICATIONS.

The specifications of the positions in the employee position plan and their various parts shall be used as a guide and have the following force and effect:

- (a) The specifications are descriptive and not restrictive. They shall not be construed as declaring to any extent, or in any way, what the minimum or maximum duties or responsibilities of any position shall be, or as limiting or in any way modifying the power of any appointing authority or administrative officer to assign, direct and control the work of employees under his supervision. The use of a particular expression or illustration shall not be held to exclude others not mentioned that are of similar kind or quality.
- (b) The written position specifications shall be on file with the Human Resources Director to serve as a manual of position specifications for convenience in administering the compensation plan and other personnel matters in the City.

3-007 USE OF THE PLAN.

The employee position plan may be used:

- (a) In preparing public announcements of examinations or vacancies;
- (b) As a guide in preparing examinations which may be used to appraise the qualifications of applicants for work in specific positions.
- (c) In determining promotional sequence and developing employee training programs.
- (d) In determining compensation to be paid for various types of work and establishing and maintaining an equitable compensation plan.
- (e) In determining personal service items in the budgets for the various organizational units of the City government.
- (f) In providing uniform job terminology.
- (g) In establishing appropriate employment lists from which personnel may be certified to fill vacancies.

3-009 MAINTENANCE OF THE PLAN.

The directors of the various departments, together with the Mayor, shall be responsible for the proper maintenance of the employee position plan so that it will reflect continuously the duties currently being performed by each employee in the City and the pay range to which the

position is allocated. Each director shall propose to the Mayor necessary amendments to the employee position plan, including additions, revisions, deletions, and changes in position specifications, as follows:

(a) *Allocation of new positions.* The director of a department shall, within sixty days of the creation of a new position in his department, complete or approve a written position description covering the duties and responsibilities of such position, to be forwarded to the office of the Mayor. The Mayor, subject to the approval of Council, shall allocate the position to one of the pay ranges in the compensation plan. If a pay range does not exist, he shall recommend the establishment of a new one and after the adoption of the new position pay range by Council, he shall allocate the position to it.

(b) Changes in the duties and responsibilities of a position involving either the addition, reduction or modification of assignments shall be reported to the Mayor by the director of the department concerned if the changes are determined to be permanent and are sufficiently significant to justify reallocation to a different pay range, the Mayor, with the approval of Council, shall assign the position to the pay range which is appropriate under the modified circumstances.

(c) The director of each department shall periodically review, or cause to be reviewed, the positions and shall audit duties and responsibilities for each change in the position specifications as required and shall recommend to the Mayor such changes as are necessary to keep the employee position plan up to date.

(d) The Mayor may require departments or employees to submit position descriptions on a periodic basis, or any time he has reason to believe there has been a change in the duties and responsibilities of any position. The Mayor may direct the review of all positions in the City service at least once every five years on a cyclical basis.

(e) The assignment of duties to a position, whether the duties are temporary or permanent, incidental or essential, the location of work, the type of equipment and tools to be used, and the scheduling of shift assignments, shall be wholly the responsibility of the director and the Police or Fire Chief in the case of those divisions. The position plan shall in no way operate or be construed to operate to limit or interfere with his or her responsibility for the assignment of duties.

3-011 AMENDMENTS TO POSITION PLAN.

The establishment of a new position or the abolishment of a current position shall be made by amendment to Article 5. When a filled position is reallocated, the action shall be administered as though the original position was abolished and a new position with a different pay range allocation established.

ARTICLE 4 Development and Maintenance of Compensation Plan

Article No.	Title
4-001	Applicability and Composition of the Compensation Plan.
4-003	Development and Maintenance of Compensation Ranges.
4-005	Appointment Rate.
4-007	Within-Range Pay Adjustments.
4-009	Pay Rates in Transfer, Promotion, or Demotion.
4-011	Reinstated Employees.

4-013 Permitting Overrun or Underrun on Salaries as Required for
Computer Payroll Methods.

4-001 APPLICABILITY AND COMPOSITION OF THE COMPENSATION PLAN.

The provisions of the Compensation Plan shall be applicable only to those officers and employees of the City who are not beneficiaries of collective bargaining agreements executed by the City and the various bargaining units, except for Section 4-013 of this Article, which shall apply to all officers and employees.

The Compensation Plan shall consist of and include this Article 4, the pay range allocations of Article 5 and the basic compensation schedules set forth in Articles 6 and 9.

4-003 DEVELOPMENT AND MAINTENANCE OF COMPENSATION RANGES.

The compensation range or rate for each position shall be determined by Council with due regard for ranges and rates of pay of other positions, relative difficulty and responsibility of position in each range or rate of pay, availability of employees in particular occupational categories, prevailing rates of compensation for similar employment in private establishments in the Strongsville area and the municipal service of other public jurisdictions in the general area, cost-of-living factors, the financial policies and the financial position of the City, and other economic considerations.

The Mayor may make comparative studies of factors affecting the level of ranges and rates of compensation as often as necessary, and shall submit his recommendations to the City Council for its action.

4-005 APPOINTMENT RATE.

Where a pay range is established for a position, the minimum rate established for that position shall be paid upon appointment, except that appointment rates above or below the minimum rate may be authorized by the Mayor upon the request of the director of a department.

(a) *Appointments Above the Minimum Rate.* Appointments above the minimum rate may be authorized based upon exceptional qualifications and experience of the appointee or inability to employ eligible candidates at the minimum rate.

(b) *Appointments Below the Minimum Rate.* Appointments below the minimum rate may be authorized where the candidate possesses less than the minimum acceptable qualifications for a position. Such an appointment shall be made on a trainee basis.

4-007 WITHIN-RANGE PAY ADJUSTMENTS.

Pay adjustments within an established range or rate of pay shall be administered in accordance with the subsequent Articles of this Ordinance applicable to the particular position.

4-009 PAY RATES IN TRANSFER, PROMOTION, OR DEMOTION.

If an employee is transferred, promoted, or demoted, upon the recommendation of the director and approval of the Mayor, the employee's pay for the new position shall be determined as follows:

(a) If the employee's rate of pay in the former position is less than the minimum rate established for the new position, such employee's rate of pay shall be advanced to at least the minimum for the new position.

(b) If the employee's rate of pay in the former position is more than the maximum rate established for the new position, such employee's rate of pay shall be reduced to the maximum rate or an intermediate step of the new pay range.

(c) If the employee's rate of pay in the former position falls within the range of pay of the new position, such employee's rate of pay shall remain the same or be increased in the case of transfer; and shall be increased at least 5 per cent (5%) in the case of a promotion; and shall remain the same or lowered in case of demotion.

4-011 REINSTATED EMPLOYEES.

(a) A person seeking employment with the City who was previously employed by the City in any capacity during the immediately preceding twelve-month period shall, if rehired, be considered a reinstated employee for the purposes of this Article, upon such re-employment.

(b) Reinstated employees whose previous employment with the City was terminated may be reinstated at a compensation rate within the pay range for the position to which the employee is reinstated as determined by the director of the department in which such employee is reinstated, subject to the approval of the Mayor, without regard to the compensation rate previously received.

(c) This Article does not apply to employees absent from their positions on authorized leaves of absence.

4-013 PERMITTING OVERRUN OR UNDERRUN ON SALARIES AS REQUIRED FOR COMPUTER PAYROLL METHODS.

In order to facilitate the handling of entries for computer payroll methods and to eliminate the necessity for adjustments of overruns or underruns which may occur through this method; and to take care of overruns or underruns resulting from bi-weekly pay periods, the Director of Finance is authorized to adjust and pay overruns and underruns not to exceed \$20.00 per salaried employee per year.

ARTICLE 5
Position Plan

Article

No.	Title
5-001	Schedule of Positions and Pay Range Allocations.
5-005 thru 355	Position and Allocation Schedule.

5-001 SCHEDULE OF POSITIONS AND PAY RANGE ALLOCATIONS.

The meanings of the position titles used herein are as defined by specifications contained in the Position Plan, of which an official copy shall be maintained in the office of the Human Resources Director, and be available to all concerned persons during regular business hours.

5-005 thru 5-355 POSITION AND ALLOCATION SCHEDULE.

Ord.	Pay Range
<u>Sec.No.</u>	<u>Allocations</u>
FINANCE	
5-005 Accounting Assistant II	10

5-006 Accountant	11
5-007 Accounting Supervisor	12
5-010 Assistant Director of Finance	15
5-011 Supervisor of Budget & Management	17
5-015 Director of Finance	18

GENERAL ADMINISTRATION

5-023 Administrative Assistant	12
5-025 Clerical Assistant	5
5-030 Clerk of Mayor's Court	10
5-032 Program Coordinator	9
5-038 Benefits/Project Coordinator	8
5-039 Payroll/Personnel Supervisor	15
5-040 Receptionist	5
5-045 Casual and Temporary Laborer/Seasonal	1 through 5
5-049 Secretary I	7
5-050 Secretary II	8
5-051 Secretary III	9
5-052 Boards & Commissions Secretary	9

BUILDING

5-055 Building Commissioner/ADA Coordinator (State Certified)	17
5-056 Assistant Building Commissioner (State Certified)	14
5-058 Residential Code Official/Plans Examiner (State Certified)	13
5-060 Building Inspector (State Certified)*	

*NOTE: The pay range allocation for members of collective bargaining units in the pay range allocation 5-060 is established by collective bargaining agreement.

COMMUNICATION & TECHNOLOGY

5-070 Director of Communication & Technology	17
5-071 Assistant Director of Communication & Technology	14
5-073 Information Technologist	12
5-074 Part-time Senior Communication & Technology Coordinator	12 (part-time only)
5-078 Part-time IT Support Technician	10 (part-time only)

DEPARTMENT OF ECONOMIC DEVELOPMENT

5-075 Director of Economic Development	16
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*NOTE: Other positions in the Economic Development Department are established and allocated to pay ranges in Article 9 of the General Salary Ordinance.

ENGINEERING

5-080 City Engineer	17
5-083 Assistant City Engineer	13
5-084 Design Engineer	12
5-085 Engineering Technician	11
5-088 Engineering Inspector	10
5-089 Engineering Trainee	8

HUMAN RESOURCES 17
 5-093 Human Resources Director

PUBLIC SAFETY
Administrative 15
 5-095 Public Safety Director

Fire
 5-100 Firefighter*
 5-105 Firefighter-Paramedic*
 5-110 Fire Lieutenant*
 5-115 Fire Lieutenant-Paramedic*
 5-117 Fire Captain* 15
 5-119 Assistant Fire Chief 18
 5-120 Fire Chief

*NOTE: The pay range allocations for members of collective bargaining units in the pay range allocations 5-100 through 5-117 are established by collective bargaining agreement.

Police See Article 8
 5-125 Police Officer*
 5-130 Police Sergeant*
 5-135 Police Lieutenant* 15
 5-138 Assistant (Deputy) Chief 18
 5-140 Police Chief

*NOTE: The pay range allocations for members of collective bargaining units in the pay range allocations 5-125 through 5-135 are established by collective bargaining agreement.

Other
 5-141 Clerk Dispatcher* 6 (part-time only)
 5-142 Radio Dispatcher* 6 (part-time only)
 5-143 Communications and Records Supervisor 10
 5-144 Communications and Records Assistant Supervisor 9
 5-149 School Guard See 9-008
 5-150 Youth Programs Coordinator 7
 5-151 Corrections Officer Coordinator* 9
 5-152 Victims Witness Advocate
 5-153 Corrections Officer*
 5-154 Quartermaster 9 8
 5-155 Maintenance Assistant** 9
 5-156 Jail Supervisor

*NOTE: The pay range allocations for members of collective bargaining units in the pay range allocations 5-141, 5-142, 5-151 and 5-153 are established by collective bargaining agreement.

**NOTE: This position is equivalent to the position 5-334 Maintenance Assistant in the Recreation Department.

PUBLIC SERVICE

General Supervision, Labor & Trades

5-160	Animal Control Officer*	
5-163	Bus Driver*	
5-169	Sewer Crew Leader*	
5-171	Sewer Tech I*	
5-175	Laborer*	
5-181	Sewer Tech II*	
5-182	Sewer Tech III*	18
5-185	Public Service Director	14
5-186	Assistant Public Service Director	14
5-187	Service Supervisor **	12
5-190	Service/Budgetary Assistant	
5-195	Sexton*	
5-197	Sign Maker/Repairperson III*	
5-205	Utility Repairperson*	
5-210	Vehicle Maintenance Crew Leader*	
5-215	Vehicle Mechanic I*	
5-220	Vehicle Mechanic II*	
5-225	Truck Driver*	
5-230	Heavy Equipment Operator*	
5-235	Arborist I*	
5-236	Arborist II*	
5-237	Tree Care Technician*	12
5-250	Coordinator of City Natural Resources	7
5-252	Groundskeeper	

*NOTE: The pay range allocations for members of collective bargaining units in the pay range allocations 5-160 through 5-182, 5-195 through 5-237 are established by collective bargaining agreement.

**NOTE: Service Department Supervisors designated and assigned by the Employer during non-scheduled weekend hours of work to be available for immediate response shall be entitled to an additional Two Hundred Twenty-five Dollars (\$225.00) per weekend, when so assigned and are required to report to work. Anytime a Service Department Supervisor is assigned to be on-call during a Monday-Friday Holiday, One Hundred Dollars (\$100.00) will be paid for the on-call responsibility. Service Department Supervisors that call off sick the day prior to their weekend standby duty, or who fail to respond to a weekend standby call due to illness shall forfeit their standby pay.

LAW DEPARTMENT

5-275	Law Director	4816
5-280	Assistant Law Director (Civil)	14
5-282	Assistant Law Director (Criminal)	10
5-283	Assistant Law Director (Criminal-2)	4
5-290	Legal Intern	6

RECREATION*

5-314 Aquatics/Pool Assistant Manager	9
5-315 Director of Recreation & Senior Services	15
5-317 Aquatics/Pool Manager	12
5-318 Recreation/Program Supervisor	11
5-319 Fitness Room Supervisor	10
5-320 Assistant Recreation Supervisor	7
5-322 Recreation Maintenance Foreman	11
5-323 Maintenance Assistant Part-Time	2
5-325 Recreation Facility Manager	13
5-326 Parks and Outdoor Recreation Superintendent	13
5-327 Assistant Maintenance Foreman	9
5-329 Day Time Cleaning Crew Leader	7
5-330 Night Time Cleaning Crew Leader	7
5-331 Cleaning Assistant	7
5-334 Maintenance Assistant	8

*NOTE: Other positions in the Recreation Department are established and allocated to pay ranges in Article 9 of the General Salary Ordinance.

SENIOR SERVICES*

5-335 Senior Program Supervisor	10
5-345 Family Preservation Coordinator	9
5-350 Senior Support Staff	1 through 7
5-355 Senior Center Services Coordinator	13

*NOTE: Other positions in the Senior Services Department are established and allocated to pay ranges in Article 9 of the General Salary Ordinance.

ARTICLE 6
General Pay Plan

Article No.	Title
6-001	General Pay Ranges.
6-003	General Pay Range Schedules.
6-005	Within-Range Pay Adjustments.
6-007	Range Adjustments.

6-001 GENERAL PAY RANGES.

(a) The following salary pay ranges (S) and hourly pay ranges (H) set forth in Article 6-003 are hereby established as the "General Pay Range Schedules" and are to be applied to the several positions included in Article 5 of this Ordinance, except as otherwise set forth in this Ordinance. Said ranges shall apply and shall be in effect until changed by Council.

(b) The annual salary rates set forth in Article 6-003 are based on forty (40) hours of paid status time in each work week, *as rounded to the nearest cent*, and such annual salary shall be divided by 2080 hours to obtain the equivalent hourly rate rounded to the nearest cent where hourly rates need to be determined and applied.

(c) Where a position is filled by an employee, who regularly works less than forty (40) hours per week the Mayor is authorized to establish the rate of compensation of the employee. The rate of compensation of such employee may be determined as follows: (1) an annual salary may be established based upon the multiple of the estimated hours to be worked times an hourly rate within the pay range for the position to which the employee is allocated; (2) an hourly rate of compensation may be set within the pay range established for the position to which the employee is allocated; (3) an annual salary may be established based upon the employee's regular work week, and the hourly rate for that salary established as the rate of compensation for time worked in excess of such regular work week, or (4) an annual salary may be determined within the pay range by the Mayor based on the work entailed with the position.

(d) All employees shall be paid on an hourly or salaried basis as determined by the director, with the approval of the Mayor. Employees paid by the hour shall be paid only for hours in paid status. All employees whether paid on a salaried basis or paid by the hour, including elected officials and department heads, shall be paid by direct deposit on a bi-weekly basis.

(e) The minimum salary and hourly rates of a pay range shall be payable upon appointment for positions allocated to such pay range, except where modified pursuant to Article 4-005 of the General Salary Ordinance, and the maximum salary and hourly rate of a pay range shall be the highest salary or hourly rate payable for positions allocated to such pay range.

6-003 GENERAL PAY RANGE SCHEDULES.

GENERAL SALARY PAY RANGE SCHEDULE

2022		
Level	Minimum	Maximum
1S	\$20,476.61	\$30,234.59
2S	\$21,260.28	\$33,571.54
3S	\$22,650.68	\$37,363.51
4S	\$25,153.37	\$41,484.10
5S	\$27,984.70	\$46,110.28
6S	\$31,068.82	\$51,267.36
7S	\$34,532.16	\$56,904.75
8S	\$38,324.14	\$63,275.25
9S	\$43,000.87	\$70,277.75
10S	\$47,298.44	\$78,089.19

11S	\$52,581.93	\$86,709.60
12S	\$58,396.27	\$96,366.46
13S	\$65,247.08	\$107,059.80
14S	\$72,022.06	\$118,941.30
15S	\$80,111.58	\$132,137.34
16S	\$84,105.78	\$138,785.91
17S	\$92,523.94	\$156,658.70
18S	\$101,751.04	\$167,908.21

GENERAL HOURLY PAY RANGE SCHEDULE

2022		
Level	Minimum	Maximum
1H	\$9.84	\$14.54
2H	\$10.22	\$16.14
3H	\$10.89	\$17.96
4H	\$12.09	\$19.94
5H	\$13.45	\$22.17
6H	\$14.94	\$24.65
7H	\$16.60	\$27.36
8H	\$18.43	\$30.42
9H	\$20.67	\$33.79
10H	\$22.74	\$37.54
11H	\$25.28	\$41.69
12H	\$28.08	\$46.33
13H	\$31.37	\$51.47
14H	\$34.63	\$57.18
15H	\$38.52	\$63.53

16H	\$40.44	\$66.72
17H	\$44.48	\$75.32
18H	\$48.92	\$80.73

6-005 WITHIN-RANGE PAY ADJUSTMENTS.

Salary or hourly adjustments within an established range shall not be automatic but shall be dependent upon recommendation of the director to the Mayor. The decision to award or withhold an increase shall be the Mayor's and shall be based on performance and time in service. The employee shall be informed of the reasons for withholding an increase and the improvement in performance required to obtain an increase.

6-007 RANGE ADJUSTMENTS.

When the Council adjusts one or more of the ranges of pay established by this Ordinance due to changes in the cost of living or other reasons set forth in Article 4, the Council may elect to apply increases to the rates of pay for each employee within those ranges. When Council so elects, such increases shall be applied to each employee within the range or ranges adjusted without regard to performance or time in service.

ARTICLE 9*
Compensation for Specific Positions

Article No.	Title
9-001	Purpose.
9-002	Mayor.
9-003	Members of Council.
9-004	Clerk of Council and Assistant Clerk of Council.
9-005	Boards, Commissions and Committees.
9-006	Law Department.
9-007	Recreation Department.
9-008	School Guards.
9-009	Senior Services Department.
9-010	Economic Development Department.
9-011	Magistrate of Mayor's Court.

9-001 PURPOSE.

This Article 9 provides for the compensation of specific employee positions which are not included within other provisions of the General Salary Ordinance. Each official or employee elected or assigned to one of the positions provided in this Article shall receive compensation at the rate or within the pay range for each officer or position herein, and shall be paid by direct deposit on a bi-weekly basis except for those in 9-005(a) and 9-006(B).

* Note – Articles 7 and 8 were intentionally deleted through previous Ordinances of Council.

9-002 MAYOR.

The Mayor shall be compensated at the annual salary rate of \$150,000.00, through May 31, 2020, in pay range 18S of the General Salary Pay Range Schedule in Article 6 of this General Salary Ordinance. Effective June 1, 2020 through August 31, 2020, the Mayor shall be compensated at the annual salary rate of \$120,000.00. Effective September 1, 2020, the Mayor shall be compensated at the annual salary rate of \$150,000.00, in pay range 18S of the General Salary Pay Range Schedule in Article 6 of this General Salary Ordinance. Said compensation shall be paid in equal installments in the same manner and form as established for other salaried employees of the City.

9-003 MEMBERS OF COUNCIL.

Members of Council shall be compensated at the following annual salary rates through May 31, 2020:

President of Council	\$20,091.18
President of Council Pro Tem	\$19,467.00
Councilpersons	\$18,841.79

Effective June 1, 2020 through August 31, 2020, members of Council shall be compensated at the following annual salary rates:

President of Council	\$16,072.94
President of Council Pro Tem	\$15,573.59
Councilpersons	\$15,073.43

Effective September 1, 2020, Members of Council shall be compensated at the following annual salary rates:

President of Council	\$20,091.18
President of Council Pro Tem	\$19,467.00
Councilpersons	\$18,841.79

9-004 CLERK OF COUNCIL AND ASSISTANT CLERK OF COUNCIL.

A. The compensation for the Clerk of Council and Assistant Clerk of Council are established pursuant to the following pay range allocations and consistent with the General Salary Pay Range Schedule in Section 6-003:

<u>Position</u>	
Clerk of Council	14
Assistant Clerk of Council	11

B. The compensation shall be paid in the same manner and form as established for other salaried employees of the City.

C. The Clerk and Assistant Clerk of Council when serving as Acting Clerk of Council shall be compensated at the rate of \$110.00 per meeting for attendance at each official meeting of Council.

9-005 BOARDS, COMMISSIONS AND COMMITTEES.

(a) **Non-City Employees.** Each member of the Planning Commission, Board of Zoning Appeals, Civil Service Commission, Architectural Review Board, Property Maintenance Board of Appeals, Charter Review Committee, Board of Tax Review, and any Assessment Equalization Board of the City of Strongsville who is not an employee of the City shall serve without compensation; but may be reimbursed for actual expenses in accordance with C.O. Section 266.14 or may elect to be reimbursed for such expenses in the sum of \$110.00 per meeting. Such election shall be made on or before January 31 in each calendar year or within 30 days from the member's date of appointment.

(b) **City Employees.** Each member of the Planning Commission, Board of Zoning Appeals, Civil Service Commission, Architectural Review Board, Property Maintenance Board of Appeals, Charter Review Committee, the Shade Tree Commission, and any Assessment Equalization Board of the City of Strongsville who is a City employee and required to attend a meeting of any of the aforesaid Boards, Commissions or Committee beyond such employee's regularly scheduled work hours shall be compensated in accordance with law plus reimbursable expenses in accordance with C.O. Section 266.14 if any, or \$110.00 per meeting, whichever amount is greater. Such payments shall be processed, and treated, as compensation for payroll reporting purposes.

9-006 LAW DEPARTMENT.

A. The position of the Law Director shall be a ~~full-time~~**part-time** position, and the employee assigned to that position shall be compensated at a rate within the pay range to which the position has been allocated. The compensation for that position shall be administered in accordance with Article 6 of the General Salary Ordinance.

B. In the event that the Assistant Law Director (Civil) represents the City, its officers, employees, or agents before any court or administrative agency other than the Council or a Board of the City; or is assigned a special project by the Mayor outside of his/her normal duties, the Assistant Law Director (Civil), for such preparation and appearance, shall be paid additional compensation in addition to the basic compensation established in Articles 4 through 6 hereof. In these matters the Assistant Law Director (Civil) is authorized in case or project preparation and appearance to utilize the services of law clerks, legal assistants/paralegals, and other attorneys associated with the Assistant Law Director (Civil) or in his/her employ. For rendering the services set out herein, the Assistant Law Director (Civil) shall receive compensation in addition to the basic compensation established in Articles 4 through 6 hereof as follows:

Assistant Law Director	\$180.00 per hour
Other Attorneys	\$162.00 per hour
Legal Assistant/Paralegal	\$ 66.00 per hour
Law Clerk	\$ 42.00 per hour

The Assistant Law Director (Civil) shall provide the private facilities, equipment and support services of a secretarial nature required to carry out such attorney's responsibilities as set out in this Section 9-006 for court matters, administrative matters, or special projects at no additional cost to the City.

In the event that the Assistant Law Director (Criminal) represents the City, its officers, employees, or agents before any court or administrative agency other than the

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Strongsville Mayor’s Court or the Berea Municipal Court; or is assigned a special project by the Mayor outside of his/her normal duties, the Assistant Law Director (Criminal) shall be paid for such preparation and appearance additional compensation in addition to the basic compensation established in Articles 4 through 6 hereof as follows:

- A. Assistant Law Director (Criminal) \$140.00 per hour
- B. Other Attorneys \$135.00 per hour
- C. Legal Assistant/Paralegal \$ 55.00 per hour
- D. Law Clerk \$ 35.00 per hour

The Assistant Law Director (Criminal) shall provide the private facilities, equipment and support services of a secretarial nature required to carry out such attorney’s responsibilities as set out in this Section 9-006 for court matters, administrative matters, or special projects at no additional cost to the City.

C. The City shall provide the Law Director and all Assistant Law Directors medical and hospital benefits, insurance, holiday leave, sick leave, vacation leave and contributions to the Public Employees Retirement System; however, such benefits are based solely upon their respective rates of compensation established pursuant to Articles 4 through 6 of this Ordinance.

The Law Director and the Assistant Law Directors shall not be required to represent the Strongsville City School District or its Board. The Law Director or Assistant Law Directors may represent the Strongsville City School District or its Board if he/she elects to do so by separate agreement with the School District or its Board.

9-007 RECREATION DEPARTMENT.

A. The compensation for Recreation Department employees other than those set forth in Article 5 are established at the following hourly pay ranges (H) and fixed rates (F):

Pay Range

Sec. No.	Position	Minimum		Maximum	
9-014	Recreation Facility & Groundskeeper	H	8-809.30	H	25.00
9-016	Recreation Assistant	H	8-809.30	H	25.00
9-017	Sports Intern	H	8-809.30	H	25.00
9-019	Game Official	F	8-809.30 /game	F	45.00/game
9-022	Front Desk Attendant	H	8-809.30	H	25.00
9-023	Building Superintendent	H	10.00	H	25.00
9-024	Fitness Attendant	H	8-809.30	H	25.00
9-025	Personal Trainer	H	8-809.30	H	55.00
9-029	Lifeguard	H	10.00	H	25.00
9-030	Head Lifeguard	H	12.00	H	25.00
9-031	Lifeguard Instructors	H	13.00	H	30.00
9-032	Lifeguard Instructor Trainer	H	13.00	H	30.00
9-033	Water Safety Instructors	H	11.00	H	30.00
9-034	Water Safety Instructor Trainer (WSI)	H	11.00	H	30.00
9-035	Recreation Instructor	H	8-809.30	H	55.00
9-037	Swim Coaches	H	8-809.30	H	25.00

9-038	Swim Instructor/Private Lessons	H	25.00	H	25.00
9-039	Semi-Private Swim Instructor	H	35.00	H	35.00
9-040	Triple Private Swim Instructor	H	45.00	H	45.00
9-042	Head Pre-School Instructor	H	8,809.30	H	25.00
9-043	Assistant Pre-School Instructor	H	8,809.30	H	25.00
9-044	Tot Room Attendant	H	8,809.30	H	25.00
9-045	Head Camp Counselors	H	8,809.30	H	25.00
9-046	Camp Counselors	H	8,809.30	H	25.00
9-053	Pool Scoreboard Operator	H	8,809.30	H	25.00
9-070	Old Town Hall Building Supervisor	H	10.00	H	25.00

B. The rate of compensation of a salaried employee in the Recreation Department shall be determined based upon the estimated hours to be worked in any calendar year and shall be paid by prorating the salary over the period of the program in which an employee works in such calendar year.

9-008 SCHOOL GUARDS.

Each school guard employed by the City in locations on school grounds or at points immediately adjacent thereto shall be paid Twelve and 75/100 Dollars (\$12.75) for each session actually worked each school day. "Session" shall mean the time of day for school guard service before schools open, during the lunch period, or after schools close.

9-009 SENIOR SERVICES DEPARTMENT.

A. The compensation for the Senior Services Department employees other than those set forth in Article 5 are established at the following hourly pay ranges (H):

PAY RANGE

<u>Sec. No.</u>	<u>Position</u>		<u>Minimum</u>		<u>Maximum</u>
9-047	Senior Front Desk Attendant	H	8,809.30	H	25.00
9-048	Van Driver	H	8,809.30	H	18.00
9-051	Kitchen Assistant	H	8,809.30	H	18.00

9-010 ECONOMIC DEVELOPMENT DEPARTMENT.

A. The compensation for Economic Development Department employees other than those set forth in Article 5 are established at the following salaried pay ranges (S):

<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
TIF Incentive/ TIF Specialist (Part-Time)	S \$15,000.00 (annually)	S \$23,000.00

B. The rate of compensation of the above salaried employees of the Economic Development Department shall be paid by prorating the salary over the period of a year.

9-011 MAGISTRATE OF MAYOR'S COURT.

A. The compensation for the Magistrate of Mayor's Court, a part-time City employee, is established at the following annual salary (S) through May 31, 2020:

<u>Position</u>	<u>Salary</u>
Magistrate of Mayor's Court	\$52,750.00

Effective June 1, 2020 through August 31, 2020, the Magistrate of Mayor's Court, a part-time employee, is established at the following annual salary (S):

<u>Position</u>	<u>Salary</u>
Magistrate of Mayor's Court	\$42,200.01

Effective September 1, 2020, the compensation for the Magistrate of Mayor's Court, a part-time employee, is established at the following annual salary (S):

<u>Position</u>	<u>Salary</u>
Magistrate of Mayor's Court	\$52,750.00

Effective April 11, 2021, the compensation for the Magistrate of Mayor's Court, a part-time employee, is established at the following annual salary (S):

<u>Position</u>	<u>Salary</u>
Magistrate of Mayor's Court	\$45,000.00

B. Annual compensation is to be pro-rated based on date of appointment in the calendar year.

C. Any person appointed by the Mayor as a Part-Time Magistrate of the Mayor's Court, for those instances when the Magistrate is unavailable, shall be paid at the hourly rate of Two Hundred Dollars (\$200.00) per hour for each hour worked as a Part-Time Magistrate. The position of Part-Time Magistrate of the Mayor's Court shall be as a part-time City employee.

ARTICLE 10

Administration

This General Salary Ordinance and the Personnel Plan shall be administered by the Director of Finance and the Human Resources Director, except as otherwise provided in this Ordinance, the Codified Ordinances of the City, and the Rules and Regulations of the Civil Service Commission. Controversies over the administration of this Ordinance may be submitted to the Mayor for his review and final determination.

Section 2. That the amendment to Article 5, Section 5-275 shall be effective January 1, 2022.

Section 3. That pursuant to Section 6-007 of Article 6 of this Ordinance, the provisions of Sections 9-006, 9-007 and 9-009 are hereby amended, and shall be and are hereby operative from and after January 1, 2022.

Section 4. That all other Ordinances or parts of Ordinances in conflict with provisions herewith as they become operative, be and the same are hereby repealed.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 162
Page 21

Section 5. That the funds for the purposes of this Ordinance shall be appropriated and paid from the General Fund; Police Pension Fund; Street, Construction, Maintenance & Repair Fund; Fire Levy Fund; Fire Pension Fund; Multi-Purpose Complex Fund; Community Diversion Fund; Earned Benefits Fund, Sanitary Sewer Fund, and from any federal, state or county grant funding which may become available for such purposes.

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.

Section 7. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is necessary to maintain the orderly and efficient operation of various departments of the City, provide fair compensation for all employees, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

_____ Approved: _____
 President of Council Mayor

Date Passed: _____ Date Approved: _____

Yea Nay

Attest: _____
 Clerk of Council

DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____
Vacancy	_____	_____

ORD. No. 2021-162 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 163

By: Mayor Perciak and All Members of Council

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A PARTNER AGREEMENT WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY IN CONNECTION WITH AN ELECTRIC VEHICLE CHARGING STATION PROJECT AT THE CITY OF STRONGSVILLE PUBLIC SQUARE AREA PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, the Northeast Ohio Areawide Coordinating Agency ("NOACA") has developed a program and allocated funding for the implementation of electric vehicle charging stations in publicly-owned spaces across our region ("Project"); and

WHEREAS, this Project has received Federal Highway Administration approval and authorization, identified as PID 112897 and named "District 12/District 3 NOACA EV Charging Stations"; and

WHEREAS, in addition, NOACA has been allocated Federal funds and is contributing a local portion of funds for the Project involving the planning, distribution and installation of Dual Port Electric Vehicle Charging Stations at multiple locations throughout Cuyahoga, Geauga, Lake, Lorain and Medina counties; and

WHEREAS, NOACA has identified a specific location at the City of Strongsville Public Square area property at the northeast corner of Royalton Road and Pearl Road (Permanent Parcel No. 396-10-009), as a site for the installation, operation and maintenance of electric vehicle charging stations under the Project; and

WHEREAS, NOACA will be using the above-mentioned Federal funding for the program, and will provide 100% of the Project costs for design and implementation, including all expenses associated with preliminary engineering, planning, construction and construction administration activities; and

WHEREAS, this Council, therefore, desires to enter into a Partner Agreement with NOACA, for a term of five (5) years from the effective date of the Agreement, a copy of which is attached hereto as Exhibit "A".

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 *Electric Vehicle Charging Station Program Partner Agreement* with the **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)**, for a term of five (5) years from the effective date of the Agreement, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, which is in all respects hereby approved.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 163
Page 2

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

Section 3. That this Ordinance is hereby declared to be an emergency measure 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 for the City to enter into an agreement in order to provide for electric vehicle charging stations in our community and this region. 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>
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____
Vacancy	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2021-163 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

Electric Vehicle Charging Station Program Partner Agreement

THIS AGREEMENT is made effective and entered into as of the date last signed by the parties by and between the **CITY OF STRONGSVILLE, OHIO**, hereinafter referred to as the **Partner**, located at *16099 Foltz Parkway, Strongsville, Ohio 44149*; and the Northeast Ohio Areawide Coordinating Agency, herein referred to as **NOACA**, *1299 Superior Avenue, Cleveland, Ohio, 44114*.

1. PURPOSE

- 1.1 Chapter 23, Section 133 of the United States Code provides states with Federal funds to conduct the Congestion Mitigation and Air Quality (CMAQ) program and the funds apportioned to Ohio under 23 U.S.C. 149 are administered by the Ohio Department of Transportation ("ODOT").
- 1.2 NOACA has been allocated federal funds and is contributing a portion of local funds for a project involving the planning, distribution and installation of DCFC and/or Level 2 Dual Port Electric Vehicle Charging Stations at multiple locations throughout Cuyahoga, Geauga, Lake, Lorain and Medina counties (hereinafter the "Project"), which has received Federal Highway Administration ("FHWA") approval and authorization. The Project is identified as PID 112897, and named District 12/District 3 NOACA EV Charging Stations.
- 1.3 The Partner is authorized to enter into a contract with NOACA to administer the design, qualification of bidders, competitive bid letting, use of the improvement on local agency property, construction inspection, research, and acceptance of any projects or transportation facilities, provided the administration of such projects or transportation facilities is performed in accordance with all applicable local, state and federal laws and regulations with oversight by ODOT, specifically including Section 5501.03 of the Ohio Revised Code as to the Ohio Department of Transportation.
- 1.4 **The City of Strongsville, Ohio** owns the property known as **the Strongsville Public Square (Permanent Parcel No. 396-10-009) and located at the northeast corner of Royalton Road and Pearl Road**; and agrees to allow use of a portion of that property as a site for installation, operation and maintenance of electric vehicle charging stations under the Project.
- 1.5 The purpose of this Agreement is to set forth requirements associated with the Federal funds available for the Project and to establish the responsibilities for NOACA and the Partner in administration, construction, operation and maintenance of the Project.

2. FUNDING

- 2.1 NOACA shall use the above-mentioned federal funding and the local share that NOACA is providing to pay for all eligible items at a rate of 100% participation to implement the Project as scoped, including all expenses associated with preliminary engineering, design, planning, construction and construction administration activities.
- 2.2 Unless otherwise agreed to in writing between the parties, Partner shall not be responsible for any costs of the development and construction of the Project, including costs related to preliminary engineering, environmental engineering, design and plans, construction contractor costs for purchase and installation of EV charging station equipment and software, site preparation, marking of parking spaces, extension of electric supply lines and connection to the charging stations.

3. NOTICE

3.1 Notice under this Agreement shall be directed as follows:

NOACA and the Partner shall designate a point of contact for all communications with associated with performance of the Project. The point of contact shall be responsive to all communications in the performance of the Project. As of the Effective Date of this Agreement, the parties designate the following contacts:

NOACA:
Randy Lane
NOACA
1299 Superior Avenue
Cleveland, OH 44114
rlane@mpo.noaca.org
(216) 241-2414, ext. 300

PARTNER:
Kenneth P. Mikula
City of Strongsville, Ohio
16099 Foltz Parkway
Strongsville, OH 44149
ken.mikula@strongsville.org
(440) 580-3122

4. TERM

The Term of this Agreement shall begin on the above-stated effective date and, unless otherwise terminated as provided in this Agreement, shall last for a period of five (5) years, which period shall coincide with the duration of the Project funding period with FHWA.

5. EXPIRATION AND TERMINATION PROVISIONS

5.1 This Agreement and obligation of the parties herein may be terminated by either party with thirty (30) days advance written notice to the other party. In the event of termination during construction, NOACA shall order a cease work, terminate all subcontracts relating to such terminated activities, take all necessary or appropriate steps to limit disbursements and minimize costs at the site, and furnish all data results, reports, and other materials describing all work under this contract, including without limitation, results accomplished, conclusions resulting therefrom, and such other matters as NOACA and/or ODOT may require.

6. OBLIGATIONS/RESPONSIBILITIES OF NOACA

6.1 NOACA will service as the Local Public Agency ("LPA") for the project, assuming all responsibilities to FHWA and ODOT in adherence to all requirements contained with the Locally Administered Transportation Projects Manual of Procedures. NOACA will engage the services of any consultants and contractors necessary to perform the Project provided under this Agreement.

6.2 NOACA will, in coordination with the Partner, assess potential sites to determine level of scope, costs, and schedule for charger installation at the identified site.

6.3 NOACA will be responsible for:

- a. Development of detailed project scope and location identification as well as an engineer's estimate identifying all costs necessary for implementation of the Project.
- b. Development of the Plans, Specifications and Estimate (PS&E) package in accordance with ODOT Project Development Process (PDP) requirements, including:
 - Environmental (NEPA) Documentation
 - Right of Way Certification to ODOT

- Design Plans (Consultant, proposed Design-Build)
- Construction Specifications (Design-Build Scope)
- Bidding Documents

- c. Procurement and contract award for charging station equipment, electrical upgrades, and all labor necessary for proper installation
 - d. Directly or through a consultant perform construction inspection
 - e. Directly or through its Project contractor, obtain any applicable zoning and building permits, certificate of occupancy or other license, permit and approval. To the extent necessary to obtain such permit, license or approval, Partner will cooperate with NOACA or its contractor in obtaining such permit, license or approval as may be necessary.
- 6.4 NOACA shall provide copies of its plans, drawings, specifications for the construction and installation of the EV charging stations at Partner's site for review and acceptance,
 - 6.5 NOACA shall require of its construction contractor that it indemnify and hold harmless the State of Ohio and ODOT and that such contractor maintain those levels of liability, motor vehicle and Worker's Compensation insurance coverage that are provided in Section 107.12, of ODOT's Construction & Materials Specifications (Jan. 2019, as amended).
 - 6.6 Typical construction items for which NOACA is responsible depending on site conditions, include:
 - New charging station units and associated equipment.
 - Conduit, signage at the parking spot, bollards, cable/wiring and electrical service box disconnects.
 - Concrete or asphalt addition or replacement.
 - Paint striping and stenciling of the charging station parking spaces.
 - Charging station installation labor (electrical, trenching, etc.)
 - Annual network fees for up to 5 years included in the original purchase price
 - Warranty and annual maintenance contract costs for the charging equipment (at least 5 years warranty required) included in the original purchase price
 - Construction inspection
 - 6.7 NOACA shall require that its contractor or vendor cooperate with the Partner in setting up multiple pay options which users may employ to pay for any fee that may be charged for use of the EV charging stations under Section 12.
 - 6.8 NOACA or its contractor or vendor will be responsible for registering the location, hours of availability and other details about the EV charging stations in any mapping or other relevant EV charging station database.
 - 6.9 NOACA will ensure compliance with all federal requirements associated with project implementation, including environmental review, coordination of right of way or rights to locate on specific properties, design, contracting and reporting.
 - 6.10 NOACA will include provisions in its Project or construction contract requiring that routine troubleshooting of the EV charging equipment and network upgrades are included under that contract for the five (5) year useful life of the charging units.

7. OBLIGATIONS/RESPONSIBILITIES OF PARTNER

- 7.1 As provided in Section 8, Partner will provide access to a specific location on its property for the construction, maintenance and use of the EV charging stations for the duration of the project, which coincides with the life expectancy of the charging stations of five (5) years.
- 7.2 Partner will coordinate with NOACA in:
- a. The assessment of potential sites to determine level of scope, costs, and schedule for charger installation at each identified site:
 - b. The development of detailed project scope and location identification.
 - c. The development of an engineer's estimate identifying all costs necessary for implementation.
 - d. The certification of availability of necessary property to comply with FHWA regulations for federally funded projects.
- 7.3 Partner will within this Agreement grant NOACA a right of entry onto its property to perform inspections or surveys in the planning of construction and for the full construction/installation of the EV charging station equipment at Partner's site. In the event that any additional or supplemental instrument or conveyance is needed to allow such construction as well as troubleshooting and installation of network updates, during the term of this Agreement, Partner will cooperate to provide such instrument.
- 7.4 Partner will allow for the installation of any additional electrical service facilities across its property which may be necessary to provide a power source to the EV charging stations.
- 7.5 Partner will maintain public access to the EV charging stations site for no less than twelve (12) hours per day for the useful life of the equipment of five (5) years.

8. RIGHT OF ENTRY AND LICENSE

- 8.1 The Partner hereby grants a temporary license and permission for a Right of Entry to NOACA, its consultants, contractors and subcontractors, and utility providers ("Agents") for entry onto the work area located at **the Strongsville Public Square (northeast corner of Royalton Road and Pearl Road)**, for the purpose of making surveys and tests and constructing the Project, including installation of electric vehicle supply equipment ("EVSE"), necessary site and utilities improvements to operate the EVSE.
- 8.2 This Temporary Right of Entry and License shall commence on the effective date of this Agreement and shall continue until the date of final construction completion and mutual acceptance (the "Term"), unless extended in writing pursuant to the mutual agreement of the parties hereto, at which time NOACA and its Agents shall vacate the property.
- 8.3 Use of the Work Area and the installation of the Project shall be in compliance with the requirements of all applicable Federal, State and local laws, ordinances, rules and regulations.

- 8.4 NOACA and its Agents shall coordinate all Improvements onsite with the designated Partner contact for the Work Area by telephone or by email.
- 8.5 NOACA, and its Agents shall notify the Partner contact at least 72 hours prior to entry onto the Work Area, and immediately if any unusual conditions are encountered. NOACA, or its Agents, shall provide the following information to the Partner contact at the time of notification:
- (i) Access routes to and from the Work Area;
 - (ii) Type, size and number of vehicles and crews to be used to perform the work; and
 - (iii) Copies of all plans, drawings, permits, etc., including, but not limited to permits related to sediment and erosion control and storm-water management.
- 8.6 Any and all proposed trimming of trees, cutting of timber and/or clearing of the Work Area by NOACA and its Agents, will be reviewed, approved and inspected by the Partner before any work is begun, to ensure that all such proposed work is permitted and within the Work Area.
- 8.7 NOACA and its Agents shall take any and all precautionary measures to protect any sensitive and threatened or endangered species and habitats.
- 8.8 In the event that historical, cultural or archeological resources are uncovered during the course of construction, work shall be halted immediately and NOACA shall contact State and Federal oversight agencies for guidance.

9. OWNERSHIP OF PROJECT EQUIPMENT

- 9.1 Upon completion of installation and construction EV charging station at the Partner's site and confirmation that the equipment is fully operational, the Partner will be considered to be the owner of the charging stations and thereafter responsible for providing maintenance as covered in Section 10, including maintenance of an electric power supply.
- 9.2 Partner shall be required to maintain the charging stations at its site for a period of five (5) years. Upon the expiration of that five year period, coinciding with the expiration of this Agreement, Partner may choose to retain the equipment in place and to operate it; or choose to have the equipment removed and discontinue making the charging stations available to the public.
- 9.3 In the event that Partner determines to retain and operate the equipment following the expiration of the five year period, the Partner will be responsible for maintaining an agreement with a vendor for management of, receipt and disbursement of fees charges under Section 12.

10. PROJECT MAINTENANCE

- 10.1 23 United States Code, Section 116 requires a formal agreement with the appropriate officials of jurisdiction in which the project is located to provide for the maintenance of the PROJECT for the useful life of five (5) years, beginning from the date the facility is open to the public. The Partner shall be responsible for the maintenance of the PROJECT under this agreement. This includes the maintenance of electrical vehicle supply equipment and associated site improvements to allow for continued operation and

functionality. The Partner shall also maintain public access to the site for 12 hours or more per day for the full useful life.

- 10.2 Maintenance under this Section shall include maintaining an electric power supply to the charging equipment and paying the costs of such electric service.
- 10.3 The Project will be included for review under NOACA's annual Project Maintenance Monitoring Policy. If selected for maintenance review, NOACA will coordinate with the Partner to perform a site maintenance review in accordance with the policy, which may result in corrective plans and action to ensure the facility continues to be functional and accessible for public utilization.

11. DATA SHARING AND REPORTING

- 11.1 The Partner will provide, or arrange to be provided through the Electric Vehicle Supply Equipment (EVSE) provider, usage data reports on a semi-annual basis for the five year useful life (10 total reports). For each EVSE unit installed under this agreement, the following information, in summary form, will be required:

1. Location: Site name, EVSE ID number, address, city, zip, county
2. Operational uptime (percentage)
3. Number of charge events
4. Number of unique vehicles
5. Average charge time per event (minutes)
6. Average kW per charge event
7. Total kW consumed

12. FEE STRUCTURE

- 12.1 The Partner shall have the right to set and collect user or convenience fees to offset costs associated with electricity supply to and maintenance of EVSE. The Partner shall not monetarily profit or direct fees collected to any other purpose.
- 12.2 Payment of the fee shall be available through several optional forms: web/mobile application, pay card, subscription and credit card at point of sale.
- 12.3 Management of the fee payment system will be handled by NOACA's Project contractor or vendor, who shall collect the fees and disburse revenue. Details of the collection, management and disbursement of fees will be set out in a separate written Agreement to be entered after NOACA has awarded the Project construction contract.
- 12.4 The Partner may apply the revenue resources to reimbursement costs of electricity supply and costs of maintenance or repair of the charging units during the term of this Agreement.
- 12.5 Following the term of this Agreement, in the event that Partner chooses to retain the electric vehicle charging equipment in place and operate and manage that equipment, Partner will be required to enter into a new, separate agreement for a party to manage collection of fees and disbursement of revenue.

13. INDEMNIFICATION

- 13.1 NOACA, to the extent allowable under law in the State of Ohio, and its Project contractor shall indemnify and save harmless the Partner against and from all expenses, liabilities,

obligations, damages, penalties, claims, accidents, costs and expenses, including reasonable attorneys' fees paid, suffered or incurred for death or damage or injury to persons or property in whole arising out of the carelessness, negligence, or improper conduct of NOACA or its contractor or subcontractors, its agents, servants, employees or licensees resulting from its performance of its obligations under this Agreement or its use and occupancy of the Premises. Partner's liability shall be determined in accordance with Ohio Revised Code Chapter 2744. Notwithstanding anything to the contrary in this Agreement, no party shall be required to indemnify another party from or against such other party's intentional acts or omissions or negligence.

- 13.2 This provision may be met by maintaining liability insurance policies as outlined in Section 107.12 of the ODOT CMS and providing to Partner copies of certificates of insurance coverage.

14. GENERAL

- 14.1 Neither this contract, nor any rights, duties or obligation described herein shall be assigned by either party hereto without the prior express written consent of the other party. Any change to the provisions of this agreement must be made in a written amendment executed by both parties.
- 14.2 This Agreement shall be construed and interpreted and the rights of the parties determined in accordance with the laws of the State of Ohio.
- 14.3 Performance by the Partner as a political subdivision of the State of Ohio and in the event that the Agreement requires the payment of money, the Agreement is subject to Section 5705.41 requiring the certification of availability of funds by the Fiscal Officer of the political subdivision.
- 14.4 Any person executing this Agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.
- 14.5. NOACA agrees for itself and its project contractors that it is in compliance with the requirements of R.C. § 125.111.
- 14.6 NOACA certifies that it: (i) has reviewed and understands the Ohio ethics and conflict of interest laws as found in Ohio Revised Code Chapter 102 and in Ohio Revised Code Sections 2921.42 and 2921.43, and (ii) will take no action inconsistent with those laws. NOACA understands that failure to comply with Ohio's ethics and conflict of interest laws is grounds for termination of this Agreement and may result in the loss of other contracts or grants with the State of Ohio.
- 14.7. NOACA affirms that it is compliant with R.C. § 3517.13.
- 14.8 NOACA affirms that it has read and understands Executive Order 2019-12D issued by Ohio Governor Mike DeWine. NOACA has signed and completed the Standard Affirmation and Disclosure Form and shall abide by those requirements in the performance of this Agreement and perform no services required under this Agreement outside of the United States. The Executive Order can be accessed at the following website: <https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/2019-12d>.

- 14.9 Pursuant to R.C. § 9.76 (B), NOACA warrants that it is not boycotting any jurisdiction with whom the State of Ohio can enjoy open trade, including Israel, and will not do so during the contract period.
- 14.10 This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one agreement. Signatures delivered electronically (by facsimile or electronic mail) shall be deemed originals for all intents and purposes. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart.
- 14.11 While this Agreement is captioned as Partner Agreement, neither that title nor any provision of this Agreement creates any agency, partnership, employer/employee, joint venture or other relationship between the Partner and NOACA.
- 14.12 If any term, covenant or condition of this Agreement or the application thereof to any part, person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or condition shall be valid and shall be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year last written below.

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY	NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
By:	By:
Legal Counsel	Executive Director
Date:	Date:
PARTNER: CITY OF STRONGSVILLE, OHIO	PARTNER: CITY OF STRONGSVILLE, OHIO
By:	By:
Neal M. Jamison, Law Director	Thomas P. Perciak, Mayor
Date:	Date:

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2021 – 164

By: Mayor Perciak and All Members of Council

A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE SITE PLAN FOR THE REMOVAL OF THREE EXISTING ANTENNAS AND ONE EXISTING TOWER MOUNTED AMPLIFIER; INSTALLATION OF SIX PROPOSED ANTENNAS, A SURGE PROTECTION UNIT, ONE PROPOSED FIBER TRUNK AND TWO PROPOSED DC POWER TRUNKS, LOCATED ON AN EXISTING TELECOMMUNICATIONS TOWER AT 20025 LUNN ROAD (PPN 393-26-003), IN THE CITY OF STRONGSVILLE.

WHEREAS, AT&T Mobility, through its agent, has submitted a site plan to the Planning Commission for approval of the removal of three (3) existing antennas and one (1) existing Tower Mounted Amplifier (TMA); installation of six (6) proposed antennas, one (1) proposed Surge Protection Unit, one (1) proposed Fiber Trunk and two (2) proposed DC Power Trunks, for property located at 20025 Lunn Road (PPN 393-26-003) and zoned Public Facilities; and

WHEREAS, the Commission approved said site plan at its meeting of November 18, 2021.

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

Section 1. That this Council hereby confirms the approval of the City's Planning Commission of the site plan submitted by AT&T Mobility, through its agent, for the removal of three (3) existing antennas and one (1) existing Tower Mounted Amplifier (TMA); to install six (6) proposed antennas, one (1) proposed Surge Protection Unit, one (1) proposed Fiber Trunk and two (2) proposed DC Power Trunks, for property located at 20025 Lunn Road (PPN 393-26-003) and zoned Public Facilities.

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 - 164
Page 2

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

Attest: _____
Clerk of Council

RES
ORD. No. 2021-164 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

MEMORANDUM

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

FROM: Carol Brill, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: November 19, 2021

Please be advised that at its meeting of November 18, 2021, the Strongsville Planning Commission gave Favorable Recommendation to the following;

AT & T MOBILITY/ Christy Stout, Agent

Remove 3 existing Antennas and 1 existing TMA and install 6 proposed Antennas, 1 proposed Surge Protection Unit, 1 proposed Fiber Trunk and 2 proposed DC Power Trunks for property located at 20025 Lunn Road, PPN 393-26-003 zoned Public Facility.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 165

By: Mayor Perciak and All Members of Council

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

WHEREAS, through adoption of Ordinance No. 2014-178 on October 20, 2014, the Strongsville City Council authorized an Agreement with the City of Berea for public safety services; and

WHEREAS, through adoption of Ordinance No. 2014-77 on October 20, 2014, the Berea City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on November 3, 2014, Strongsville and Berea entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Berea Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Berea Police Department and the Berea 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, Berea agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, thereafter on February 17, 2016, the parties entered into an *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. 2016-022; and

WHEREAS, additionally, thereafter on November 21, 2016, 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. 2016-220; and

WHEREAS, additionally, thereafter on February 13, 2018, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon four years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2018-009; and

WHEREAS, also, for the year 2020, the parties entered into a *Fourth 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. 2020-002; and

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 165
Page 2

WHEREAS, for the year 2021, the parties entered into a *Fifth 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. 2020-176; and

WHEREAS, based upon 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; and

WHEREAS, Berea has agreed to such a Sixth 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:

Section 1. That the Mayor be and is hereby authorized and directed to enter into a *Sixth Amendment to Agreement* for Public Safety Dispatch Services between the City of Strongsville, Ohio and the City of Berea, 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 \$35,885.00 per month, for a total of \$430,620.00 for the year 2022, in accordance with the terms and conditions set forth in the Sixth 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: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 165
Page 3

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

Attest: _____
Clerk of Council

ORD. No. 2021-165 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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

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

THIS SIXTH 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 BEREA**, Ohio, hereinafter designated as "Berea".

WITNESSETH:

WHEREAS, through adoption of Ordinance No. 2014-178 on October 20, 2014, the Strongsville City Council authorized an Agreement with the City of Berea for public safety services; and

WHEREAS, through adoption of Ordinance No. 2014-77 on October 20, 2014, the Berea City Council likewise authorized an Agreement with Strongsville for such public safety services; and

WHEREAS, on November 3, 2014, Strongsville and Berea entered into an *Agreement for Public Safety Dispatch Services*, in which Strongsville agreed to dispatch Berea Police Department and Fire Department calls, on a twenty-four (24) hour basis, to authorized personnel of the Berea Police Department and the Berea 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, Berea agreed to certain terms and conditions in connection with payment to Strongsville for Strongsville's provision of such Dispatch Services; and

WHEREAS, thereafter, on February 17, 2016, the parties entered into an *Amendment to Agreement* providing for an adjustment to the provision for payment based upon the first year and a half of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2016-022; and

WHEREAS, additionally, thereafter on November 21, 2016, 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. 2016-220; and

WHEREAS, additionally, thereafter on February 13, 2018, the parties entered into a *Third Amendment to Agreement* providing for an adjustment to the provision for payment based upon four years of operations and consistent with the Agreement; and as authorized by Strongsville City Council in Ordinance No. 2018-009; and

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

WHEREAS, however, for the year 2020, the parties entered into a *Fourth 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. 2020-002; and

WHEREAS, for the year 2021, the parties entered into a *Fifth 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. 2020-176; and

WHEREAS, now based upon 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: Berea, in consideration of the provision of the Dispatch Services outlined herein, agrees to pay Strongsville the amount of Twenty-Five Thousand Dollars (\$25,000.00) per month by the first (1st) of each month for Dispatch Services provided in that month, for a total annual fee of Three Hundred Thousand Dollars (\$300,000.00) through December 31, 2015. For the period of operation from January 1, 2016 through February 29, 2016, Berea will pay Strongsville at the same rate of Twenty-Five Thousand Dollars (\$25,000.00) per month; and thereafter from March 1, 2016 through December 31, 2016, Berea will pay Strongsville at an increased rate of Twenty-Six Thousand Dollars (\$26,000.00) per month by the first (1st) of each month for Dispatch Services provided in that month, for a total of Three Hundred Ten Thousand Dollars (\$310,000.00) for such second year of operation. For the period of operation from January 1, 2017 through December 31, 2017, Berea will pay Strongsville at an increased rate of pay of Twenty-Seven Thousand Six Hundred Forty-One Dollars (\$27,641.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Thirty-One Thousand Seven Hundred Dollars (\$331,700.00) for such third year of operation. For the period of operation from January 1, 2018 through December 31, 2018, Berea will pay Strongsville at an increased rate of pay of Twenty-Nine Thousand

Three Hundred Dollars (\$29,300.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Fifty-One Thousand Six Hundred Dollars (\$351,600.00) for such fourth year of operation. For the period of operation from January 1, 2020 to December 31, 2020, Berea will pay Strongsville at an increased rate of pay of Thirty-One Thousand Fifty-Eight and 00/100 Dollars (\$31,058.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Seventy-Two Thousand Six Hundred Ninety-Six and 00/100 Dollars (\$372,696.00) for such year of operation. For the period of operation from January 1, 2021 to December 31, 2021, Berea will pay Strongsville at an increased rate of pay of Thirty-Two Thousand Nine Hundred Twenty-One and 48/100 Dollars (\$32,921.48) per month by the first of each month for Dispatch Services provided in that month, for a total of Three Hundred Ninety-Five Thousand Fifty-Seven and 76/100 Dollars (\$395,057.76) for such year of operation. **For the period of operation from January 1, 2022 to December 31, 2022, Berea will pay Strongsville at an increased rate of pay of Thirty-Five Thousand Eight Hundred Eighty-Five and 00/100 Dollars (\$35,885.00) per month by the first of each month for Dispatch Services provided in that month, for a total of Four Hundred Thirty Thousand Six Hundred Twenty and 00/100 Dollars (\$430,620.00) for such year of operation."**

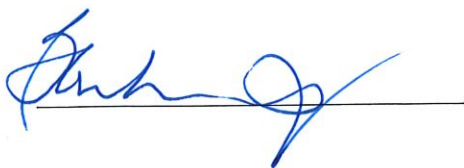
* * *

2. This Sixth 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 Berea under the Agreement and all other provisions not specifically amended herein remain unmodified and in full force and effect.

3. This Sixth Amendment to Agreement shall be binding upon Strongsville and Berea 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 BEREA
("Berea")

By: 
Cyril M. Kleem, 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.

11/15/2021
Date

Andrea D Morris
Andrea Morris, Finance Director, City of Berea

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

I have hereby reviewed and approved the form of the foregoing Amendment to Agreement this 15 day of November 2021.

Barbara Jones
Barbara Jones, 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 – 166

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF NEW MONITOR/ DEFIBRILLATORS AND AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs), ALL WITH ACCESSORIES; A FIVE-YEAR SERVICE AND MAINTENANCE PLAN FOR THE MONITOR DEFIBRILLATORS, FOR USE BY THE CITY'S FIRE AND EMERGENCY SERVICES DEPARTMENT, AND FOR TRADE-IN AND CREDIT FOR VARIOUS OBSOLETE EQUIPMENT TO BE APPLIED TO THE PURCHASE PRICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Fire and Emergency Services has various equipment including Stryker Lifepak Monitor/Defibrillators and AEDs, which are obsolete and no longer needed for municipal public purpose, as more fully set forth in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Article IV, §3(e) of the City Charter, the Director of Finance is authorized to sell obsolete or surplus equipment in such manner as Council may by ordinance authorize; and

WHEREAS, the Fire Department is in immediate need of replacing the obsolete equipment with seven (7) new Lifepak 15 V4 Monitor/Defibrillators, and twenty (20) new Lifepak CR2 AEDs, all with accessories, as reflected in Exhibit A; and

WHEREAS, further, in order to maintain such new equipment in proper working order, the Fire Department has recommended entering into a five-year service and maintenance plan for preventative maintenance, inspection and unlimited repairs, with Stryker; and

WHEREAS, Stryker has consistently provided the City's Fire and Emergency Services with on-site preventative maintenance services, software updates, and overall excellent customer service in response to service calls, with prompt replacement of parts and equipment; and

WHEREAS, Stryker is the unique and sole source provider of such services and equipment, and they do not authorize or train third parties to service their products, and therefore, it is immediately necessary to enter into a service and maintenance plan with such company for a five-year period; and

WHEREAS, said vendor has agreed to provide such new equipment and services to the City at a cost below State Term contract pricing; and

WHEREAS, this Council is desirous of having the Director of Finance sell and trade-in the existing obsolete aforementioned equipment and have the selling price credited against the purchase price of the new equipment and accessories; and

WHEREAS, this Council wishes to enter into a contract with Stryker for the purchase of equipment and services.

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

Section 1. That this Council finds that the City's Fire and Emergency Services is in need of seven (7) new Lifepak 15 V4 Monitor/Defibrillators, and twenty (20) new Lifepak CR2 AEDs, all with accessories, which can be obtained most competitively through Stryker.

Section 2. That this Council finds and determines that there is an immediate and present emergency in the operation of the Fire Department of the City of Strongsville in that the Fire Department has various equipment including Stryker Lifepak Monitor/Defibrillators and AEDs, which are obsolete and no longer needed for any municipal purpose, and further finds that it will be in the best interests of the City to sell such equipment and have the selling price applied as a credit against the purchase of the new Lifepak Monitor/Defibrillators and AEDs, all with accessories, pursuant to O.R.C. §721.15, and without public auction.

Section 3. That, for the reasons aforesaid, the Mayor be and is hereby authorized to enter into a contract with **STRYKER** for the purchase of seven (7) new Lifepak 15 V4 Monitor/Defibrillators, twenty (20) new Lifepak CR2 AEDs, all with accessories, and a five-year service and maintenance plan, in the total amount of \$222,835.00, including trade-ins and discounts, which said vendor has agreed to provide at a cost below State Term contract pricing, as more fully set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 4. That the funds for the purposes of said contract have been appropriated and shall be paid from the Emergency Vehicle Fund and the General Capital Improvement 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 it is immediately necessary to enter into said contract in order to maintain continuity in the operation of the City of Strongsville Fire Department, to provide for the safety and welfare of the public, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous affirmative vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 166
Page 3

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

Attest: _____
Clerk of Council

ORD. No. 2021-166 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

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



lifepak15v4 v1 v2 - smr

Quote Number: 10430300

Version: 1

Prepared For: STRONGSVILLE FIRE DEPT

Attn:

Quote Date: 10/20/2021

Expiration Date: 01/18/2022

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Brandon Bucher

Email: brandon.bucher@stryker.com

Phone Number:

Mobile: +1 4803310979

Delivery Address

End User - Shipping - Billing

Bill To Account

Name: STRONGSVILLE FIRE DEPT

Name: STRONGSVILLE FIRE DEPT

Name: CITY OF STRONGSVILLE

Account #: 1074370

Account #: 1074370

Account #: 1281336

Address: 17000 PROSPECT AVE

Address: 17000 PROSPECT AVE

Address: 16099 FOLTZ PKWY

STRONGSVILLE

STRONGSVILLE

STRONGSVILLE

Ohio 44149

Ohio 44149

Ohio 44149

Equipment Products:

#	Product	Description	Qty	List Price	Discount %	Sell Price	Total
5.0	99577-001958	LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, SpCO, NIBP, 12-Lead ECG, EtCO2, Temp, BT, Incl at N/C: 2 pr QC Electrodes (11996-000091) & 1 Test Load (21330-001365) per device, 1 Svc Manual CD (26500-003612) per order	7	\$38,110.00	50.0%	\$19,055.00	\$133,385.00
6.0	41577-000290	Ship Kit -QUIK-COMBO Therapy Cable; 2 rolls100mm Paper; RC-4, Patient Cable, 4ft.; NIBP Hose, Coiled; NIBP Cuff, Reusable, adult; 12-Lead ECG Cable, 4-Wire Limb Leads, 5ft; 12-Lead ECG Cable, 6-Wire Precordial attachment; Temperature Adapter Cable, 5ft	7	\$0.00		\$0.00	\$0.00
8.0	99512-001263	LIFEPAK CR2 Defibrillator, Fully Automatic, WIFI, English, carrying case, 8 year warranty. Includes 1 PR QUIK-STEP electrodes and 1 battery (4 years each), LIFELINKcentral AED Program Manager Basic Account, USB cable, Operating Instructions	20	\$2,625.00	24.0%	\$1,995.00	\$39,900.00

Equipment List Price:	\$319,270.00
Equipment Discount %:	45.72%
Equipment Total:	\$173,285.00

Trade In Credit:





lifepak15v4 v1 v2 - smr

Quote Number: 10430300

Version: 1

Prepared For: STRONGSVILLE FIRE DEPT

Attn:

Quote Date: 10/20/2021

Expiration Date: 01/18/2022

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Brandon Bucher

Email: brandon.bucher@stryker.com

Phone Number:

Mobile: +1 4803310979

Product	Description	Qty	Credit Ea.	Total Credit
TR-LPCRP-LPCR2	TRADE-IN-STRYKER LIFEPAK CR PLUS TOWARDS PURCHASE OF LIFEPAK CR2	4	-\$250.00	-\$1,000.00
TR-ZAEDPL-LPCR2	TRADE-IN-ZOLL AED PLUS TOWARDS PURCHASE OF LIFEPAK CR2	1	-\$300.00	-\$300.00
TR-PFR3-LPCR2	TRADE-IN-PHILIPS HEARTSTART FR3 TOWARDS PURCHASE OF LIFEPAK CR2	6	-\$300.00	-\$1,800.00
TR-LP500B-LPCR2	TRADE-IN-STRYKER LIFEPAK 500 BIPHASIC TOWARDS PURCHASE OF LIFEPAK CR2	9	-\$100.00	-\$900.00

ProCare Products:

#	Product	Description	Year s	Qty	List Price	Discount %	Sell Price	Total
7. 1	78000008	ProCare LIFEPAK 15 Prevent Service: Annual onsite preventive maintenance inspection and unlimited repairs including parts, labor and travel with battery coverage for LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, SpCO, NIBP, 12-Lead ECG, EtCO2, Temp, BT. Incl at N/C: 2 pr QC Electrodes (11996-000091) & 1 Test Load (21330-001365) per device, 1 Svc Manual CD (26500-003612) per order	5	7	\$9,000.00	15.0%	\$7,650.00	\$53,550.00

ProCare List Price:	\$63,000.00
ProCare Discount %:	15.0%
ProCare Total:	\$53,550.00

Price Totals:

Total Discount % Off:	40.66%
Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$0.00
Grand Total:	\$222,835.00

Comments:



lifepak15v4 v1 v2 - smr

Quote Number: 10430300

Version: 1

Prepared For: STRONGSVILLE FIRE DEPT

Attn:

Quote Date: 10/20/2021

Expiration Date: 01/18/2022

Remit to:

Stryker Medical

P.O. Box 93308

Chicago, IL 60673-3308

Rep:

Brandon Bucher

Email:

brandon.bucher@stryker.com

Phone Number:

Mobile: +1 4803310979

state of ohio contract pricing schedule and v1
v2 promotion applied 2021

Prices: In effect for 90 days

Terms: Net 30 Days

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PENDING APPROVAL

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 167

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FY2021 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FUNDS FOR THE PURCHASE OF A FIXED AIR COMPRESSOR CASCADE FILL SYSTEM WITH APPURTENANCES FOR USE BY THE CITY'S FIRE DEPARTMENT; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, under the authority of the Federal Fire Protection and Control Act of 1974, 15 USC §2229, et. seq., as amended, the Assistance to Firefighters Grant Program has been established; and

WHEREAS, the Grant Program generally provides, among other things, funding to fire departments through the U.S. Department of Homeland Security and the Federal Emergency Management Association (FEMA) to support various fire prevention and safety activities, including but not limited to training, purchase of equipment and vehicles; and

WHEREAS, the City of Strongsville is, therefore, desirous of applying for Assistance to Firefighters Grant Program funds for a fixed air compressor cascade fill system with appurtenances, which is used to fill self-contained breathing apparatus bottles (SCBAs), with ninety percent (90%) of the cost being paid by the Grant in the approximate amount of \$63,285.49 and with the City's ten percent (10%) share being approximately \$6,325.55; and

WHEREAS, when the City is advised that its application for funding under the Grant Program is approved, the City is desirous of accepting such award.

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

Section 1. That this Council does hereby authorize the Mayor to apply to FEMA for Assistance to Firefighters Grant Program funds on behalf of the City of Strongsville for a fixed air compressor cascade fill system with appurtenances, in accordance with the application on file with the Fire Chief, which is in all respects hereby approved.

Section 2. That the Mayor and/or Fire Chief be and are hereby authorized and directed to certify that the information contained in the application for assistance is true and correct; that the submittal of the application has been duly authorized hereby; and to provide, execute and deliver those certifications, assurances and such other information as may be required in connection therewith.

Section 3. That this Council hereby approves the acceptance of any award of funding under such Grant program for FY2021, and hereby authorizes the Mayor, Director of Finance, Fire Chief, and other appropriate officers of the City to do all things necessary in furtherance thereof.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 – 167
Page 2

Section 4. That the City's portion of costs for the implementation of this Grant, if it is awarded, has been appropriated and shall be paid from the Fire Levy 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 it is immediately necessary for the City to authorize the filing of the application for Assistance to Firefighters Grant Program Funds (FY2021) in order for the City to be considered for such funding for fire safety equipment, to accept any award of funding, to ensure continued safety of the City's firefighters and residents, 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>
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____
Vacancy	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2021-167 Amended: _____
 1st Rdg. _____ Ref: _____
 2nd Rdg. _____ Ref: _____
 3rd Rdg. _____ Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2021 – 168

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MASONRY RESTORATION MAINTENANCE, INC., IN CONNECTION WITH THE CITY OF STRONGSVILLE CLOCK TOWER EXTERIOR RESTORATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, on January 21, 2020, Council passed Resolution No. 2020-015 authorizing the Mayor to advertise for bids for the exterior restoration of the Strongsville Clock Tower (the "Project"); and

WHEREAS, on March 16, 2020, Council passed Ordinance No. 2020-042 authorizing the Mayor to enter into a contract with Masonry Restoration Maintenance, Inc., the lowest and best bidder to such Project; and

WHEREAS, due to the severe impact that the Coronavirus disease known as COVID-19 had on the finances for the City of Strongsville, the City delayed the start of said construction Project; and

WHEREAS, however, pursuant to Ordinance No. 2021-088, passed on June 7, 2021, Council reaffirmed and restated prior Ordinance No. 2020-042 and further authorized the Mayor to enter into an Amendment to the Agreement to the contract with Masonry Restoration Maintenance, Inc., in an amount not to exceed \$279,676.00; and

WHEREAS, the City's Director of Public Service has now recommended that it would be in the best interests of the City to include changes in the work performed or to be performed on the Project by Masonry Restoration Maintenance, Inc., generally being additional work required and requested by the City due to unforeseen conditions encountered, all as more fully set forth in Exhibit A attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such changes in the amount of \$18,855.00, for a new total Project cost of \$298,531.00.

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

Section 1. That the Mayor be and is hereby authorized and directed to issue and approve Change Order No. 1 to the contract in the amount of \$18,855.00, as recommended by the City's Director of Public Service, and reflected in Exhibit A; and after the issuance and approval of said Change Order No. 1 and completion of such work, to direct the Director of Finance to make payment to **MASONRY RESTORATION MAINTENANCE, INC.**, in the additional amount of \$18,855.00, thereby increasing the total Project cost to \$298,531.00.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2021 - 168
Page 2

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the General Capital Improvement Fund, and that the Director of Finance be and is hereby authorized and directed to issue the City's warrants for payment accordingly, and in accordance with the terms and conditions of the contract and change order.

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 provide for changes in the work in order to properly and timely complete the Project, to facilitate payment to the contractor for unanticipated changes in the work, to avoid potential legal problems, 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>
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Schonhut	_____	_____
Short	_____	_____
Vacancy	_____	_____

Attest: _____
 Clerk of Council

ORD. No. 2021-168 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

AIA® Document G701™ – 2017

Change Order

PROJECT: <i>(Name and address)</i> Strongsville 2021 Clock Tower Restoration Project Corner of Pearl and Royalton Roads	CONTRACT INFORMATION: Contract For: General Construction Date: April 19, 2020; amended June 7, 2021	CHANGE ORDER INFORMATION: Change Order Number: 001 Date: 11/15/21
OWNER: <i>(Name and address)</i> City of Strongsville 16099 Foltz Pkwy, Strongsville, OH 44149	CONTRACTOR: <i>(Name and address)</i> Masonry Restoration Maintenance, Inc. 5618 Hamlet Avenue, Cleveland, OH 44127	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Add sealing the copper dome roof and weather vane for \$7,995.00

Replace the cupola acrylic windows with Polycarbonate windows for \$10,860.00

Total add to contract is \$18,855.00

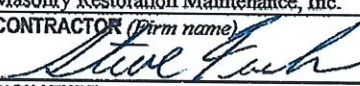
The original Contract Sum was	\$ 279,676.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 279,676.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 18,855.00
The new Contract Sum including this Change Order will be	\$ 298,531.00

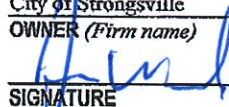
The Contract Time will be increased by Zero (0) days.
The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE

CONTRACTOR AND OWNER.

Masonry Restoration Maintenance, Inc.
CONTRACTOR *(Firm name)*

 SIGNATURE
 Steve Feckanin, President
 PRINTED NAME AND TITLE
 11-15-21
 DATE

City of Strongsville
OWNER *(Firm name)*

 SIGNATURE
 BOB WALKER / SERRANO
 PRINTED NAME AND TITLE
 11/16/21
 DATE