

City of Strongsville

16099 Foltz Parkway
Strongsville, Ohio 44149-5598
Phone: 440-580-3110
www.strongsville.org

June 15, 2023

City Council

James A. Kaminski
Ward 1

Annmarie P. Roff
Ward 2

Thomas M. Clark
Ward 3

Gordon C. Short
Ward 4

Joseph C. DeMio
At-Large

James E. Carbone
At-Large

Kelly A. Kosek
At-Large

Aimee Pientka, MMC
Clerk of Council

MEETING NOTICE

City Council has scheduled the following meetings for **Tuesday, June 20, 2023**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road***:

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

7:30 P.M.

Planning, Zoning & Engineering Committee will meet to discuss Ordinance Nos. 2023-076, 2023-078, 2023-080 and Resolution No. 2023-085.

Public Safety & Health Committee will meet to discuss Ordinance No. 2023-086.

Public Service & Conservation Committee will meet to discuss Ordinance No. 2023-087.

Finance Committee will meet to discuss Ordinance No. 2023-088 and Resolution No. 2023-089.

Recreation & Community Services Committee will meet to discuss Ordinance Nos. 2023-090, 2023-091 and Resolution Nos. 2023-092, 2023-093.

Committee of the Whole will meet to discuss Ordinance Nos. 2023-094, 2023-095, 2023-096, 2023-097 and 2023-098.

8:00 P.M.

Regular Council Meeting

Any other matters that may properly come before this Council may also be discussed.

BY ORDER OF THE COUNCIL:

Aimee Pientka, MMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING
TUESDAY, JUNE 20, 2023 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:
 - *Regular Council Meeting – June 5, 2023*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
 - Presentation by members of the 2023 Strongsville Charter Review Committee to discuss Ordinance Nos: 2023-094, 2023-095, 2023-096, 2023-097 and 2023-098.
7. REPORTS OF COUNCIL COMMITTEE:
 - SCHOOL BOARD – Clark
 - BUILDING & UTILITIES – Clark
 - SOUTHWEST GENERAL HEALTH SYSTEM – Short
 - ECONOMIC DEVELOPMENT – Short
 - PUBLIC SERVICE AND CONSERVATION – DeMio
 - FINANCE – Kosek
 - PLANNING, ZONING AND ENGINEERING – Kaminski
 - PUBLIC SAFETY AND HEALTH – Kaminski
 - RECREATION AND COMMUNITY SERVICES – Roff
 - COMMUNICATIONS AND TECHNOLOGY – Carbone
 - COMMITTEE-OF-THE-WHOLE – Carbone
8. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:
 - MAYOR PERCIAK:
 - FINANCE DEPARTMENT:
 - LAW DEPARTMENT:
9. AUDIENCE PARTICIPATION:

10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2023-076 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY. First reading and referred to the Planning Commission 06-05-23. Favorable recommendation by the Planning Commission 06-08-23.
- Ordinance No. 2023-078 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY. First reading and referred to the Planning Commission 06-05-23. Favorable recommendation by the Planning Commission 06-08-23.
- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY. First reading and referred to the Planning Commission 06-05-23. Favorable recommendation by the Planning Commission 06-08-23.
- Resolution No. 2023-085 by Mayor Perciak and All Members of Council. A RESOLUTION PROVIDING FOR THE SUBMISSION OF ORDINANCE NO. 2023-076 TO THE ELECTORS, ESTABLISHING AN ELECTION DATE THEREFOR, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-086 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) UNITS AND RELATED EQUIPMENT FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-087 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY PLANNING COMMISSION UNDER THE HEALTHY URBAN TREE CANOPY GRANT PROGRAM PY2023; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-088 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2023 AND REPEALING ORDINANCE NUMBER 2023-066.
- Resolution No. 2023-089 by Mayor Perciak and All Members of Council. A RESOLUTION ADOPTING ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF STRONGSVILLE, OHIO FOR FISCAL YEAR 2024, AND DECLARING AN EMERGENCY.

- Ordinance No. 2023-090 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EQUIPMENT SUPPLY AND MAINTENANCE AGREEMENT WITH BUCKEYE AQUATICS, LLC FOR THE LEASE OF A CHLORINE GENERATOR WITH APPURTENANCES, FOR THE POOLS AT THE AQUATIC CENTER IN THE CITY'S WALTER F. EHRLFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-091 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND REPLACEMENT OF COMMERCIAL PUMPS WITH APPURTENANCES FOR THE POOLS IN THE AQUATIC CENTER AT THE WALTER F. EHRLFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
- Resolution No. 2023-092 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE STRONGSVILLE TOWNE CENTER COMMERCIAL DEVELOPMENT TO BE USED IN CONNECTION WITH THE STRONGSVILLE TOWN CENTER ENHANCEMENT & WALKABILITY INITIATIVE.
- Resolution No. 2023-093 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING A DONATION OF MONEY FROM THE STRONGSVILLE SWIM LEAGUE TO BE USED TOWARDS THE CITY OF STRONGSVILLE'S PURCHASE OF FOLDING CHAIRS FOR THE AQUATIC CENTER AT THE WALTER F. EHRLFELT RECREATION & SENIOR CENTER.
- Ordinance No. 2023-094 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE III OF THE CHARTER OF THE CITY ENTITLED "THE COUNCIL" IN SECTION 12, TO PROVIDE FOR COUNCIL POSTING ON THE WEBSITE OF THE CITY, AND IN PUBLIC PLACES DETERMINED BY COUNCIL, ALL ORDINANCES, RESOLUTIONS, STATEMENTS, ORDERS, PROCLAMATIONS, NOTICES AND REPORTS REQUIRED BY LAW, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-095 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE IV OF THE CHARTER OF THE CITY ENTITLED "ADMINISTRATIVE OFFICES" IN SECTION 6(c), TO PROVIDE THAT THE DECISION OF THE BOARD OF ZONING APPEALS GRANTING A VARIANCE IS FINAL WITHOUT REQUIRING A TWENTY (20) DAY DELAY FOR REVIEW BY CITY COUNCIL, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-096 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION AN AMENDMENT TO ARTICLE IV OF THE CHARTER OF THE CITY ENTITLED "ADMINISTRATIVE OFFICES" IN SECTION 7(a), TO PROVIDE FOR FIVE (5) MEMBERS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

- Ordinance No. 2023-097 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, BY A VOTE OF NOT LESS THAN FIVE (5) OF ITS MEMBERS, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-098 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION AN AMENDMENT TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" TO PROVIDE THAT COUNCIL SHALL SUBMIT TO THE ELECTORS ANY PROPOSED ALTERATIONS, REVISIONS AND AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.

11. COMMUNICATIONS, PETITIONS AND CLAIMS:
12. MISCELLANEOUS BUSINESS:
13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 076

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.

WHEREAS, the owner of certain properties located on Royalton Road, in the City of Strongsville, known as being Permanent Parcel Nos. 393-18-003, 393-18-004 and 393-18-005, has submitted a petition requesting rezoning of all such properties from R1-75 (One Family 75) classification to PF (Public Facilities) classification; and

WHEREAS, Article VIII, Section 6 of the City Charter provides that neither the Council, the Mayor, any Board, including Board of Appeals, or Commission appointed pursuant to this Charter, or any ordinance or resolution of this Municipality, nor any other agent, employee, person or organization acting for or on behalf of this Municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in the zoning classification or district of any property or area in the City of Strongsville from R1-75 (One Family 75) or R1-100 (One Family 100) commonly known as single family residential, or by whatever other name called, to any other zoning classification or district unless the change or grant, after adoption in accordance with applicable administrative and/or legislative procedures, is approved at a regularly scheduled election by a majority vote of the electors voting thereon, in the City of Strongsville and in each ward in which the change is applicable to property in the ward.

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

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of Permanent Parcel Nos. 393-18-003, 393-18-004 and 393-18-005, being certain properties described in Exhibit A, and depicted in Exhibit B, which are attached hereto and incorporated herein as if fully rewritten, from R1-75 (One Family 75) classification to PF (Public Facilities) classification, provided that such amendments are approved at a regularly scheduled election by a majority vote of the electors voting thereon in the City of Strongsville and in each ward in which the changes are applicable to the property in the ward.

Section 2. That, if approved by the electors as set forth in Section 1 above, the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the zoning changes in classification as provided in this Ordinance.

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

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to process rezoning of such properties in order to meet the deadline for submittal of this issue to the ballot in accordance with law. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First Reading: June 5, 2023

Second Reading: _____

Third Reading: _____

Public Hearing: _____

Referred to Planning Commission

Approved: Favorable Recommendation
by Planning Commission
June 8, 2023_____
President of Council

Approved: _____

Mayor

Date Passed: _____

Date Approved: _____

YeaNay

Attest: _____

Clerk of Council

Carbone _____

Clark _____

DeMio _____

Kaminski _____

Kosek _____

Roff _____

Short _____

Ord. No. 2023-076 Amended: _____1st Rdg. 06-05-23 Ref: PC/PZE2nd Rdg. _____ Ref: _____3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

EXHIBIT A

Parcel 1

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio: And known as being part of Original Strongsville Township Lot No. 55, bounded as follows: Beginning at a point in the Southerly line of Royalton Road at the Northwestern corner of land conveyed to the Grantees herein by deed dated Nov. 9, 1946, said point being 160 feet Westerly from the Northwestern corner of land conveyed to C.H. Fish by deed dated June 7, 1918 and recorded in Volume 4855, Page 290 of Cuyahoga County Records; Thence Southwesterly along the Southerly line of Royalton Road, 80 feet; Thence Southeasterly at an included angle of 90 deg. 230 feet to a point; Thence Northeasterly in a line parallel to the southerly line of Royalton Road, 80 feet to a point; Thence Northerly at an include angle of 90° 230' to the place of beginning and along the Southwesterly line of land heretofore conveyed to the Grantee herein, be the same more or less, but subject to all legal highways. The above parcel of land is vacant and lies immediately west of premises known as 19191-3 Royalton Road, described as Parcel No. 3 below.

Permanent Parcel No. 393-18-003

Parcel 2

Situated in the Village of Strongsville, County of Cuyahoga and State of Ohio, and known as being part of Original Strongsville Township Lot No. 55, bounded and described as follows: Beginning at a point in the Southerly line of Royalton Road 80 feet Westerly, measured along said Southerly line from the Northwestern corner of land conveyed to Clark R. Fish by deed dated October 23, 1937 and recorded in Volume 4855, Page 562 of Cuyahoga County Records; Thence Southwesterly along the Southerly line of Royalton Road, 80 feet; Thence Southwesterly at an included angle of 90° 230' to a point; Thence Northeasterly in a line parallel with the Southerly line of Royalton Road , 80 feet to a point; Thence Northerly at an included angle of 90° 230' to the place of beginning, as appears by the survey of Clarence E. Karn, Registered Surveyor, No. 3242, be the same more or less, but subject to all legal highways. Said premises are further known as 19191-3 Royalton Road, Strongsville, Ohio.

Permanent Parcel No. 393-18-004

Parcel 3

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio: And known as being part of Strongsville Township Lot No. 55, and bounded and described as follows: Beginning in the Southerly line of Royalton Road at the Northwestern corner of land conveyed to C.H. Fish by deed recorded in Volume 4855, page 290 of Cuyahoga County Records; Thence Southeasterly at an included angle of 90° 250' to a point; Thence Southwesterly at an included angel of 90° 80' to a point; Thence Northerly at an included angle of 90° 250' to a point in the Southerly line of Royalton Road; Thence Easterly along the Southerly line of Royalton Road at an included angle of 90° 80' to the place of beginning, according to a survey by Clarence E. Kern, Registered Surveyor No. 3242, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM: That portion of land conveyed to the State of Ohio containing 958 square feet of land recorded October 18, 1994 in Volume 94-09831, Page 54 of Cuyahoga County Records.

Permanent Parcel No. 393-18-005

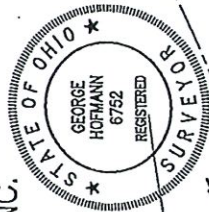
MAP MADE TO ACCOMPANY REQUEST FOR REZONING

MADE AT THE INSTANCE OF
THE CITY OF STRONGSVILLE

KNOWN AS BEING PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT No. 55
NOW IN THE CITY OF STRONGSVILLE, COUNTY OF OHIO, STATE OF OHIO

HOFMANN-METZKER, INC.

Registered Professional Surveyors
24 Beech St. - P.O. Box 343
Berea, Ohio 44017
(440) 234-7350
email: george_hm@comcast.net



Registered Surveyor No. 6752
George A. Hofmann

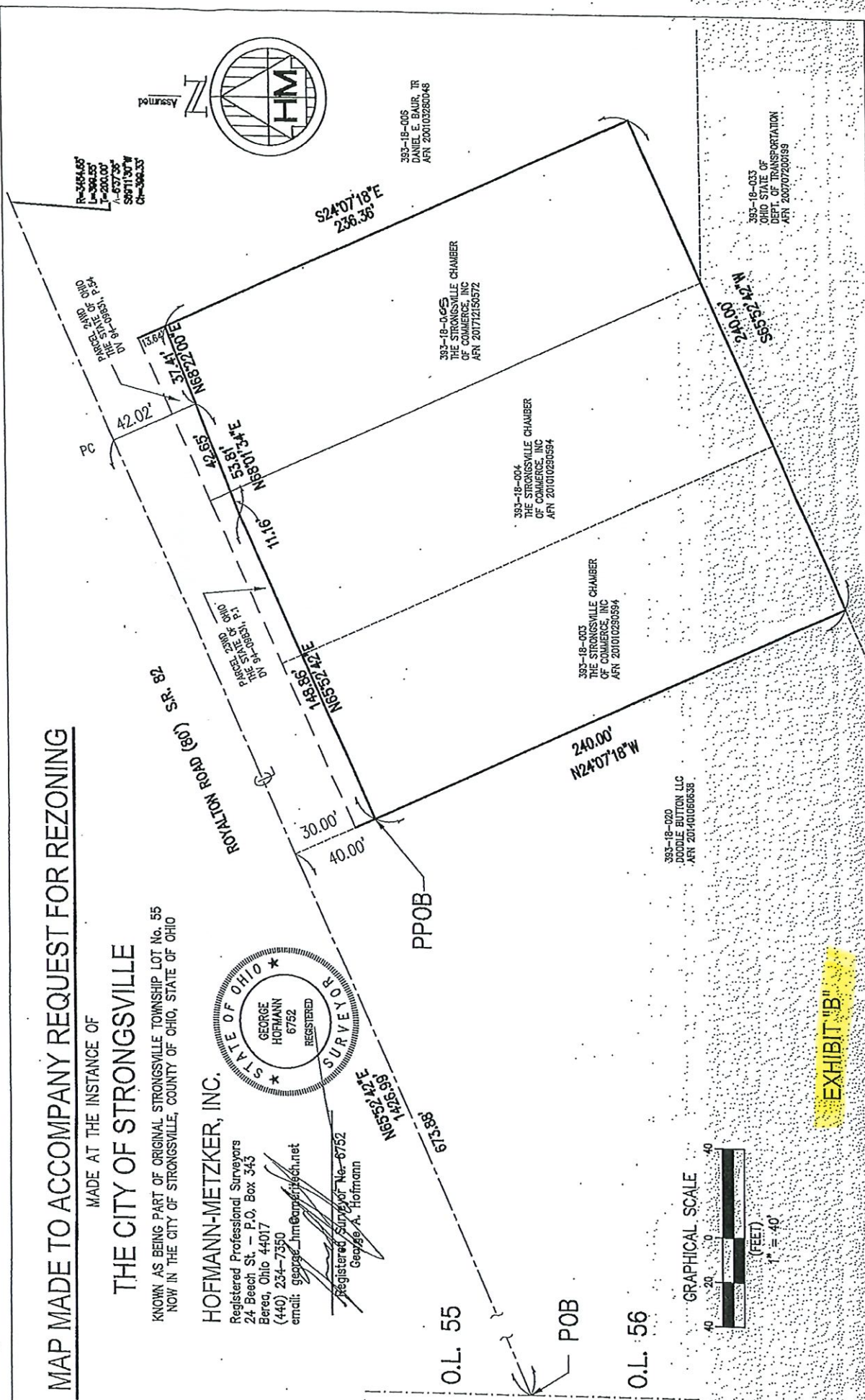


EXHIBIT "B"

PETITION FOR ZONING CHANGE

Ordinance Number: 2023-076

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class R1-75 use to a class PF use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: The change would allow these parcels to be used for potential fire station.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: The parcels to the east are commercial property.

The parcel to the south is vacant land owned by the Ohio Department of Transportation. A Fire Station at this location would benefit the entire surrounding neighborhood.

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

1. Legal Description
2. Survey
3. _____

THE PROPOSED USE OF THE PROPERTY IS: Fire Station

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

Name: Amy Ferree, Executive Director

Address: 18829 Royalton Road, Strongsville, Ohio 44136

Telephone Number: 440-238-3366

Amy Ferree
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)



Sworn to and subscribed in my presence this 26 day of May, 2023.

KRISTI A. ONOFRE
Notary Public, State of Ohio
My Commission Expires
August 22, 2024

Kristi A. Onofre
Notary Public
My commission expires: August 22, 2024

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

PROPERTY DESCRIPTION FORM

Ordinance Number: 2023-076

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 19191-19193 Royalton Road

Permanent Parcel No.: 393-18-003; 393-18-004 and 393-18-005

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

Number and type of buildings which now occupy property (if any): Two (2) residential buildings on PPN 393-18-004

Acreage: _____

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

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

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Strongsville Chamber of Commerce LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

Kristi A. Onofre
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 26 day of May, 2023.



KRISTI A. ONOFRE
Notary Public, State of Ohio
My Commission Expires
August 22, 2024

Kristi A. Onofre
Notary Public

My commission expires August 22, 2024

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

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Marialena Beach, Council Secretary

DATE: June 6, 2023

SUBJECT: Referral from Council: Ordinance Nos. 2023-076, 2023-078 and 2023-080.

At its regular meeting of June 5, 2023, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2023-076 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-078 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY.

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

MB
Attachments

MEMORANDUM

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

FROM: Mitzi Anderson, Administrator, Boards & Commissions

SUBJECT: Referrals to Council

DATE: June 9, 2023

Please be advised that at its meeting of June 8, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2023-076:

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Properties Located in the City of Strongsville, on Royalton Road, being all of PPNs 393-28-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification, and Declaring an Emergency

ORDINANCE NO. 2023-078:

An Ordinance Approving and Authorizing the Mayor to Enter into a Cross Access Easement for Ingress, Egress, Parking and Certain Utilities Between the City of Strongsville, Ohio and the Strongsville Chamber of Commerce, LLC, and Declaring an Emergency

ORDINANCE NO. 2023-80:

An Ordinance Enacting a New Chapter 1275 of Title Six of Part Twelve of the Planning and Zoning Code of the City's Codified Ordinances concerning Electric Vehicle Charging Stations, and Declaring an Emergency

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 078

By: Mayor Perciak and All Members of Council

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY.

WHEREAS, the Strongsville Chamber of Commerce, LLC ("Chamber") and the City of Strongsville ("City") have agreed to enter into an agreement to exchange real property, so that the Chamber will be the owner of certain property located in the City of Strongsville, Ohio, and known as being Permanent Parcel No. 396-17-120 ("Chamber's Parcel") and

WHEREAS, the City is the owner of certain property located in the City of Strongsville, Ohio, and known as being Permanent Parcel No. 396-17-121 ("City's Parcel"); and

WHEREAS, the City and Chamber desire to grant to each other a cross access easement for the purposes of ingress, egress, parking and certain utilities over and under their respective parcels, subject to certain terms and conditions; and

WHEREAS, therefore, the City and Chamber have agreed to enter into a Cross Access Easement for Ingress, Egress, Parking and Certain Utilities for the various properties described above to the mutual benefit of the City and Chamber; and

WHEREAS, the City and the Chamber now wish to memorialize their various mutual intentions, understandings, promises and agreements in this regard, by entering into the attached Cross Access Easement for Ingress, Egress, Parking and Certain Utilities marked as Exhibit "1" and incorporated herein by reference.

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 approves the mutual grant of easements for the properties described herein, and accordingly, the Mayor is authorized and directed to enter into the attached Cross Access Easement for Ingress, Egress, Parking and Certain Utilities with the Strongsville Chamber of Commerce, LLC on the terms and conditions as specified therein, substantially in the form attached hereto as Exhibit "1" and incorporated herein by reference.

Section 2. That the Clerk of Council and/or City Engineer be and are hereby authorized and directed to cause recording of this Cross Access Easement to be recorded with the Cuyahoga County Fiscal Office after its execution.

Section 3. That any required advance of funds under this Ordinance or expenditure of other limited costs by the City as required for recording purposes have been appropriated and will be paid from the General Fund.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 078

Page 2

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

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to memorialize the agreements and understandings between the parties. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: June 5, 2023

Second reading: _____

Third reading: _____

Referred to Planning Commission

June 6, 2023
Favorable recommendation by
Approved: Planning Commission
June 8, 2023.

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

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

Attest: _____
Clerk of Council

Ord. No. 2023-078 Amended: _____
1st Rdg. 06-05-23 Ref: PC/PE
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

**CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND
CERTAIN UTILITIES**

This CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES (hereinafter "Easement") is entered into this _____ day of _____, 2023, by and between the **STRONGSVILLE CHAMBER OF COMMERCE, LLC**, an Ohio for profit limited liability company (hereinafter "Chamber") and the **CITY OF STRONGSVILLE**, a municipal corporation, organized and existing under the laws of the State of Ohio (hereinafter "City") (Chamber and City hereinafter collectively referred to as "Parties").

WHEREAS, the Chamber is the owner in fee simple of certain real estate located in the City of Strongsville, Ohio and known as Permanent Parcel No. 396-17-120 (hereinafter referred to as the "Chamber's Parcel") as further described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the City is the owner in fee simple of certain real estate located in the City of Strongsville, Ohio and known as Permanent Parcel No. 396-17-121 (hereinafter referred to as the "City's Parcel"), as further described in Exhibit B, attached hereto and made a part hereof; and

WHEREAS, the Chamber's Parcel and the City's Parcel together shall be known as the Properties, or individually as the Property; and

WHEREAS, the parties acknowledge that the Properties were originally developed as one parcel as to parking, ingress and egress, walkways, utilities both over and under the ground, and the location of air conditioning units; and

WHEREAS, the parties acknowledge that the Properties have previously been split and ownership of one parcel has just been transferred to the Chamber; and

WHEREAS, the Parties agree to grant, subject to the terms and conditions of this Easement, each to the other, certain rights related to any storm water and sewer lines and facilities located or to be located on the Properties; and

WHEREAS, the Parties agree to grant, subject to the terms and conditions of this Easement, each to the other, certain additional rights of ingress, egress, shared parking and shared concrete walkway between the buildings on the Properties; and

WHEREAS, the Parties agree to grant, subject to the terms and conditions of this Easement, each to the other, certain additional rights related to the use, operation, and maintenance of certain utilities located on, and servicing, the Properties; and

WHEREAS, the Parties agree to grant, subject to the terms and conditions of this Easement, each to the other, certain additional rights related to the location of the air conditioning units servicing the Properties.

NOW, THEREFORE, for good and valuable consideration and based upon the mutual conveyances and covenants stated herein, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. Chamber grants and conveys to City across the Chamber's Parcel a non-exclusive, perpetual easement for right-of-way, driveway access, ingress, egress for the benefit of City's Parcel.
2. City grants and conveys to Chamber across the City's Parcel a non-exclusive, perpetual easement for right-of-way, driveway access, ingress, egress for the benefit of Chamber's Parcel.
3. Chamber grants and conveys to City a non-exclusive, perpetual easement for the benefit, use and enjoyment of all parking spaces upon the Chamber's Parcel.
4. City grants and conveys to Chamber a non-exclusive, perpetual easement for the benefit, use and enjoyment of all parking spaces upon the City's Parcel.
5. Chamber grants and conveys to City a non-exclusive, perpetual easement for the benefit, use and enjoyment of a shared concrete walkway that currently runs between the buildings on the Chamber's Parcel and the City's Parcel.
6. City grants and conveys to Chamber a non-exclusive, perpetual easement for the benefit, use and enjoyment of a shared concrete walkway that currently runs between the buildings on the City's Parcel and the Chamber's Parcel.
7. The parties hereby grant and convey, each to the other, non-exclusive, perpetual easements for general utility purposes ("Utility Easements"). Said Utility Easements shall allow the Parties the right to operate, maintain, and repair any facilities ("Utility Lines") that currently exist and may be necessary for the supply of gas, water, electric power, cable, telephone, internet, or other utilities, or drainage of storm water or sanitary sewer, on, across, under, or through the Properties. Said Utility Easements do NOT convey the right of either of the Parties to add or install additional Utility Lines on the Property of the other Party without prior written consent, nor to increase the burden of any current Utility Lines on the Property of the other Party without prior written consent. The parties further agree to work together to submeter the electrical services to the buildings on their respective Property.
8. The parties hereby grant and convey, each to the other, non-exclusive, perpetual easements for the air conditioning units that service the buildings on the Properties. Said easement

shall allow the Parties the right to operate, maintain and repair any air conditioning unit(s) that currently exist and may be necessary in the future even though the units may be located on the other Party's property.

9. The Parties agree to refrain from interfering with the other's rights to ingress and egress across the Parcel of the other, and further agree that the Chamber shall have the right to limit or prevent parking on its Parcel during events as determined in the discretion of the Chamber.
10. The Parties agree and acknowledge that the respective easements granted herein shall be for the benefit, use and enjoyment of the Parties herein and their respective guests and invitees. The Parties reserve unto themselves the right to use their respective properties for purposes not inconsistent with the easement rights granted herein. The Parties acknowledge that the easements, covenants, and agreements herein contained shall run with the land, and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representative, successors and assigns.
11. The parties mutually agree that each shall pay one-half (1/2) of the cost of repairing, maintaining, and/or improving the walkway between the buildings as set out in Paragraph Five (5) unless a Property is transferred, in which case the subsequent owner will be responsible for its respective one-half (1/2) share.
12. The mutual reciprocal grants of easements for driveway access, ingress, egress and parking spaces is limited to the areas where they are currently located as shown on the attached drawing as Exhibit C or as otherwise agreed between the owners of the two (2) Parcels.
13. The mutual reciprocal grants of easements for the shared walkway between the buildings and for air conditioning units is limited to the areas where they are currently located as shown on the attached drawing as Exhibit C or at such other locations as agreed between the owners of the two (2) Parcels.
14. The mutual reciprocal grants of easements for gas, water, electric power, cable, telephone, internet, other utilities, storm sewers, and sanitary sewers is limited to the areas where they are currently located on, under or across the two (2) Parcels; or as such other locations as agreed between the owners of the two (2) Parcels.
15. The parties agree that the City will be solely responsible and maintain in good condition at its sole cost and expense, the driveway access, ingress and egress, parking spaces, all utility lines and facilities located on its Parcel.
16. The parties agree the Chamber will be solely responsible and maintain in good condition at its sole cost and expense, the driveway access, ingress and egress, parking spaces, all utility lines and facilities located on its Parcel.
17. The rights created under this Cross Easement Agreement shall include the right to enter upon such portions of the Parcels as may be reasonably necessary to gain access to or otherwise utilize the benefit of the specific easements described herein and the rights conferred to the Parcels under this Cross Easement Agreement, provided that any such

entry will be done in a manner so as to cause the least possible interference with the use of that portion of the Parcel in question by its owner and the party exercising such right shall immediately restore or repair any damage to real property, including any improvements located thereon, or to personal property caused by such entry.

18. The Cross Easements herein above granted shall be used and enjoyed by each owner and its permittees in such a manner so as not to unreasonably interfere with, obstruct or delay the conduct and operations of the business of any other owner or its permittees at any time conducted on its Parcel, including, without limitation, public access to and from said business, and the receipt or delivery of merchandise in connection therewith. Except as otherwise set forth in this Cross Easement Agreement, all easement rights shall be exercised by each owner at its sole cost and expense.
19. No partnership is intended between the Parties, for any purpose. Each party is to conduct and operate its business in and upon its respective parcel independently and nothing herein contained shall be construed to:
- a. Create a partnership agreement.
 - b. Constitute the Parties as partners with respect to the conduct and operation of their respective Parcels.
 - c. Establish a principal and agent relationship between the Parties; or
 - d. Constitute or be a joint-venture between the Parties.
20. This Easement shall be construed, interpreted and enforced under the laws of the State of Ohio. If any provision or portion hereof be invalid or unenforceable, the remainder of the applications of such provisions or portions thereof to any person or circumstances shall not be affected thereby and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. This Easement represents the complete understanding of the Parties. No waiver of any provision hereof shall be deemed to imply or constitute a further waiver thereof, or waiver of any other provisions set forth herein.
21. Any duty or obligation either Party owes to the other under this Cross Easement Agreement terminates and transfers to the new owner of the Parcel on the date of the transfer of ownership.

IN WITNESS WHEREOF, this instrument is executed this 31 day of May, 2023.

Signed and acknowledged in
the presence:



**STRONGSVILLE CHAMBER OF
COMMERCE**

By: Charles R. Holly

Its: President

CITY OF STRONGSVILLE

By: _____
Thomas P. Perciak
Its: Mayor

STATE OF OHIO)
) ss:
COUNTY OF ~~CUYAHOGA~~)
medina

Before me, a Notary Public in and for said County and State, personally appeared the above-named **STRONGSVILLE CHAMBER OF COMMERCE**, by Charles R. Hollingsworth its President, who acknowledged that he/she did sign the foregoing instrument and that the same is his/her free and voluntary act and deed as such officer and the free and voluntary act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal at Medina, Ohio, this 31 day of May, 2023.

[Signature]
Notary Public



STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared **THE CITY OF STRONGSVILLE**, by Thomas P. Perciak, its Mayor, who acknowledged that he did sign the foregoing instrument and that the same is his free and voluntary act and deed as an officer thereof, and the free act and deed of said municipal corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Strongsville, Ohio, this ____ day of _____, 2023.

Notary Public

HOFMANN - METZKER, INC.

REGISTERED PROFESSIONAL SURVEYORS
P. O. BOX 343 - 24 BEECH STREET
BEREA, OH 44017 (440) 234-7350

George A. Hofmann, P.S., President
Richard D. Metzker, P.S., Vice President

City Of Strongsville

DESCRIPTION **PARCEL "A"**

4-22-2021

Situated in the City of Strongsville, County of Cuyahoga, State of Ohio and known as being part of Original Strongsville Township Lot No. 55, and further bounded and described as follows:

Beginning at an Iron Pin in a monument box marking the intersection of the centerline of Pearl Road (S.R. 42) (Varies), with the centerline of Royalton Road (S.R. 82) as relocated (Width Varies);

Thence North 67 degrees 40 minutes 30 seconds East along said centerline of Royalton Road, a distance of 89.05 feet to an Iron Pin Found in a monument box at a point of curvature;

Thence South 74 degrees 51 minutes 00 seconds East, a distance of 96.75 feet to a point on the Southerly right of way line of Royalton Road;

Thence Northeasterly along the arc of a circle deflecting to the right, a distance of 7.20 feet to a point on the Westerly line of a parcel of land conveyed to the City of Strongsville by Certificate of Title No. 131048, said point being the PRINCIPAL PLACE OF BEGINNING, 5/8" Iron Pin Found capped "Campbell", distant South 1.00', said arc having a radius of 1.580.02 feet and a chord which bears North 70 degrees 36 minutes 12 " West, 7.20 feet;

Thence Northeasterly along the arc of a circle deflecting to the right, a distance of 155.14 feet to an Iron Pin Set, said arc having a radius of 1,580.02 feet and a chord which bears North 73 degrees 32 minutes 23 seconds East, 155.07 feet;

Thence South 05 degrees 47 minutes 11 seconds East, a distance of 93.46 feet to an Iron Pin Set on a Southerly line of a parcel of land conveyed to the Trustees of Strongsville Twp. by deed recorded in Vol. 302, Page 225 of Cuyahoga County Records;

Thence South 84 degrees 27 minutes 59 seconds West along the Southerly line of said land conveyed, a distance of 52.97 feet to a point on the Easterly line of said land conveyed to the Trustees of the City of Strongsville by Certificate of Title No. 131408, (drill hole and x found 0.64'S-0.13'E);

Thence South 04 degrees 48 minutes 06 seconds East along said Easterly line, a distance of 16.90 feet to the Southeasterly corner of said land conveyed, (5/8" Iron Pin Found capped "Campbell" 0.68'S -0.13'E);

EXHIBIT A

City of Strongsville

Parcel "A"

Page 2

Thence South 89 degrees 38 minutes 57 seconds West along a Southerly line of said land conveyed, a distance of 59.17 feet to a point (5/8" Iron Pin Found capped "Campbell" 0.84'S-0.16'E);

Thence South 04 degrees 35 minutes 00 seconds East along an Easterly line of said land conveyed, a distance of 15.49 feet to the most Southerly line of said land conveyed (5/8" Iron Pin Found 0.09'S-0.08'E);

Thence South 83 degrees 54 minutes 46 seconds West along said most Southerly line, a distance of 41.46 feet to the Southwesterly corner of said land conveyed, (5/8" Iron Pin Found Bent capped "Campbell" 0.58'S-0.18'E);

Thence North 04 degrees 48 minutes 51 seconds West along the Westerly line of said land conveyed, a distance of 91.52 feet to the PRINCIPAL PLACE OF BEGINNG and containing 14,204.8649 SF – 0.326 Acres of land according to a survey by George A. Hofmann, Registered Surveyor No. 6752.

Course used in this description are based on the centerline of Pearl Road bearing North 04 degrees 48 minutes 06 seconds West and are used to indicate angles only.

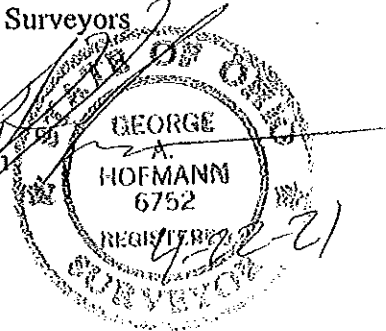
Iron Pin Set are 5/8" rebar capped 6752/7477.

Distances are given in feet and decimal parts thereof.

HOFMANN-METZKER, INC.
Registered Professional Surveyors

By:

George A. Hofmann



HOFMANN - METZKER, INC.

REGISTERED PROFESSIONAL SURVEYORS
P. O. BOX 343 - 24 BEECH STREET
BEREA, OH 44017 (440) 234-7350

George A. Hofmann, P.S., President
Richard D. Metzker, P.S., Vice President

City Of Strongsville

DESCRIPTION PARCEL "B"

4-22-2021

Situated in the City of Strongsville, County of Cuyahoga, State of Ohio and known as being part of Original Strongsville Township Lot No. 55, and further bounded and described as follows:

Beginning at an Iron Pin in a monument box marking the intersection of the centerline of Pearl Road (S.R.. 42) (Varies), with the centerline of Royalton Road (S.R. 82) as relocated (Width Varies);

Thence North 67 degrees 40 minutes 30 seconds East along said centerline of Royalton Road, a distance of 89.05 feet to an Iron Pin Found in a monument box at a point of curvature;

Thence South 74 degrees 51 minutes 00 seconds East, a distance of 96.75 feet to a point on the Southerly right of way line of Royalton Road;

Thence Northeasterly along the arc of a circle deflecting to the right, a distance of 7.20 feet to a point on the Westerly line of a parcel of land conveyed to the City of Strongsville by Certificate of Title No. 131048, 5/8" Iron Pin Found capped "Campbell", distant South 1.00', said arc having a radius of 1,580.02 feet and a chord which bears North 70 degrees 36 minutes 12 " West, 7.20 feet;

Thence Northeasterly along the arc of a circle deflecting to the right, a distance of 155.14 feet to an Iron Pin Set, said arc having a radius of 1,580.02 feet and a chord which bears North 73 degrees 32 minutes 23 seconds East, 155.07 feet to the PRINCIPAL PLACE OF BEGINNING;

Thence continuing Northeasterly along the arc of a circle deflecting to the right a distance of 43.39 feet to an Iron Pin Set, said arc having a radius of 1,580.02 and a chord which bears North 77 degrees 08 minutes 21 second East, 43.38 feet;

Thence North 84 degrees 21 minutes 14 seconds East along said Southerly right of way line, a distance of 94.46 feet to an Iron Pin Set on the Easterly line of a parcel of land conveyed to the Trustees of Strongsville Twp. by deed recorded in Vol. 302, Page 225 of Cuyahoga County Records;

Thence South 04 degrees 49 minutes 28 seconds East along said Easterly line, a distance of 99.19 feet to the Southeasterly corner thereof, (5/8" Iron Pin Found 0.15'E -0.07'S);

Parcel "B"

Page 2

Thence South 84 degrees 27 minutes 59 seconds West along the Southerly line of said land conveyed, a distance of 135.85 feet to an Iron Pin Set;

Thence North 05 degrees 47 minutes 11 seconds West, a distance of 93.46 feet the PRINCIPAL PLACE OF BEGINNING and containing 13,425.3295 SF – 0.3082 Acres of land according to a survey by George A. Hofmann, Registered Surveyor No. 6752.

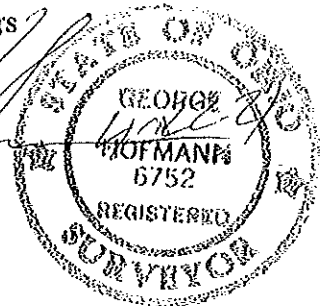
Course used in this description are based on the centerline of Pearl Road bearing North 04 degrees 48 minutes 06 seconds West and are used to indicate angles only.

Iron Pin Set are 5/8" rebar capped 6752/7477.

Distances are given in feet and decimal parts thereof.

HOFMANN-METZKER, INC.
Registered Professional Surveyors

By: 
George A. Hofmann



CUYAHOGA COUNTY
OFFICE OF PUBLIC OFFICERS-1
202105200615

LOT SPLIT & CONSOLIDATION
OLD TOWN HALL
MADE AT THE INSTANCE OF
THE CITY OF STRONGSVILLE
ORIGINAL STRONGSVILLE TOWNSHIP LOT N° 55
NOW IN THE CITY OF STRONGSVILLE
CUYAHOGA COUNTY, OHIO

ORDER N° 20-162
F.B. 758A-139
October 7, 2020
April 15, 2021 for recording
May 5, 2021 County Comments
HOFMANN-METZKER, INC.
REGISTERED PROFESSIONAL SURVEYORS
24 BECH ST - P.O. BOX 343
440-74-7150
GEORGE HOFMANN E-MAIL
george_hm@metzkerinc.com
Registered Surveyor No. 6752
George A. Hofmann



PLANNING COMMISSION

THIS PLAN IS APPROVED BY THE PLANNING COMMISSION OF THE CITY OF STRONGSVILLE
THIS 17th DAY OF February, 2021.

By: J. McLaughlin
Secretary
Print Name: J. McLaughlin

CITY ENGINEER

THIS PLAN IS APPROVED BY THE CITY ENGINEER OF THE CITY OF STRONGSVILLE
THIS 17th DAY OF February, 2021.

Ken Mikula
City Engineer
Print Name: Ken Mikula

CITY COUNCIL

THIS PLAN IS APPROVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, OHIO BY
THIS 17th DAY OF February, 2021.

Mayer
Print Name

ACCEPTANCE

(We) the undersigned owner's of the land shown hereon, do hereby accept this
Lot Split as shown hereon.

Thomas P. Pecanich
Print Name: Thomas P. Pecanich

NOTARY

S.S. BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE DID
PERSONALLY APPEAR the ABOVE SIGNED Thomas P. Pecanich WHO DID
ACKNOWLEDGE THE SIGNED OF THE FOREGOING INSTRUMENT TO BE "HIS/HER" FREE
ACT AND DEED, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL
AT Strongsville, OHIO THIS 17 DAY OF May, 2021.

Robert A. O'Neil
Notary Public
Print Name: Robert A. O'Neil



BASIS OF BEARINGS

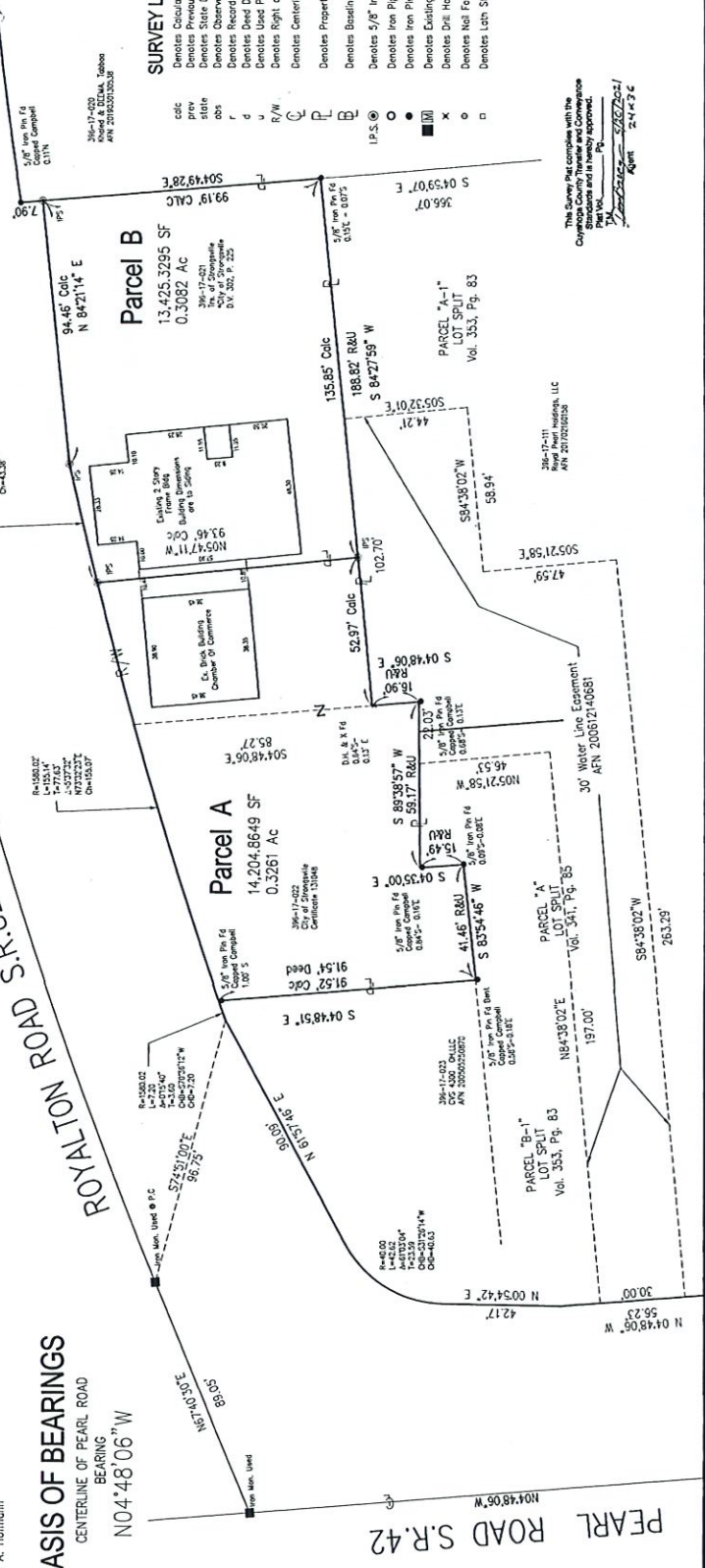
CENTERLINE OF PEARL ROAD
BEARING
N04°48'06"W

ROKALATION ROAD S.R.82



SURVEY LEGEND

- Denotes Calculated Distance or Angle
- Denotes Observed Distance or Angle
- Denotes State Distance or Angle
- Denotes Record Distance or Angle
- Denotes Deed Distance or Angle
- Denotes Used Point, Distance or Angle
- Denotes Right of Way
- Denotes Centerline
- Denotes Property Line
- Denotes Baseline
- Denotes 5/8" Iron Pin 30" Long Set and Capsee 6752/7477
- Denotes Iron Pin Found
- Denotes Iron Pin Found
- Denotes Existing Iron Pin Measurement Found
- Denotes DRI Hole Found or Set
- Denotes Nail Found or Set
- Denotes Lath Stake Found or Set



This Survey Plat complies with the
Cuyahoga County Transfer and Conveyance
Statute and is hereby approved.

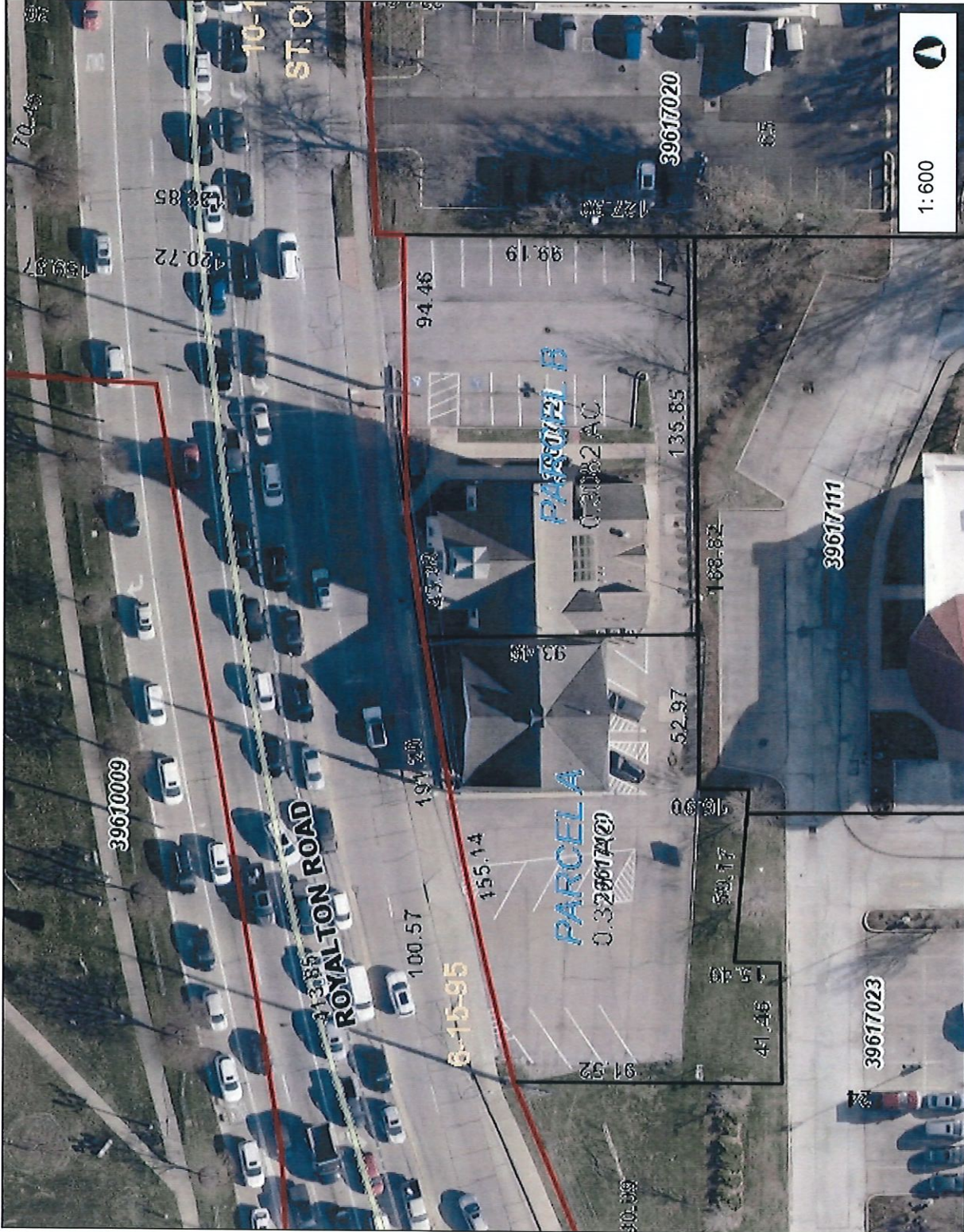
2021-05-20
APN 202105200615

404

Parcel A = Chamber Bldg. DEN 396-17-120
Parcel B = Old Town Hall DEN 396-17-121



Cuyahoga County GIS Viewer



100 0 50 100 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

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



Date Created: 5/9/2023

Legend

- ☐ Municipalities
- ☐ Right Of Way
- ☐ Platted Centerline
- ☐ Parcel

EXHIBIT C

Cuyahoga County
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Marialena Beach, Council Secretary

DATE: June 6, 2023

SUBJECT: Referral from Council: Ordinance Nos. 2023-076, 2023-078 and 2023-080.

At its regular meeting of June 5, 2023, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2023-076 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-078 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY.

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

MB
Attachments

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

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- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY.

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

MB
Attachments

MEMORANDUM

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

FROM: Mitzi Anderson, Administrator, Boards & Commissions

SUBJECT: Referrals to Council

DATE: June 9, 2023

Please be advised that at its meeting of June 8, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2023-076:

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Properties Located in the City of Strongsville, on Royaltown Road, being all of PPNs 393-28-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification, and Declaring an Emergency

ORDINANCE NO. 2023-078:

An Ordinance Approving and Authorizing the Mayor to Enter into a Cross Access Easement for Ingress, Egress, Parking and Certain Utilities Between the City of Strongsville, Ohio and the Strongsville Chamber of Commerce, LLC, and Declaring an Emergency

ORDINANCE NO. 2023-80:

An Ordinance Enacting a New Chapter 1275 of Title Six of Part Twelve of the Planning and Zoning Code of the City's Codified Ordinances concerning Electric Vehicle Charging Stations, and Declaring an Emergency

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 080

By: Mayor Perciak and All Members of Council

**AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF
TITLE SIX OF PART TWELVE OF THE PLANNING AND
ZONING CODE OF THE CITY'S CODIFIED ORDINANCES
CONCERNING ELECTRIC VEHICLE CHARGING STATIONS,
AND DECLARING AN EMERGENCY.**

WHEREAS, the number of all-electric vehicles, also referred to as battery electric vehicles, that are being driven on streets and highways has risen dramatically in the recent past; and

WHEREAS, the demand for and use of electric vehicle charging stations for said electrical vehicles has also increased; and

WHEREAS, the City of Strongsville now seeks to enact certain regulations concerning electric vehicle charging stations so as to promote the health, safety and welfare of the community.

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

Section 1. That new Chapter 1275 of Title Six of Part Twelve of the Codified Ordinances of the City of Strongsville relating to electric vehicle charging stations be and is hereby enacted to read in its entirety as follows:

**CHAPTER 1275
ELECTRIC VEHICLE CHARGING STATIONS**

1275.01 DEFINITION.
1275.02 ACCESSORY USE PERMITTED.

1275.01 DEFINITION.

For the purposes of this Chapter, an Electric Vehicle Charging Station ("EVCS") shall mean public or private battery charging station equipment for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device utilized in an electric vehicle.

1275.02 ACCESSORY USE PERMITTED.

Electric Vehicle Charging Stations may be permitted as an accessory use in any zoning district in compliance with the following standards, conditions, and criteria:

(a) In residential districts, with the exception of RMF-1 districts, Electric Vehicle Charging stations may be permitted as an accessory use in compliance with the following standards, conditions, and criteria:

- (1) Proposed locations shall be identified on a site plan submitted with a building permit application for review and approval by the Building Commissioner. The location, size, and mounting height

- details, also including but not limited to voltage/amperage, load calculation of existing electrical charge panels, and electrical diagrams of circuits for each proposed EVCS shall be included on the plans and submitted with the building permit application. Any landscaping to be utilized shall also be included on the site plan.
- (2) An electrical permit shall be required as part of the building permit application prior to installation. Each EVCS shall comply with the requirements of the National Electric Code and Fire Code adopted by the City, and all other applicable City Codes.
 - (3) Each EVCS shall be located on the same lot or parcel as the principal use to which it is accessory and shall not impede vehicular or pedestrian circulation, block any fire lane, or impede any drainage.
 - (4) An EVCS may be a Level 1 and/or Level 2 charger.
 - (5) If a charging facility has more than one (1) port, each port shall count as a charging station. Charging cords shall be retractable or have facilities for hanging the unit and cords.
 - (6) An EVCS shall only be permitted for the use of the occupants of the residential lot on which the EVCS is located and shall not be used or available to the general public or used for commercial purposes.
 - (7) Each EVCS shall be either located in the garage or mounted on an exterior wall within three (3) feet of the overhead garage door of the home and as otherwise approved by the Building Commissioner.
 - (8) The number of EVCS's for each residence shall not exceed four (4).

(b) In all other zoning districts not set out in Section (a), Electric Vehicle Charging Stations (EVCS) may be permitted as an accessory use in compliance with the following standards, conditions and criteria:

- (1) Proposed locations shall be identified on a site plan submitted with a building permit application for review and approval by the City. The location, size, and mounting height details for each proposed Electric Vehicle parking signs shall be included on the plans and submitted with the building permit application. The site plan shall include but not be limited to voltage/amperage, load calculation of existing electrical charge panels, and electrical diagrams of circuits for each proposed EVCS. Any landscaping or proposed covering over the EVCS to be utilized shall also be included on the site plan.
- (2) An electrical permit shall be required as part of building permit application prior to installation. Each EVCS shall comply with the requirements of the National Electric Code and Fire Code adopted by the City and all other applicable City Codes.
- (3) Each EVCS shall be located on the same lot or parcel as the principal use to which it is accessory and shall not impede vehicular or pedestrian circulation, block any fire lane, or impede any drainage.
- (4) An EVCS may be a Level 1, Level 2, Level 3, or Level 4 charger.

- (5) If a charging facility has more than one (1) port, each port shall count as a charging station. Charging cords shall be retractable or have facilities for hanging the unit and the cord.
- (6) An EVCS may be located in a parking lot or a parking garage. A parking space used for an EVCS may be counted toward the minimum number of Code required parking spaces. Each parking space designated for an EVCS shall be clearly marked as reserved for electric vehicles only.
- (7) The minimum parking space dimensions for an EVCS shall be ten (10) feet wide by twenty (20) feet long.
- (8) Charging station equipment shall not exceed eight (8) feet in height, shall be located a minimum of twenty-four (24) inches behind the face of the parking lot curb, or shall be appropriately protected by wheel stops and/or bollards as approved by the Building Commissioner.
- (9) Adequate security lighting shall be provided for use of the EVCS. All proposed lighting shall have full cut-off fixtures. Security lighting requires a minimum ten (10) foot candle power at ground levels.
- (10) Small directional signs not exceeding two (2) square feet in area may be permitted. Any branding or advertising located on the EVCS shall be limited to the manufacturer's information and not for advertising of the business or site on which the EVCS is located or any other business. A phone number or other contact information shall be provided on the equipment for reporting problems.
- (11) Landscaping shall be provided where appropriate as determined by the City.
- (12) All proposed locations for EVCS shall be reviewed and approved by the Building Commissioner and City Engineer. If there are more than four (4) EVCS's proposed for a site, the application shall also be reviewed and approved by the Planning Commission.
- (13) The City may limit the number of EVCS's on any parcel based on the following standards:
 - A. Type of main use.
 - B. Topography, availability and location of all utilities, and drainage concerns.
 - C. Aesthetics of the site.
 - D. Vehicular and pedestrian travel on the site.
 - E. Possible interference with required parking utilized on the site or location of any fire lanes or access for emergency vehicles.
 - F. Lighting concerns.
 - G. Any other concerns relating to the health, safety, and welfare of those users of the site and the surrounding community.
- (14) Charging facilities must be arranged, located and configured in a manner that does not create a public hazard or nuisance.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 080
Page 4

(c) If deemed appropriate, the City may approve deviations or modifications to these standards on City or government-owned properties if such deviations or modifications are not detrimental to the health, safety, and welfare of the community.

Section 3. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

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

Section 5. That this Ordinance is hereby declared 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 in order to provide for safe regulation of electrical charging stations for vehicles. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: June 5, 2023
Second reading: _____
Third reading: _____
Public Hearing: _____

President of Council

Date Passed: _____

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

Referred to Planning Commission

June 6, 2023
Favorable recommendation
Approved: by Planning Commission
June 8, 2023.

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-080 Amended: _____
1st Rdg. 06-05-23 Ref: PC/P25
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission

FROM: Marialena Beach, Council Secretary

DATE: June 6, 2023

SUBJECT: Referral from Council: Ordinance Nos. 2023-076, 2023-078 and 2023-080.

At its regular meeting of June 5, 2023, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2023-076 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED IN THE CITY OF STRONGSVILLE, ON ROYALTON ROAD, BEING ALL OF PPNs 393-18-003, 393-18-004 AND 393-18-005, FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-078 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CROSS ACCESS EASEMENT FOR INGRESS, EGRESS, PARKING AND CERTAIN UTILITIES BETWEEN THE CITY OF STRONGSVILLE, OHIO AND THE STRONGSVILLE CHAMBER OF COMMERCE, LLC, AND DECLARING AN EMERGENCY.
- Ordinance No. 2023-080 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 1275 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING ELECTRIC VEHICLE CHARGING STATIONS, AND DECLARING AN EMERGENCY.

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

MB
Attachments

MEMORANDUM

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

FROM: Mitzi Anderson, Administrator, Boards & Commissions

SUBJECT: Referrals to Council

DATE: June 9, 2023

Please be advised that at its meeting of June 8, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2023-076:

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Properties Located in the City of Strongsville, on Royaltown Road, being all of PPNs 393-28-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification, and Declaring an Emergency

ORDINANCE NO. 2023-078:

An Ordinance Approving and Authorizing the Mayor to Enter into a Cross Access Easement for Ingress, Egress, Parking and Certain Utilities Between the City of Strongsville, Ohio and the Strongsville Chamber of Commerce, LLC, and Declaring an Emergency

ORDINANCE NO. 2023-80:

An Ordinance Enacting a New Chapter 1275 of Title Six of Part Twelve of the Planning and Zoning Code of the City's Codified Ordinances concerning Electric Vehicle Charging Stations, and Declaring an Emergency

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 085

By: Mayor Perciak and All Members of Council

**A RESOLUTION PROVIDING FOR THE SUBMISSION OF
ORDINANCE NO. 2023-076 TO THE ELECTORS, ESTABLISHING
AN ELECTION DATE THEREFOR, AND DECLARING AN
EMERGENCY.**

WHEREAS, on _____, Council passed Ordinance No. 2023-076, entitled "An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Properties Located in the City of Strongsville, on Royalton Road, being all of PPNs 393-18-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification, and Declaring an Emergency."; and

WHEREAS, Article VIII, Section 6 of the City Charter provides that neither the Council, the Mayor, any Board, including Board of Appeals, or Commission appointed pursuant to this Charter, or any ordinance or resolution of this Municipality, nor any other agent, employee, person or organization acting for or on behalf of this Municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in the zoning classification or district of any property or area in the City of Strongsville from R1-75 (One Family 75) or R1-100 (One Family 100) commonly known as single family residential, or by whatever other name called, to any other zoning classification or district unless the change or grant, after adoption in accordance with applicable administrative and/or legislative procedures, is approved at a regularly scheduled election by a majority vote of the electors voting thereon, in the City of Strongsville and in each ward in which the change is applicable to property in the ward, and the results of that election have been certified by the Board of Elections.

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

Section 1. That this Council hereby sets the date of the next regularly scheduled General Election of November 7, 2023, for submission of Ordinance No. 2023-076 to the electors of the City of Strongsville, a copy of which is attached hereto and incorporated herein as if fully rewritten.

Section 2. That this Council hereby requests the Board of Elections to do all things necessary to provide for the submission of Ordinance No. 2023-076 on said date to the electors of the City of Strongsville.

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

PROPOSED ZONING AMENDMENT

A majority affirmative vote of the electors voting thereon in the City and in Ward 4 are necessary for passage.

Shall the Zoning Map of Strongsville adopted by Section 1250.03 of the Codified Ordinances of Strongsville be amended to change the zoning classification of certain properties located on Royalton Road, in the City of Strongsville, being all of PPNs 393-18-003, 393-18-004 and 393-18-005, from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Board of Elections of Cuyahoga County on or before August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County is requested to cause an appropriate notice to be duly given of the regularly scheduled General Election to be held on November 7, 2023, on the foregoing Ordinance of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That there is hereby appropriated from the General Fund a sufficient sum of money to pay any filing fee or other nominal costs associated with carrying out the authorizations and directions of this Resolution.

Section 7. 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 8. That this Resolution 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, in accordance with the City Charter, it is immediately necessary to submit the aforementioned zoning amendment to the Board of Elections in order to meet the legal deadline and place said question before the electorate at the November 7, 2023 General Election. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2023 – 085
Page 3

President of Council
Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

RES
Ord. No. **2023-085** Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 086

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) UNITS AND RELATED EQUIPMENT FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City has advertised for the purchase of seven (7) self-contained breathing apparatus (SCBA) units, seven (7) compressed air cylinders, seven (7) facepieces, and related appurtenances, for use by the Fire Department; and

WHEREAS, therefore, Council is desirous of proceeding to award and enter into a contract for such equipment.

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

Section 1. That this Council hereby finds and determines that the bid submitted by **MUNICIPAL EMERGENCY SERVICES** for the purchase of seven (7) self-contained breathing apparatus (SCBA) units; seven (7) compressed air cylinders; seven (7) facepieces, and related appurtenances for use by the Fire Department, meets the specifications on file in the office of the Fire Chief; is in compliance with the applicable requirements for bidding and contracts established by the laws of the City and the State; and is the lowest and best bid for the proposed contract.

Section 2. That the Mayor be and is hereby authorized and directed to enter into a contract with the aforesaid lowest and best bidder in an amount not to exceed \$57,050.00 for the purchase of the aforesaid equipment, in accordance with the specifications on file in the office of the Fire Chief.

Section 3. That the funds for the purposes of said contract have been appropriated and shall be paid from the Fire Levy Fund.

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

Section 5. That this Ordinance is hereby declared to be an emergency measure 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 protect the safety of members of the Fire Department, to aid in protecting the lives and property of individuals residing in the City, to provide for the continuity of services and operation of the Fire Department, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 086
Page 2

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

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-086 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 087

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE CUYAHOGA COUNTY PLANNING COMMISSION UNDER THE HEALTHY URBAN TREE CANOPY GRANT PROGRAM PY2023; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville has been a Tree City USA community since 1996, with more than 100,000 trees, which are an integral component of Strongsville's urban environment. Their shade and beauty contribute to the community's quality of life and soften the hard appearance of concrete structures and streets; and

WHEREAS, in 2019, Cuyahoga County announced a significant new program to expand the percentage of the urban tree canopy throughout Cuyahoga County, and therefore, established a competitive grant program; and

WHEREAS, the Cuyahoga County Council has again extended the County's commitment to improving the Urban Tree Canopy for 2023; and

WHEREAS, the Healthy Urban Tree Canopy Grant Program PY2023 is coordinated by the Cuyahoga County Department of Sustainability, Cuyahoga County Planning Commission, the Cuyahoga County Board of Health, and the Cuyahoga Soil & Water Conservation District; and

WHEREAS, in order to meet the deadline for submission of applications to receive funding from the Cuyahoga County Planning Commission under the Healthy Urban Tree Canopy Grant Program for the PY2023, the City, through its Coordinator of Natural Resources, will apply for funding in the amount of approximately \$50,000.00 in order to continue the cost share tree planting program within the right of way, as well as offer a free tree program for private properties with an educational component tied to the program for classes on tree planting; and

WHEREAS, the grant award will fund ninety percent (90%) of the estimated total project costs, on a reimbursement basis, with a ten percent (10%) local match required; and

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

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

Section 1. That this Council hereby authorizes the Mayor and City Coordinator of Natural Resources to submit an application for financial assistance to the Cuyahoga County Planning Commission under the Healthy Urban Tree Canopy Grant Program PY2023, in the form on file with the City Coordinator of Natural Resources.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 087
Page 2

Section 2. That this Council hereby approves the acceptance of any award of funding under such Grant Program for 2023, and hereby authorizes the Mayor, Director of Finance, Coordinator of Natural Resources, and other appropriate officers of the City to provide, execute and deliver certifications, assurances and such other information as may be required in connection therewith.

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

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

Section 5. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to authorize the submission of such application for financial assistance in order to meet the application deadline, to accept such funds when awarded, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-087 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 - 088
BY: MAYOR THOMAS P. PERCIAK

AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2023 AND REPEALING ORDINANCE NUMBER 2023 - 066

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

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

<u>General Fund - 101</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
101	Total General Fund	\$ 21,309,156.00	\$ 9,289,077.00	\$ 13,550,000.00	\$ 44,148,233.00

<u>Special Revenue Funds - 200</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
203	Police Pension	\$ 1,512,761.00	\$ -	\$ -	\$ 1,512,761.00
204	Street Construction & Maintenance	5,451,540.00	6,847,710.00	-	12,299,250.00
205	State Highway Maintenance	-	72,200.00	-	72,200.00
206	Motor Vehicle License Tax	-	390,000.00	-	390,000.00
207	Emergency Vehicle Fund	-	2,168,977.00	-	2,168,977.00
208	Fire Levy	9,627,000.00	1,101,800.00	-	10,728,800.00
209	Fire Pension	1,813,000.00	-	-	1,813,000.00
211	Clerk of Court	-	40,000.00	-	40,000.00
212	Drainage Levy	-	1,558,000.00	-	1,558,000.00
213	Local Fiscal Recovery	500,000.00	16,000.00	500,000.00	1,016,000.00
214	Multi-Purpose Complex	3,192,750.00	2,197,865.00	-	5,390,615.00
215	Southwest General Hospital	-	360,000.00	-	360,000.00
216	Law Enforcement Federal Seizures	-	60,000.00	-	60,000.00
217	Law Enforcement State Seizures	-	20,000.00	-	20,000.00
218	Law Enforcement Drug Fine	-	10,000.00	-	10,000.00
219	Law Enforcement DWI/DUI	-	20,000.00	-	20,000.00
220	Tree Fund	-	96,300.00	-	96,300.00
222	Community Diversion	4,000.00	4,000.00	-	8,000.00
223	Bond Escrow	-	855,000.00	-	855,000.00
224	Earned Benefits	510,500.00	-	-	510,500.00
225	One Ohio Settlement Fund	-	5,000.00	2,820.00	7,820.00
200	Total Special Revenue Funds	\$ 22,611,551.00	\$ 15,822,852.00	\$ 502,820.00	\$ 38,937,223.00

<u>Debt Service Funds - 300</u>					
Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
331	General Bond Retirement	\$ -	\$ 6,441,450.00	\$ -	\$ 6,441,450.00
333	Pearl Road TIF # 1	-	585,000.00	-	585,000.00
334	Royalton Road TIF	-	177,888.00	-	177,888.00
335	Pearl Road TIF # 2	-	179,003.00	-	179,003.00
336	Pearl Road TIF # 3	-	41,150.00	-	41,150.00
337	Westwood Commons TIF	-	40,500.00	-	40,500.00
338	Giant Eagle TIF	-	118,306.00	-	118,306.00
339	GETGO TIF	-	24,690.00	-	24,690.00
340	Clover Senior TIF	-	140,939.00	-	140,939.00
341	Pearl Road TIF # 4	-	298,338.00	-	298,338.00
342	Cane's/Chase TIF	-	17,489.00	-	17,489.00
343	Brighton Best TIF	-	3,086.00	-	3,086.00
344	Pearl North TIF	-	30,863.00	-	30,863.00
300	Total Debt Service Funds	\$ -	\$ 8,098,702.00	\$ -	\$ 8,098,702.00

Capital Improvement Capital Project Funds - 400

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
441	Recreation Capital Improvement	\$ -	\$ 361,503.00	\$ -	\$ 361,503.00
442	General Capital Improvement	-	21,586,573.00	-	21,586,573.00
447	TIF Capital Improvements	-	336,200.00	-	336,200.00
448	Town Center Improvement Fund	-	8,000,000.00	-	8,000,000.00
400	Total Capital Project Funds	\$ -	\$ 30,284,276.00	\$ -	\$ 30,284,276.00

Enterprise Funds - 500

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
551	Sanitary Sewer	\$ 2,077,750.00	\$ 15,398,700.00	\$ -	\$ 17,476,450.00

Internal Service Fund - 600

Fund #	Fund Activity	Personal Service	Other	Transfers & Advances	Total
661	Health Insurance Reserve	\$ -	\$ 7,102,400.00	\$ -	\$ 7,102,400.00
664	Worker's Compensation Reserve	-	508,000.00	-	508,000.00
600	Total Internal Service Funds	\$ -	\$ 7,610,400.00	\$ -	\$ 7,610,400.00

Grand Total All Funds	\$ 45,998,457.00	\$ 86,504,007.00	\$ 14,052,820.00	\$ 146,555,284.00
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Itemized list of Transfers and Advances by Fund

Description	Amount
General Fund to Street Construction Fund	\$ 4,000,000.00
General Fund to Fire Levy Fund	5,000,000.00
General Fund to Multi-Complex Fund	2,600,000.00
General Fund to Police Pension Fund	950,000.00
General Fund to Fire Pension Fund	1,000,000.00
Total Transfers	\$ 13,550,000.00
Local Fiscal Recovery Fund Advance to General Fund	500,000.00
Ohio Opioid Settlement Fund Advance to the General Fund	2,820.00
Total Advance and Advance Repayments	\$ 502,820.00
Total Transfers, Advances and Advance Repayments	\$ 14,052,820.00

Section 2: That all expenditures within the fiscal year ending December 31, 2023 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided.

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

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

Approved:

President of Council

Mayor

Date Passed

Date Approved

Attest:

Clerk of Council

ORD. No. 2023-088

Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

	Yea	Nay
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____

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

Dept #	Department	Personal Services	Other	Transfers & Advances	Total
011410	Council	\$ 395,000.00	\$ 41,900.00	\$ -	\$ 436,900.00
011411	Mayors Office	280,200.00	19,800.00	-	300,000.00
015412	Police Department	10,981,700.00	1,799,212.00	-	12,780,912.00
011413	Human Resources	283,100.00	80,840.00	-	363,940.00
011414	Finance Department	552,500.00	18,230.00	-	570,730.00
011415	Legal Department	527,600.00	70,350.00	-	597,950.00
011416	Communication & Technology	832,900.00	647,200.00	-	1,480,100.00
011417	Building Department	1,067,990.00	212,900.00	-	1,280,890.00
011418	Mayors Court	168,700.00	252,200.00	-	420,900.00
011420	Rubbish Department	-	2,956,024.00	-	2,956,024.00
011421	Cemetery Department	144,000.00	331,341.00	-	475,341.00
011422	Architectural Board of Review	-	4,000.00	-	4,000.00
011423	Planning Commission	173,800.00	67,000.00	-	240,800.00
011424	Civil Service	-	77,030.00	-	77,030.00
011425	Board of Appeals	-	20,900.00	-	20,900.00
011428	Parks Department	128,600.00	263,000.00	-	391,600.00
011429	Public Safety	193,916.00	-	-	193,916.00
011430	General Miscellaneous	-	1,966,000.00	-	1,966,000.00
011435	Economic Development	209,000.00	92,000.00	-	301,000.00
015415	OPID Grant	28,550.00	11,250.00	-	39,800.00
015414	Corrections Officers	1,086,500.00	95,200.00	-	1,181,700.00
015413	Regional Dispatch Center	4,255,100.00	262,700.00	-	4,517,800.00
011468	Non Government Transfers	-	-	13,550,000.00	13,550,000.00
	Total General Fund	\$ 21,309,156.00	\$ 9,289,077.00	\$ 13,550,000.00	\$ 44,148,233.00
031000	Police Pension	1,512,761.00	-	-	1,512,761.00
046419	Street Repairs	4,602,400.00	5,121,350.00	-	9,723,750.00
046426	Traffic Signal Maintenance	125,700.00	280,860.00	-	406,560.00
046427	Snow Removal	-	640,000.00	-	640,000.00
046433	Municipal Garage	723,440.00	805,500.00	-	1,528,940.00
056000	State Highway Maintenance	-	72,200.00	-	72,200.00
066000	Motor Vehicle License Tax	-	390,000.00	-	390,000.00
075000	Emergency Vehicle Fund	-	2,168,977.00	-	2,168,977.00
085000	Fire Levy	9,627,000.00	821,100.00	-	10,448,100.00
085001	Fire Station Ward 1	-	79,700.00	-	79,700.00
085002	Fire Station Ward 2	-	50,500.00	-	50,500.00
085003	Fire Station Ward 3	-	40,500.00	-	40,500.00
085004	Fire Station Ward 4	-	110,000.00	-	110,000.00
095000	Fire Pension	1,813,000.00	-	-	1,813,000.00
111000	Clerk of Court	-	40,000.00	-	40,000.00
121000	Drainage Levy	-	1,558,000.00	-	1,558,000.00
131000	Local Fiscal Recovery	500,000.00	16,000.00	500,000.00	1,016,000.00
143304	Sports Programs	299,400.00	227,700.00	-	527,100.00
143305	Recreation Administration	520,000.00	701,500.00	-	1,221,500.00
143306	Fitness	441,850.00	150,700.00	-	592,550.00
143310	Aquatics	677,600.00	136,865.00	-	814,465.00
143311	Recreation Programs	154,800.00	98,500.00	-	253,300.00
143430	Special Events	-	31,500.00	-	31,500.00
143431	Old Town Hall	8,900.00	39,200.00	-	48,100.00
143439	Senior Services	585,700.00	481,900.00	-	1,067,600.00
143451	Recreation Maintenance	504,500.00	301,000.00	-	805,500.00
143500	Program Refunds	-	29,000.00	-	29,000.00
152000	Southwest General Hospital	-	360,000.00	-	360,000.00
165000	Law Enforcement Federal Seizures	-	60,000.00	-	60,000.00
175000	Law Enforcement State Seizures	-	20,000.00	-	20,000.00
185000	Law Enforcement Drug Fine	-	10,000.00	-	10,000.00
195000	Law Enforcement DWI/DUI	-	20,000.00	-	20,000.00
204000	Tree Maintenance	-	96,300.00	-	96,300.00
225000	Community Diversion	4,000.00	4,000.00	-	8,000.00
223100	Bond Escrow	-	855,000.00	-	855,000.00
224000	Earned Benefits	510,500.00	-	-	510,500.00
250000	One Ohio Settlement Fund	-	5,000.00	2,820.00	7,820.00
	Total Special Revenue Funds	\$ 22,611,551.00	\$ 15,822,852.00	\$ 502,820.00	\$ 38,937,223.00

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

Dept #	Department	Personal Service	Other	Transfers & Advances	Total
311000	General Bond Retirement	-	6,441,450.00	-	6,441,450.00
333000	Pearl Road TIF # 1	-	585,000.00	-	585,000.00
334000	Royalton Road TIF	-	177,888.00	-	177,888.00
335000	Pearl Road TIF # 2	-	179,003.00	-	179,003.00
336000	Pearl Road TIF # 3	-	41,150.00	-	41,150.00
337000	Westwood Commons TIF	-	40,500.00	-	40,500.00
338000	Giant Eagle TIF	-	118,306.00	-	118,306.00
339000	GETGO TIF	-	24,690.00	-	24,690.00
340000	Clover Senior TIF	-	140,939.00	-	140,939.00
341000	Pearl Road TIF # 4	-	298,338.00	-	298,338.00
342000	Cane's/Chase TIF	-	17,489.00	-	17,489.00
343000	Brighton Best TIF	-	3,086.00	-	3,086.00
344000	Pearl North TIF	-	30,863.00	-	30,863.00
	Total Debt Service	\$ -	\$ 8,098,702.00	\$ -	\$ 8,098,702.00
413000	Recreation Capital Improvement	-	361,503.00	-	361,503.00
421000	General Capital Improvement	-	21,586,573.00	-	21,586,573.00
447100	Pearl & Whitney TIF	-	42,000.00	-	42,000.00
447102	Prospect & Albion TIF	-	20,000.00	-	20,000.00
447103	Goodyear & 5/3 TIF	-	70,000.00	-	70,000.00
447104	42/82 TIF	-	155,200.00	-	155,200.00
447105	Dunkin Donuts TIF	-	20,000.00	-	20,000.00
447106	Pearl & Lunn TIF	-	29,000.00	-	29,000.00
448108	Town Center Improvement Fund	-	8,000,000.00	-	8,000,000.00
	Total Capital Projects	\$ -	\$ 30,284,276.00	\$ -	\$ 30,284,276.00
512501	Engineering and Administration	767,600.00	944,400.00	-	1,712,000.00
512502	Plant Expenditures	-	7,608,000.00	-	7,608,000.00
512503	Line Expenditures	1,310,150.00	309,000.00	-	1,619,150.00
512504	Sewer Capital Improvements	-	6,300,000.00	-	6,300,000.00
512505	Sewer Debt Payments	-	237,300.00	-	237,300.00
	Total Sanitary Sewer	\$ 2,077,750.00	\$ 15,398,700.00	\$ -	\$ 17,476,450.00
661000	Health Insurance Reserve	-	7,102,400.00	-	7,102,400.00
664000	Workers Compensation Reserve	-	508,000.00	-	508,000.00
	Total Internal Service	\$ -	\$ 7,610,400.00	\$ -	\$ 7,610,400.00
	GRAND TOTAL	\$ 45,998,457.00	\$ 86,504,007.00	\$ 14,052,820.00	\$ 146,555,284.00

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 089

By: Mayor Perciak and All Members of Council

**A RESOLUTION ADOPTING ALTERNATIVE TAX BUDGET
INFORMATION FOR THE CITY OF STRONGSVILLE, OHIO
FOR FISCAL YEAR 2024, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Section 5705.281 of the Ohio Revised Code, the Cuyahoga County Budget Commission has waived the requirement that the City of Strongsville adopt a tax budget as provided under Sections 5705.28 and 5705.30 of the Revised Code, and has required the City of Strongsville to provide alternative tax budget information in order for the Commission to perform its duties under law; and

WHEREAS, the Mayor and Director of Finance, therefore, have prepared alternative tax budget information for the City of Strongsville, Ohio, for the fiscal year beginning January 1, 2024; including a Division of Taxes Levied setting forth levies inside and outside the 10 Mill limitation, inclusive of debt levies; a Statement of Fund Activity; Unvoted General Obligation Debt; Voted Debt Outside of the 10 Mill Limit; and Schedule of Interfund Transfers, all for submission to the Cuyahoga County Budget Commission and Cuyahoga County Fiscal Officer.

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

Section 1. That the alternative tax budget information for the City of Strongsville, Ohio, for the fiscal year commencing January 1, 2024, heretofore prepared by the Mayor of this City and submitted to this Council, a copy of which is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein, be and the same is hereby ratified, approved, confirmed and adopted as the official alternative tax budget information of the City of Strongsville for the fiscal year beginning January 1, 2024 and ending December 31, 2024 for submission to the Cuyahoga County Budget Commission and Cuyahoga County Fiscal Officer.

Section 2. That the Clerk of Council be and is hereby authorized and directed to promptly certify and transmit a copy of said alternative tax budget information and a copy of this Resolution to the Cuyahoga County Budget Commission and Cuyahoga County Fiscal Officer.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of 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 Resolution 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 in order to comply with all state, county and local requirements concerning tax budgets. Therefore, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2023 – 089
Page 2

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

RES 2023-089
Ord. No. _____ Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit CITY OF STRONGSVILLE

For the Fiscal Year Commencing January 1, 2024

Fiscal Officer Signature Eric Dean Date 6/12/2023

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002 during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281,

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION

SCHEDULE 1

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

NOTE:

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;
"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback.

SCHEDULE 2

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds. In column 3, total estimated receipts should include all revenues plus transfers in. All taxing authorities, except school districts, must submit a list of all tax transfers.

SCHEDULE 3

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

SCHEDULE 4

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

SCHEDULE 5

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

(Levies Inside & Outside 10 Mill Limitation, Inclusive of Debt Levies)
(List All Levies Of The Taxing Authority)

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number of Years Levy To Run	Tax Year Begins/Ends	Collection Year Begins/Ends	Maximum Rate Authorized	\$ AMOUNT Requested of Budget Commission
<u>General Fund</u>								
General Fund	Current Expense	05/07/19	Renewal	5	2019 - 2023	2020 - 2024	1.5	\$ 580,000
<u>Special Revenue Funds</u>								
Fire Levy Fund	Current Expense	05/05/09	Renewal	continuing	continuing	continuing	2.0	\$ 2,975,000
Fire Levy Fund	Current Expense	11/08/22	Renewal	5	2023 - 2027	2024 - 2028	1.5	\$ 2,305,000
Drainage Levy Fund	Drainage	11/08/22	Renewal	5	2023 - 2027	2024 - 2028	0.4	\$ 605,000
SW Hospital Fund	SW Hospital	11/05/19	Renewal	5	2020 - 2024	2021 - 2025	1.0	\$ 387,000
Police Pension Fund	Inside Millage						0.3	\$ 555,000
Fire Pension Fund	Inside Millage						0.3	\$ 555,000
Total Special Revenue Funds							5.5	\$ 7,382,000
<u>Debt Service Funds</u>								
General Bond Retirement	Inside Millage						2.3	\$ 4,260,000
Total Debt Service Funds							2.3	\$ 4,260,000
Totals							9.3	\$ 12,222,000

City of Strongsville, Cuyahoga County, Ohio
STATEMENT OF FUND ACTIVITY
For the Year Ending December 31, 2024
(List All Funds Individually)

Schedule 2

I		II		III		IV		V		VI	
Fund By Type		Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Fund Revenue	Other Source Receipts	Total Resources Available For Expenditures	Total Estimated Expenditures and Encumbrances	Ending Estimated Unencum- bered Balance				
General Fund		\$ 17,311,767.04	\$ 1,270,000.00	\$ 42,000,000.00	\$ 60,581,767.04	\$ 43,342,463.25	\$ 17,239,303.79				
<u>Special Revenue Fund Group</u>											
Police Pension		\$ 399,261.69	\$ 555,000.00	\$ 1,000,000.00	\$ 1,954,261.69	\$ 1,612,778.90	\$ 341,482.79				
Street Maintenance & Construction		\$ 6,883,018.97	\$ -	\$ 11,400,000.00	\$ 18,283,018.97	\$ 14,312,344.40	\$ 3,970,674.57				
State Highway Maintenance		\$ 1,213,836.02	\$ -	\$ 232,000.00	\$ 1,445,836.02	\$ 515,000.00	\$ 930,836.02				
Motor Vehicle License		\$ 1,027,809.59	\$ -	\$ 388,000.00	\$ 1,415,809.59	\$ 400,000.00	\$ 1,015,809.59				
Emergency Vehicle		\$ 1,803,192.53	\$ -	\$ 1,005,000.00	\$ 2,808,192.53	\$ 850,000.00	\$ 1,958,192.53				
Fire Levy		\$ 1,048,056.57	\$ 5,280,000.00	\$ 4,720,000.00	\$ 11,048,056.57	\$ 10,353,855.00	\$ 694,201.57				
Fire Pension		\$ 188,735.51	\$ 555,000.00	\$ 1,125,000.00	\$ 1,868,735.51	\$ 1,823,708.00	\$ 45,027.51				
Clerk of Court		\$ 57,410.56	\$ -	\$ 25,000.00	\$ 82,410.56	\$ 40,000.00	\$ 42,410.56				
Drainage Levy		\$ 1,567,055.86	\$ 605,000.00	\$ -	\$ 2,172,055.86	\$ 1,375,000.00	\$ 797,055.86				
Local Fiscal Recovery Fund		\$ 570,000.00	\$ -	\$ -	\$ 570,000.00	\$ 570,000.00	\$ -				
Multi-Purpose Complex		\$ 1,326,295.62	\$ -	\$ 4,432,120.00	\$ 5,758,415.62	\$ 5,325,868.38	\$ 432,547.24				
SW General Hospital		\$ -	\$ 387,000.00		\$ 387,000.00	\$ 387,000.00	\$ -				
Law Enforcement Federal Seizure		\$ 20,375.27	\$ -	\$ 6,000.00	\$ 26,375.27	\$ 7,000.00	\$ 19,375.27				
Law Enforcement State Seizure		\$ 7,192.60	\$ -	\$ 600.00	\$ 7,792.60	\$ 5,000.00	\$ 2,792.60				
Law Enforcement Mandatory Drug Fine		\$ 5,156.40	\$ -	\$ 100.00	\$ 5,256.40	\$ 400.00	\$ 4,856.40				
Law Enforcement DUI/DWI		\$ 7,523.49	\$ -	\$ 250.00	\$ 7,773.49	\$ 5,000.00	\$ 2,773.49				
Tree Maintenance		\$ 120,664.63	\$ -	\$ 60,000.00	\$ 180,664.63	\$ 99,910.00	\$ 80,754.63				
Community Diversion		\$ 578.17	\$ -	\$ 6,000.00	\$ 6,578.17	\$ 6,000.00	\$ 578.17				
Bond Escrow		\$ 278,532.57	\$ -	\$ 432,850.00	\$ 711,382.57	\$ 500,000.00	\$ 211,382.57				
Earned Benefits		\$ 4,893,171.55	\$ -	\$ -	\$ 4,893,171.55	\$ 350,000.00	\$ 4,543,171.55				
OhioOhio Settlement Fund		\$ 6,150.00	\$ -	\$ 12,000.00	\$ 18,150.00	\$ 18,150.00	\$ -				
Total Special Revenue Funds		\$ 21,424,017.60	\$ 7,382,000.00	\$ 24,844,920.00	\$ 53,650,937.60	\$ 38,557,014.68	\$ 15,093,922.92				

City of Strongsville, Cuyahoga County, Ohio
STATEMENT OF FUND ACTIVITY
For the Year Ending December 31, 2024

Schedule 2

(List All Funds Individually)

I	II	III	III	IV	V	VI
Fund By Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Fund Revenue	Other Source Receipts	Total Resources Available For Expenditures	Total Estimated Expenditures and Encumbrances	Ending Estimated Unencum- bered Balance
Debt Service Fund Group						
General Bond Retirement	\$ 2,910,895.77	\$ 4,260,000.00	\$ -	\$ 7,170,895.77	\$ 4,044,770.00	\$ 3,126,125.77
Pearl Road TIF # 1	\$ 1,041,621.59	\$ -	\$ 700,000.00	\$ 1,741,621.59	\$ 807,800.00	\$ 933,821.59
Route 82 TIF	\$ 105,592.78	\$ -	\$ 40,000.00	\$ 145,592.78	\$ 48,000.00	\$ 97,592.78
Pearl Road TIF # 2	\$ 47,409.35	\$ -	\$ 85,000.00	\$ 132,409.35	\$ 83,000.00	\$ 49,409.35
Pearl Road TIF # 3	\$ 109,381.68	\$ -	\$ 40,000.00	\$ 149,381.68	\$ 42,300.00	\$ 107,081.68
Westwood Commons TIF	\$ -	\$ -	\$ 40,400.00	\$ 40,400.00	\$ 40,400.00	\$ -
Giant Eagle TIF	\$ 166,633.53	\$ -	\$ 96,000.00	\$ 262,633.53	\$ 112,800.00	\$ 149,833.53
GETGO TIF	\$ 53,404.58	\$ -	\$ 24,500.00	\$ 77,904.58	\$ 35,000.00	\$ 42,904.58
Clover Senior TIF	\$ 183,573.79	\$ -	\$ 125,000.00	\$ 308,573.79	\$ 125,000.00	\$ 183,573.79
Pearl Road TIF # 4	\$ 302,530.48	\$ -	\$ 268,600.00	\$ 571,130.48	\$ 280,000.00	\$ 291,130.48
Cane's/Chase	\$ 50,713.67	\$ -	\$ 22,000.00	\$ 72,713.67	\$ 25,000.00	\$ 47,713.67
Brighton Best	\$ 4,067.57	\$ -	\$ 200.00	\$ 4,267.57	\$ -	\$ 4,267.57
Pearl Road North TIF	\$ 37,278.10	\$ -	\$ 37,000.00	\$ 74,278.10	\$ -	\$ 74,278.10
82 #2 TIF	\$ 100.00	\$ -	\$ 1,000.00	\$ 1,100.00	\$ -	\$ 1,100.00
Total Debt Service Funds	\$ 5,013,202.89	\$ 4,260,000.00	\$ 1,479,700.00	\$ 10,752,902.89	\$ 5,644,070.00	\$ 5,108,832.89
Capital Project Fund Group						
Recreation Capital Improvement	\$ 450,974.14	\$ -	\$ 8,122,000.00	\$ 8,572,974.14	\$ 7,000,000.00	\$ 1,572,974.14
General Capital Improvement	\$ 11,724,626.77	\$ -	\$ 9,198,200.00	\$ 20,922,826.77	\$ 8,500,000.00	\$ 12,422,826.77
TIF Capital Improvement Funds	\$ 395,290.22	\$ -	\$ 312,200.00	\$ 707,490.22	\$ 420,153.00	\$ 287,337.22
Town Center Improvement Fund	\$ 19,205.25	\$ -	\$ -	\$ 19,205.25	\$ 19,205.25	\$ -
Total Capital Project Funds	\$ 12,590,096.38	\$ -	\$ 17,632,400.00	\$ 30,222,496.38	\$ 15,939,358.25	\$ 14,283,138.13
Enterprise Fund Group						
Sanitary Sewer	\$ 13,076,430.84	\$ -	\$ 8,620,900.00	\$ 21,697,330.84	\$ 13,979,980.00	\$ 7,717,350.84
Internal Service Fund Group						
Health Insurance Reserve	\$ 4,001,807.61	\$ -	\$ 7,076,000.00	\$ 11,077,807.61	\$ 6,800,000.00	\$ 4,277,807.61
Worker's Compensation Reserve	\$ 582,114.52	\$ -	\$ 420,000.00	\$ 1,002,114.52	\$ 420,000.00	\$ 582,114.52
Total Internal Service Fund Group	\$ 4,583,922.13	\$ -	\$ 7,496,000.00	\$ 12,079,922.13	\$ 7,220,000.00	\$ 4,859,922.13
TOTAL ALL FUNDS	\$ 73,999,436.88	\$ 12,912,000.00	\$ 102,073,920.00	\$ 188,985,356.88	\$ 124,682,886.18	\$ 64,302,470.70

City of Strongsville, Cuyahoga County, Ohio
Tax Budget
For the Year Ending December 31, 2024

UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

Schedule 3

I Purpose of Bonds or Notes	II Date of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Year	V Amount Required To Meet Budget Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
General Purpose Various Improvement Bonds 2014 Issue	1-Apr-14	1-Dec-26	\$4,070,000	\$1,497,100	\$0
General Purpose Various Improvement Bonds 2015 Issue	22-Oct-15	1-Dec-26	\$3,585,000	\$1,267,550	\$0
General Purpose Various Improvement Bonds 2016 Issue (TIF)	21-Jul-16	1-Dec-29	\$3,690,000	\$580,288	\$0
General Purpose Various Improvement Bonds 2016 Issue	21-Jul-16	1-Dec-34	\$9,805,000	\$405,925	\$0
Totals			\$21,150,000	\$3,750,863	\$0

[illegible]

City of Strongsville, Cuyahoga County, Ohio
Tax Budget
For the Year Ending December 31, 2023
SCHEDULE OF INTERFUND TRANSFERS

Supplemental Schedule		
From	Amount	To
Transfers		
General Fund	\$4,000,000	Street Construction, Maintenance & Repair Special Revenue Fund
General Fund	\$4,700,000	Fire Levy Special Revenue Fund
General Fund	\$2,225,000	Multi-Purpose Special Revenue Fund
General Fund	\$1,000,000	Police Pension Special Revenue Fund
General Fund	\$1,125,000	Fire Pension Special Revenue Fund

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 090

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EQUIPMENT SUPPLY AND MAINTENANCE AGREEMENT WITH BUCKEYE AQUATICS, LLC FOR THE LEASE OF A CHLORINE GENERATOR WITH APPURTENANCES, FOR THE POOLS AT THE AQUATIC CENTER IN THE CITY'S WALTER F. EHRRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Strongsville Walter F. Ehrnfelt Recreation & Senior Center has an indoor pool facility for the benefit of the City's residents, guests and invitees; and

WHEREAS, the chlorine levels at the pools must be constantly monitored in order to ensure clean water for the health and safety of the guests at these pools; and

WHEREAS, the cost to provide such chlorine for the pools has increased and will further increase in the future; and

WHEREAS, the City's Director of Parks, Recreation & Senior Services has determined that the purchase of an innovative and unique ChlorKing NEX-GEN Chlorine Generator would lower the cost of the purchase of chlorine significantly over time; and

WHEREAS, NEX-GEN is the only local vender which manufactures this specialized and proprietary, patented technology for on-site chlorine generation and salt chlorination systems

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Recreation & Senior Services of the City of Strongsville in that it is immediately necessary to enter into an agreement, without public bidding, with **BUCKEYE AQUATICS, LLC**, in order to purchase a unique and proprietary ChlorKing NEX-GEN Chlorine Generator with appurtenances for the pools at the Walter F. Ehrnfelt Recreation & Senior Center's Aquatic Center, in order to protect the health, safety, welfare and property of the City, its employees, agents, guests and invitees at the Recreation Center.

Section 2. That, for the reasons aforesaid, this Council hereby authorizes the Mayor's entering into a contract with **BUCKEYE AQUATICS, LLC**, without public bidding, in an amount not to exceed \$109,635.00, for the lease of a chlorine generator with appurtenances for the indoor pool facility at the Ehrnfelt Recreation Center, for a period of sixty months (60) months, on a lease-to-own basis, as more fully set forth in the Quote and Equipment Supply and Maintenance Agreement attached hereto collectively as Exhibit A, and incorporated herein by reference.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 090

Page 2

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and paid from the Multi-Purpose Complex Fund.

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

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to enter into a contract for chlorine maintenance for the Recreation Center pools, in order to protect the health, safety and welfare of guests and invitees at the Recreation Center. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

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

Ord. No. 2023-090 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

BUCKEYE AQUATICS LLC



AQUATIC ENERGY SOLUTIONS

Quote

Date	4/17/2023
Quote #	152013
P.O. #	RFQ

www.buckyeaquatics.com

Terms	Net 30
-------	--------

Name / Address
Strongsville Erhnfelt Recreation Center Patti Welker - Aquatic Supervisor 18100 Royalton Road Strongsville, OH 44136

Ship To
Strongsville Erhnfelt Recreation Center Patti Welker - Aquatic Supervisor 18100 Royalton Road Strongsville, OH 44136

Description	Qty	Cost	Total
LEASE TO OWN OPTION 2 - Installation Included			
NEXGEN 40-R - On-Site Chlorine Generator, Low Maintenance Reverse Polarity - Maximum Production 48lbs/day, Skid Mounted, Includes Booster Pumps, Pool Control Modules and Venturi Feed Systems for all three pools Includes shipping of all equipment and ODH Notification, complete Installation, Startup, Commissioning, Customer Training	1	1,798.00	1,798.00T
Lease To Own Term: \$1,798.00/mo for 60 Months			
Stenner 45M5 -Vari Speed Pump with 1/4" Tube Fittings	3	585.00	1,755.00T
Electrical By Others - We can use your electrician, or if need be we can recommend an electrician for you to use.		0.00	0.00T
Tax Exempt		0.00%	0.00
		Total	\$3,553.00

EX-A

Equipment Supply and Maintenance Agreement

Company ("We" or "Us")

Buckeye Aquatics LLC | 4182 Kyle Road, Cedarville, OH 45314 | Tel: 740-503-5922



Customer: ("You")

Customer legal name: City of Strongsville Parks and Recreation - Erhnfelt Recreation Center

Address: 18100 Royalton Road

City: Strongsville

State: OH

County: Cuyahoga

Zip: 44136

Phone: 440-580-3260

Fax:

Email: Bryan.Bogre@Strongsville.org

Address where Equipment will be installed:

18100 Royalton Road, Strongsville, OH 44136

Description of Supplied Equipment and maintenance

ChlorKing NexGen40-R On-site Chlorine Generator, Low Maintenance Reverse Polarity - Maximum Production 48lbs/day, Skid Mounted, Circulation Pump, 3 x 1hp Booster Pumps, Installed
60 Month Lease To Own

PAYMENT SCHEDULE:

Term: (Months)

60

Payment frequency:

Monthly

Advanced rentals:

Amount of each payment: \$1,798.00

Sales tax %:

N/A

Sales tax:

N/A

Total monthly payment due: \$1,798.00

1st payment due date: TBD

ACCEPTANCE OF AGREEMENT

This is a binding contract. It cannot be cancelled. Read it carefully before signing and call us if you have any questions.

Signature of Customer:

Print name of signer:

Title:

Date:

X

Thomas P. Perciak

Mayor

(By signing above, I certify that I am legally authorized to sign on behalf of this organization)

Accepted and signed by Company:

Print name of signer:

Title:

Date:

Please remit a signed copy of this Agreement to Buckeye Aquatics LLC, 4182 Kyle Road, Cedarville, OH 45314 or fax to 888-241-5031 or email to doug@buckeyeaquatics.com

(This is a 4 page agreement consisting of this cover page and pages 1, 2, 3 which contain additional terms and conditions. By signing above, You acknowledge that You have received and read the entire Agreement. This Agreement shall be deemed to be executed and delivered by You either by the actual delivery of this Agreement, or by the facsimile transmission to Us of this page, duly executed by You. If facsimile transmission is used, such Facsimile copy of this page received and accepted by Us, along with copies of page 1,2, 3, identical to those provided to You, shall constitute the one and only original of this Agreement.)

Ex.A

THIS AGREEMENT CANNOT BE CANCELLED EXCEPT AS EXPRESSLY PROVIDED.
THIS AGREEMENT SHALL BECOME EFFECTIVE UPON SIGNING BY COMPANY AND CUSTOMER.

1. **TERMS AND CONDITIONS:**
This Agreement constitutes the full and entire agreement between the Company and Customer in connection with the Equipment and merges any and all other understandings. This Agreement can neither be cancelled nor modified except by written agreement signed by both Company and Customer. Customer's acceptance of the Equipment shall be irrevocable unless Company receives Customer's written notice of substantial nonconformance of the Equipment within 30 days after acceptance of the Equipment.
2. **EQUIPMENT LOCATION:**
Equipment shall be installed at the physical address of the Customer. Equipment shall not be moved unless consent is given in writing by Company. If consent to move the equipment is given, you shall pay our then applicable relocation fee. We shall have the right to inspect Equipment at any reasonable time during business hours.
3. **OWNERSHIP, PERSONAL PROPERTY:**
This Equipment is our property and you have no right to or interest in it except as expressly set forth herein up to the execution of the \$1.00 buy-out option, at which time the equipment shall become the property of the Customer. The Equipment is and shall, at all times, remain personal property.
4. **ASSIGNMENT OFFSET:**
You may not assign, transfer or sublet any interest in this Agreement or the Equipment without our prior written consent. If consent to assign is given, you shall pay our then applicable assignment fee. We may assign this Agreement or mortgage the Equipment or both, in whole or in part without notice to you. If you receive notice, you will acknowledge receipt thereof in writing. Each assignee or mortgagee of ours shall have all of our rights, but none of our obligations under this Agreement. You shall not assert against assignee or mortgagee any defenses, counterclaims, or offsets you may have against us. This Agreement inures to the benefit of and is binding upon the heirs, legatees, successors, and assigns of the parties hereto. You acknowledge that any assignment by us will neither materially change your duties hereunder nor increase your burdens or risks hereunder.
5. **TAXES; NO LIENS:**
As we direct, you shall pay all charges and taxes (local, state, federal and documentary stamp) incurred by us which may now or hereafter be imposed or levied upon the sale, purchase, personal property ownership, leasing possession, or use of the Equipment, excluding however, all taxes on or measured by our net income. You shall pay our then applicable fee to cover our expenses associated with the administration, billing and tracking of such charges and taxes. You shall keep the Equipment free and clear of all liens and encumbrances.
6. **PAYMENT:**
Payment terms for this Agreement are indicated on Page 1 of this document. Payments are to be made in full on or before the indicated date each month. Interest will be calculated at 0.0% per annum on all outstanding balances and all legal costs associated with recovering any unpaid funds will be the responsibility of the Customer. Each payment received will be applied to the oldest charge due under this Agreement. Without Company's prior written consent, any payment to Company of a smaller sum than due at any time under this Agreement shall not constitute Agreement or an accord or satisfaction for any greater sum due or to become due regardless of any restrictive waiver. An advance payment shall be held by Company as a security deposit for the faithful performance of this Agreement.
7. **FAILURE TO COMPLY:**
Failure to comply with any aspect of this Agreement will result in Company taking any measures necessary to recover all outstanding funds as well as removing all components of the Equipment from the Customer's property at the expense of the Customer.
8. **RESPONSIBILITY:**
It is the responsibility of the Customer to follow all operating instructions associated with the Equipment.
9. **MAINTENANCE AND INSPECTION:**
You will maintain the equipment in good working order. A standard user's manual will be provided upon installation. See standard user's manual for factory warranty information in the event of a malfunction.
10. **INDEMNIFY:**
Customer agrees to indemnify and hold Company harmless from and against any and all losses, damages (special, indirect or consequential), injuries demands and expense (a "Claim"), including any and all attorneys fees and legal expenses, arising from or caused directly or indirectly by any actual or alleged use, possession, maintenance, condition (whether or not latent or discoverable), operation, location, delivery or transportation of the equipment.

11. **WARRANTY:**
Equipment manufactured by the Company will be covered by the Companies warranty for the Agreement period providing all terms and conditions of this Agreement have been met, and the Agreement is in good standing. Regular maintenance, including but not limited to the regular cleaning of the electrode stacks, as outlined in the user manual, must have been completed by the Customer in order for the warranty to be valid.
12. **REPLACEMENT OF FAULTY COMPONENTS**
Any component failure on the Equipment provided by the Company shall be replaced by the Company at no cost to the Customer for the duration on this Agreement, as long as the Agreement is in good standing and all terms and conditions have been met. Components will not be replaced if it can be shown that malicious damage has occurred, routine maintenance has not be completed or as a result of an act of God.
13. **RISK OF LOSS:**
You assume and agree to bear the entire risk of loss, theft, destruction or other impairment of the Equipment (excluding normal wear and tear) regardless of cause (collectively "Loss") for the entire term of this Agreement until you return the equipment to us. No loss shall relieve you of any of your obligations under this Agreement. You shall immediately notify us in writing of the occurrence of any loss. You shall, at your expense, keep the Equipment insured against loss for its full replacement value under a comprehensive policy of insurance or other arrangement satisfactory to us ("insurance"). You or your agent must call us at 1-740-503-5922 and provide us with such evidence. If you fail to provide such evidence, we may, in our sole discretion, refrain from requiring evidence of insurance and, due to the increased credit risk, include the equipment in our own risk management program, and charge you a fee, which will be separately reflected as an additional charge on our invoices to you. This monthly fee will be calculated at 10% of the contract price per year, divided by 12. Before including the Equipment in our program and charging you the fee, we will send to you by U.S. mail a letter reminding you of your obligations to insure the Equipment and provide evidence of the insurance. The letter will be deemed received by you at the time we place it in the mail. If you do not respond with the evidence of insurance within the time specified in the letter, we may immediately include the equipment in our program. If we include the Equipment in our program and any loss, damage or destruction to the Equipment occurs that does not result from your gross negligence or willful misconduct, we shall, at our option (provided you are not in default under this Agreement, including the payment of any fees invoiced by us), either repair or replace the Equipment and your Agreement obligations will remain unchanged. Title to the Equipment, whether repaired or replaced, will at all times remain with us. We will not be liable to you if we terminate any such risk management program. By providing this risk management program we are not offering or selling you insurance.
14. **MISCELLANEOUS CUSTOMER WAIVERS:**
This Agreement constitutes the entire Agreement between the parties as to the subject matter contained herein and representations or statements not included herein are not part of this Agreement. This Agreement shall not be amended, altered, or changed, except by a written Agreement signed by the parties hereto and no provision of this Agreement can be waived except by our written consent.
15. **ACCOUNT CHARGES:**
Unless prohibited by applicable law, you agree to pay the fees and charges set forth in this Agreement, including without limitation, the fees and charges relating to (a) your failure to pay in a timely manner, (b) your exceeding your credit line, (c) transaction fees, if applicable and (d) fees attributed to the return of any checks that you give to us as payment of your account. Unless prohibited by applicable law, the bank may charge you and you agree to pay the bank's fees then in effect for copies of statements, personalized business checks and other fee-based services provided by the lender.
16. **OWNERSHIP AND TITLE:**
Company is the sole owner of the Equipment until all payments have been made in full. Company has the right to inspect the Equipment and has the right to affix and display notice of Company's ownership thereon. The Equipment shall remain Company's personal property whether or not affixed to realty and shall not be part of any real property on which it is placed. All additions, attachments and accessories placed on the Equipment become part of the Equipment and Company's property until all payments have been made in full. Customer agrees to maintain the equipment so that it may be removed from the property or building where located without damage.
17. **COLLECTION CHARGES AND ATTORNEY'S FEES:**
If Company does not receive any part of any sum due to Company within 10 days of the due date or if any sum paid by check shall be dishonored or returned to Company on account of uncollected funds or for insufficient funds, Customer agrees to pay Company:

- (a) a onetime late charge to compensate Company for collecting and processing the late sum, equal to the greater of 15% of any delayed sum or a minimum of \$25.00,
(b) An Interest charge for every month after the first month in which the sum is late to compensate Company for the inability to reinvest the sum, such interest charge stipulated and liquidated at 12.5% per annum or the maximum allowed by applicable law, whichever is less.
18. CUSTOMER AND ANY GUARANTOR AGREE TO PAY COMPANY'S REASONABLE ATTORNEYS' FEES AS DAMAGES AND NOT COSTS.
In all proceedings arising under this Agreement, such proceedings including any arbitration, bankruptcy proceeding, civil action, mediation or counterclaim on which Company prevails seeking relief from stay in bankruptcy or post-judgment action or appeal with respect to any of the foregoing, reasonable attorneys' fees are stipulated and liquidated at not less than the greater of \$500.00 or 25% of Company's total amount in collection.
19. DEFAULT:
Customer shall be in default of this Agreement on any of the following events:
(a) Customer fails to pay any month's rent with 30 days after it first becomes due.
(b) Customer assigns, moves, pledges, sells or relinquishes possession of the Equipment or attempts to do so, without Company's prior written authorization.
(c) Customer breaches any of its warranties or other obligations under this Agreement or any other agreement with Company and fails to cure such breach within 30 days after Company sends Customer a notice of the existence of such breach by same manner as set forth in Item 12, above.
(d) Any execution or writ of process is issued in any action or proceeding to seize or detain the Equipment.
(e) Customer or any guarantor gives Company reasonable cause to be insecure about Customer's willingness or ability to perform obligations under the Agreement or any other agreement with Company.
(f) Customer or any guarantor dies becomes insolvent or unable to pay debts when due, stops doing business as a going concern, consolidates, merges, transfers all or substantially all of its assets, makes an assignment for the benefit of creditors, appoints a trustee or receiver or undergoes a substantial deterioration of financial health.
(g) Company or any guarantor fails to reaffirm this Agreement obligation within thirty (30) days of the filing of any petition for protection under the United States Bankruptcy Code.
20. REMEDIES:
Should Customer default, Company has the right to exercise any or all of the following: Company may without notice accelerate all sums under the Agreement and require Customer to immediately pay Company all sums that are already due and the discounted value of those that will become due and
(i) Require the immediate return of the Equipment to Company or
(ii) If Company agrees after Customer pays all other sums under the Agreement, sell the Equipment to Customer at the stipulated buy-out contract price less 100% of monthly payments made to that point.
Company has the right to immediately retake possession of the Equipment without any court or other process of law and for such purpose may enter upon any premises where the Equipment may be and remove the same. Company has the right to exercise any remedy at law or equity, notice hereof being expressly waived by Customer and any guarantor. Company's action or failure to act on any one remedy constitutes neither an election to be limited thereon nor a waiver of any other remedy nor a reAgreement of Customer from the liability to return the Equipment or for any Loss or Claim with respect thereto. The provisions of this Agreement are severable and shall not be affected or impaired if any one provision is held unenforceable, invalid or illegal. Any provision held in conflict with any statute or rule of law shall be deemed inoperative only to the extent of such conflict and shall be modified to conform with such statute or rule.
21. ARBITRATION;
Company may, at its option, submit any matter arising out of this Agreement, including any claim, counterclaim, set off or defense to binding arbitration by the American Arbitration Association in the city of Cleveland, State of Ohio irrespective of the fact that neither the Customer, any guarantor or the Equipment may be located in that City now or then. The decision and award of the arbitrator(s) shall be final and binding and may be entered as rendered in any court having jurisdiction thereof.
22. CONSENT TO JURISDICTION, VENUE AND NON-JURY TRIAL:
Customer and any guarantor consent agree and stipulate that:
(a) this Agreement shall be deemed fully executed and performed in the State of Ohio and shall be governed by and construed in accordance with the laws thereof; and
(b) in any action, proceeding, or appeal on any matter related to or arising out of this Agreement, Company, Customer and any guarantor: (i) shall be subject to the personal jurisdiction of the State of Ohio including any state or federal court sitting therein and all court rules thereof; (ii) shall accept venue in any federal or state court in Ohio; and
(iii) ~~expressly waive any right to a trial by jury so that trial shall be by and only to the court.~~ Nothing contained herein is intended to preclude Company from commencing any action hereunder in any court having jurisdiction thereof.
23. CONSENT TO SERVICE OF PROCESS:
Customer and any guarantor agree that any process served for any action or proceeding shall be valid if mailed by Certified Mail, return receipt requested, with delivery restricted to either the addressee, its registered agent or any agent appointed in writing to accept such process.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 091

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE AND REPLACEMENT OF COMMERCIAL PUMPS WITH APPURTENANCES FOR THE POOLS IN THE AQUATIC CENTER AT THE WALTER F. EHRRNFELT RECREATION & SENIOR CENTER, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Recreation & Senior Services has determined that the commercial pumps utilized for the pools in the Aquatic Center at the Walter F. Ehrnfelt Recreation & Senior Center must be replaced; and

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

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

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Recreation & Senior Services of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **EMSCO** for the purchase, replacement and installation of commercial pumps with appurtenances for the pools at the Recreation Center, in order to maintain the continued safe and efficient operation of such pools, and for the benefit of the public health, safety and welfare.

Section 2. That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into a contract with **EMSCO**, without public bidding, in a total amount not to exceed \$27,323.00 for the purchase, replacement and installation of commercial pumps with appurtenances for the pools in the City's Aquatic Center at the Walter F. Ehrnfelt Recreation & Senior Center, as more fully set forth in the quotes attached hereto collectively as Exhibit A, and incorporated herein by reference.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the Multi-Purpose Complex Fund.

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

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 091
Page 2

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to enter into said contract in order to maintain the continued safe and efficient operation of the City's Recreation Center pools, to repair and protect City-owned property, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

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

Ord. No. 2023-091 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



O.P. AQUATICS

EMSCO - STRONGSVILLE
22350 ROYALTON RD
STRONGSVILLE, OH 44149-3826
FAX: (440)-238-4839
Phone: (440)-238-2100

QUOTE

0009265520

Account: 4019875 0002
Branch: EMSSTRO
Phone: (440)-878-6000
Fax: ()- -

Bill To: CITY OF STRONGSVILLE
18100 ROYALTON RD
STRONGSVILLE, OH 44136

Ship To: CITY OF STRONGSVILLE
18100 ROYALTON RD
STRONGSVILLE, OH 44136

Page 1 of 1

PO: SPA PUMP		Ref:		Job:	
Exp Delv Date: 01/20/23		Sales E STOYANOFF		Type: WHSE	
Activation Date: 01/19/23		Agents		Quoted For:	
Close Date: 02/18/23		J ALLEN		Quoted By: JA204004	
Ship Via: OUR TRUCK					
QUANTITY	UOM	ITEM/DESCRIPTION		PRICE/UOM	AMOUNT
1	EA	NS0000183976 CCSPHL3-143 PENTAIR WATER POOL AND SPA EA CCSPHL3-143 COMMERCIAL SELF PRIMING PUMP 10HP, 230/460V, 3PH EPOXY COATED Supp#: CCSPHL3-143		6,030.00/EA	
1	EA	NS0000183977 PKG-184C PENTAIR WATER POOL AND SPA EA PKG-184C PUMP STRAINER EPOXY COATED Supp#: PKG-184C		3,528.00/EA	
		Subtotal			9,558.00
		FREIGHT CHARGE			1,000.00
		LABOR CHARGE			5,650.00
PRICING IS SUBJECT TO CHANGE WITHOUT NOTICE					

Payment Terms:
NET 30 DAYS

Total: \$16,208.00

Printed: 01/20/23 08:24:10

EXHIBIT A



O.P. AQUATICS

EMSCO - STRONGSVILLE
22350 ROYALTON RD
STRONGSVILLE, OH 44149-3826
FAX: (440)-238-4839
Phone: (440)-238-2100

QUOTE

0009550226

Account: 4019875 0001
Branch: EMSSTRO
Phone: (440)-238-5720
Fax:

Bill To: CITY OF STRONGSVILLE
18100 ROYALTON RD
STRONGSVILLE, OH 44136

Ship To: CITY OF STRONGSVILLE
16099 FOLTZ ROAD
STRONGSVILLE, OH 44136

Page 1 of 1

PO: PUMP	Ref: PUMP	Job:
Exp Delv Date: 02/17/23	Sales E STOYANOFF	Type: WHSE
Activation Date: 02/17/23	Agents	Quoted For:
Close Date: 03/19/23	J ALLEN	Quoted By: JA204004
Ship Via: OUR TRUCK		

QUANTITY	UOM	ITEM/DESCRIPTION	PRICE/UOM	AMOUNT
1	EA	NS0000195036 CCSPHK3-142 PENTAIR WATER POOL AND SPA EA CCSPHK3-142 CCSP SERIES PUMP 7.5 HP, 208/460V, 3PH EPOXY COATED Supp#: CCSPHK3-142	5,615.00/EA	
		Subtotal		5,615.00
		LABOR CHARGE		5,000.00
		FREIGHT CHARGE		500.00
		PLUS FREIGHT AND SHIPPING		
		PRICING IS SUBJECT TO CHANGE WITHOUT NOTICE		

Payment Terms:
NET 30 DAYS

Total: \$11,115.00

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 092

By: Mayor Perciak and All Members of Council

**A RESOLUTION ACCEPTING A DONATION OF MONEY FROM
THE STRONGSVILLE TOWNE CENTER COMMERCIAL
DEVELOPMENT TO BE USED IN CONNECTION WITH THE
STRONGSVILLE TOWN CENTER ENHANCEMENT &
WALKABILITY INITIATIVE.**

WHEREAS, the Strongsville Town Center area is an essential part of the fabric of the City of Strongsville and encompasses some 81 acres extending from Royalton Road and Pearl Road, north past Zverina Lane; and

WHEREAS, the City of Strongsville has continuously recognized the importance of the Strongsville Town Center area at Royalton and Pearl Roads, and recently launched the "Strongsville Town Center Enhancement & Walkability Initiative" project to provide further amenities and upgrade the connectivity and walkability within such Strongsville Town Center area, which will improve the quality of community life for our residents and guests; and

WHEREAS, the Strongsville Towne Center commercial development located on Pearl Road has been serving the Strongsville community for over 50 years with full service and quick service restaurants, convenient food vendors, top quality merchants, entertainment and recreation, service providers, and medical and wellness providers; and

WHEREAS, in that regard, the Strongsville Towne Center has most graciously provided a donation in the amount of \$25,000.00 to be utilized by the City of Strongsville for the Town Center Enhancement & Walkability Initiative project; and

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

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

Section 1. That this Council hereby extends its gratitude and appreciation to the Strongsville Towne Center for its donation of \$25,000.00 to be utilized by the City for the Strongsville Town Center Enhancement & Walkability Initiative project.

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

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

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 092

Page 2

President of Council

Date Passed: _____

Yea

Nay

Carbone

Clark

DeMio

Kaminski

Kosek

Roff

Short

Approved: _____

Mayor

Date Approved: _____

Attest: _____

Clerk of Council

RES

Ord. No. 2023-092 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 093

By: Mayor Perciak and All Members of Council

**A RESOLUTION ACCEPTING A DONATION OF MONEY FROM
THE STRONGSVILLE SWIM LEAGUE TO BE USED TOWARDS
THE CITY OF STRONGSVILLE'S PURCHASE OF FOLDING
CHAIRS FOR THE AQUATIC CENTER AT THE WALTER F.
EHRNFELT RECREATION & SENIOR CENTER.**

WHEREAS, the Strongsville Swim League is organized to provide a structured program of summer swimming competition among the member teams, promote friendliness and good sportsmanship and provide a good learning experience for the children involved; and

WHEREAS, the Strongsville Swim League has donated a check in the amount of \$987.20 to be used towards the City of Strongsville's purchase of folding chairs for swim meets in the Aquatic Center at the Walter F. Ehrnfelt Recreation & Senior Center; and

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

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

Section 1. That this Council hereby extends its gratitude and appreciation to the Strongsville Swim League for its donation of \$987.20 to be utilized by the City for the purchase of folding chairs for swim meets in the Aquatic Center at the Walter F. Ehrnfelt Recreation & Senior Center.

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

Date Passed: _____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2023 – 093

Page 2

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

RES

Ord. No. 2023-043 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 094

By: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE III OF THE CHARTER OF THE CITY ENTITLED "THE COUNCIL" IN SECTION 12, TO PROVIDE FOR COUNCIL POSTING ON THE WEBSITE OF THE CITY, AND IN PUBLIC PLACES DETERMINED BY COUNCIL, ALL ORDINANCES, RESOLUTIONS, STATEMENTS, ORDERS, PROCLAMATIONS, NOTICES AND REPORTS REQUIRED BY LAW, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article X of the City Charter and as required by law, the Mayor and the City Council President have appointed a Charter Review Committee; and

WHEREAS, the Committee has reviewed and recommended to City Council certain amendments to Article III, Section 12 of the City's Charter.

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

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 and Article X of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 7, 2023, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide that Council shall post on the website of the City, and in public places in the City determined by Council, all ordinances, resolutions, statements, orders, proclamations, notices and reports required by law.

Section 12 of Article III of the City Charter shall be amended to read as follows:

**ARTICLE III
THE COUNCIL**

* * *

SECTION 12. PROCEDURE.

All legislative action shall be by ordinance or resolution except when otherwise required by the Constitution or the laws of the State of Ohio. The Council shall keep a journal of its proceedings which shall be a public record. The vote shall be taken by ayes and nays, which shall be entered upon the journal; and no ordinance or resolution shall be passed without the concurrence of a majority of the members elected to Council. The Council, through passage of an Ordinance, may establish a consent agenda. Every ordinance or resolution shall be read or read by title on three different days unless two-thirds (2/3) of the members elected to Council dispense with the rule.

All ordinances, resolutions, statements, orders, proclamations, notices and reports required by law, by this Charter or by ordinance to be posted, shall be posted **on the website of the municipality and** in ~~not less than five (5) of the most~~ public places in the Municipality, as determined by Council, for a period of not less than fifteen (15) days prior to the taking effect thereof, subject to the exceptions set forth in Section 13 hereof, or in such other manner as Council may hereafter determine by ordinance, resolution or order.

~~(Amended 11-2-04.)~~

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 12 of Article III shall be and the same is hereby repealed and replaced by the new Section 12 of Article III.

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

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 12 of Article III of the City Charter be amended to provide that Council shall post on the website of the City of Strongsville, and in public places in the City determined by Council, all ordinances, resolutions, statements, orders, proclamations, notices and reports required by law?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 7, 2023 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 7, 2023, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 7, 2023 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 094

Page 3

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

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 9. 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 this Ordinance become effective immediately and be certified to the election authorities in order for the question to appear on the ballot at an election to be held on November 7, 2023. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-094 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 095

By: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE IV OF THE CHARTER OF THE CITY ENTITLED “ADMINISTRATIVE OFFICES” IN SECTION 6(c), TO PROVIDE THAT THE DECISION OF THE BOARD OF ZONING APPEALS GRANTING A VARIANCE IS FINAL WITHOUT REQUIRING A TWENTY (20) DAY DELAY FOR REVIEW BY CITY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article X of the City Charter and as required by law, the Mayor and the City Council President have appointed a Charter Review Committee; and

WHEREAS, the Committee has reviewed and recommended to City Council certain amendments to Article IV, Section 6(c) of the City’s Charter.

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

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 and Article X of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 7, 2023, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That the decision of the Board of Zoning Appeals granting a variance is final without requiring a twenty (20) day delay for further review by City Council.

Section 6(c) of Article IV of the City Charter shall be deleted in its entirety.

**ARTICLE IV
ADMINISTRATIVE OFFICES**

* * *

SECTION 6. BOARD OF ZONING APPEALS.

* * *

~~(c) Council Review. Any order of the Board granting a variance or exception shall not be final and take effect until the twentieth (20th) day after the date of approval of the order by the Board. During such time period, the applicant, the Building Commissioner or an elected official of the City may request a review by the Council of the City of the findings and determination of the Board. A request for review may be granted by the Council if it finds and determines that one or more matters at issue in such a request significantly affect or involve the implementation of any part of a master or comprehensive plan for the City, a purpose of the Planning and Zoning Code of the~~

~~City, or the intent of the Council in their adoption. If a request for review is approved by the Council, then, the Council shall hear the application or appeal de novo, and may reverse, amend or modify the findings and determination of the Board. When a request for review is approved by Council, any variance or exception granted by the Board shall be void and of no effect, unless Council shall fail to hear and decide the matter de novo within thirty (30) days after the date of approval by it of the request for review, or within such enlargement of time as may be determined by the Council for good cause shown. (Amended 11-2-04.)~~

* * *

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 6(c) of Article IV shall be and the same is hereby repealed.

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

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 6(c) of Article IV of the City Charter be deleted in its entirety so that the decision of the Board of Zoning Appeals granting a variance is final without requiring a twenty (20) day delay for further review by City Council?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 7, 2023 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 7, 2023, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 7, 2023 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

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

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 9. 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 this Ordinance become effective immediately and be certified to the election authorities in order for the question to appear on the ballot at an election to be held on November 7, 2023. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

Yea

Nay

Carbone _____

Clark _____

DeMio _____

Kaminski _____

Kosek _____

Roff _____

Short _____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-095 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 096

By: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION AN AMENDMENT TO ARTICLE IV OF THE CHARTER OF THE CITY ENTITLED “ADMINISTRATIVE OFFICES” IN SECTION 7(a), TO PROVIDE FOR FIVE (5) MEMBERS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article X of the City Charter, and as required by law, the Mayor and the City Council President have appointed a Charter Review Committee; and

WHEREAS, the Committee has reviewed and recommended to City Council an amendment to Article IV, Section 7(a) of the City’s Charter.

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

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 and Article X of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 7, 2023, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That the Civil Service Commission of the City of Strongsville shall be increased to consist of five (5) members.

Section 7(a) of Article IV of the City Charter shall be amended to read as follows:

**ARTICLE IV
ADMINISTRATIVE OFFICES**

* * *

SECTION 7. CIVIL SERVICE COMMISSION.

* * *

(a) Membership. The Civil Service Commission shall consist of ~~three~~ **five (5)** electors of the Municipality not holding other municipal office or appointment, to be appointed by the Mayor, with the approval of a majority of the members of Council. The term of members shall be four (4) years. Members may succeed themselves. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term by the Mayor with the approval of a majority of the members of Council. Present members of the Civil Service Commission at the time this Charter amendment is adopted shall continue to serve until their terms are completed.

* * *

Section 2. That if the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then existing Section 7(a) of Article IV shall be and the same is hereby repealed and replaced by the new Section 7(a) of Article IV.

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

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 7(a) of Article IV of the City Charter be amended to provide that the Civil Service Commission of the City of Strongsville be increased to consist of five (5) members?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 7, 2023 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 7, 2023, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 7, 2023 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

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

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 – 096
Page 3

Section 9. 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 this Ordinance become effective immediately and be certified to the election authorities in order for the question to appear on the ballot at an election to be held on November 7, 2023. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-096 Amended: _____

1st Rdg. _____ Ref: _____

2nd Rdg. _____ Ref: _____

3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____

Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 097

By: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, BY A VOTE OF NOT LESS THAN FIVE (5) OF ITS MEMBERS, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article X of the City Charter and as required by law, the Mayor and the City Council President have appointed a Charter Review Committee; and

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

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

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 and Article X of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 7, 2023, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That in order to provide that Council may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding, by a vote of not less than five (5) of its members.

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

**ARTICLE V
FINANCE**

* * *

SECTION 5. PUBLIC BIDDING

* * *

(b) The Council, by ~~a unanimous~~ **vote of not less than five (5) of its members, for the efficient operation of the City,** may authorize expenditures of funds of the City exceeding the limitations established ~~by the~~ **in Article V, Section 5 of this** Charter without public bidding and advertising for the acquisition of real estate; for the discharge of non-contractual claims against the City; for personal services; for the joint use of facilities or exercise of powers with other political subdivisions; for the product or services of public utilities (including

those municipally and publicly operated); in the case of a real and present emergency arising in connection with the operation and maintenance of a department, division, commission, bureau or board of the municipality, for work to be done or for the purchase of supplies or materials; or for expenditures without public bidding authorized by the General Laws of Ohio.

* * *

~~(Amended 11-4-80.)~~

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

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

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 5(b) of Article V of the City Charter be amended to provide that Council, for the efficient operation of the City, by a vote of not less than five (5) of its members may authorize certain expenditures, in emergencies or other limited circumstances, without public bidding?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 7, 2023 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 7, 2023, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 7, 2023 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

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

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 9. 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 this Ordinance become effective immediately and be certified to the election authorities in order for the question to appear on the ballot at an election to be held on November 7, 2023. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council

Date Passed: _____

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

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Ord. No. 2023-097 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 098

By: Mayor Perciak and All Members of Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION AN AMENDMENT TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" TO PROVIDE THAT COUNCIL SHALL SUBMIT TO THE ELECTORS ANY PROPOSED ALTERATIONS, REVISIONS AND AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article X of the City Charter, and as required by law, the Mayor and the City Council President have appointed a Charter Review Committee; and

WHEREAS, the Committee has reviewed and recommended to City Council an amendment to Article X of the City's Charter.

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

Section 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article IX, Section 2 and Article X of the Charter of the City of Strongsville, this Council hereby authorizes and directs the submission to the electors of the City of Strongsville, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 7, 2023, the following proposal to amend the Charter of the City of Strongsville, Ohio:

That Council shall submit to the electors any proposed alternatives, revisions and amendments recommended by the Charter Review Committee.

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

**ARTICLE X
CHARTER REVIEW COMMITTEE**

SECTION 1. REVIEW.

After January 1, 2019, the Mayor shall call for the creation of a Charter Review Committee at least once every five (5) years, consisting of nine (9) qualified electors of the Municipality. The Mayor shall appoint to the Committee five (5) qualified electors of the Municipality. The Council President shall appoint to the Committee four (4) qualified electors of the Municipality. No employee, elected official or appointed official of the City, including any member of any Board or Commission of the City, shall be eligible to serve on the Charter Review Committee. Such Committee shall review and recommend to Council not less than ninety (90) days prior to the next November election, any alterations, revisions and amendments to this Charter as in its judgment it deems advisable. The Council ~~may~~**shall** submit to the electors any such proposed alterations, revisions, or amendments to the Charter at the next regular November election. Each said Charter Review Committee shall cease to function on the day of the next November

election following its appointment. The members shall serve without compensation unless otherwise provided by ordinance.

~~(Amended 11-6-18)~~

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

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

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Article X of the City Charter be amended to provide that Council shall submit to the electors any proposed alternatives, revisions and amendments recommended by the Charter Review Committee?

☐ YES

☐ NO

Section 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County no later than August 9, 2023.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the regular election to be held on November 7, 2023 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Strongsville, with the first publication to be made at least fifteen days prior to the election to be held on November 7, 2023, or to mail a copy of such proposed Charter amendment to each elector whose name appears in registration books of the last general or regular municipal election held in the City at least 30 days prior to the November 7, 2023 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article IX, Section 2 of the City Charter.

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

Section 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 9. 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 this Ordinance become effective immediately and be certified to the election authorities in order for the question to appear on the ballot at an election to be held on November 7, 2023. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

President of Council
Date Passed: _____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
DeMio	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
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Ord. No. 2023-098 Amended: _____
1st Rdg. _____ Ref: _____
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Adopted: _____ Defeated: _____