**SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON MONDAY, MARCH 16, 2020.**

The Council of the City of Strongsville met in the Caucus Room at the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road, on **Monday, March 16, 2020 at 7:30 p.m.**

**Present: Council Members:** Matthew A. Schonhut, Annmarie P. Roff, James A. Kaminski, Gordon C. Short Joseph C. DeMio, Kelly A. Kosek and James E. Carbone. Also Present: Clerk of Council Aimee Pientka. **Administration:** Mayor Thomas P. Perciak, Law Director Neal M. Jamison, Communications and Technology Director David E. Sems, Service Director Joe Walker, Human Resource Director Steve Kilo, Fire Chief Jack Draves, Police Chief Mark Fender and Public Safety Director Charles Goss.

Absent: Finance Director Joe Dubovec Economic Development Director Brent Painter, Building Commissioner Tony Biondillo, City Engineer Ken Mikula and Recreation and Senior Services Director Bryan Bogre.

Council President Schonhut called the caucus to order at 7:30 p.m.

The following Council Committees met to review legislation on the agenda:

Planning, Zoning & Engineering Committee: Chairman Schonhut Ordinance No. 2020-040 is to issue and approve a change order no. 2 for an increase in the contract price with Perram Electric, Inc. for the traffic signal upgrade project. The increase is in the amount of $84,928.55 for a new contract price of $5,567,700.96. Mr. Schonhut met with Ken Mikula and Lori Daley in the engineering department to discuss this project and the increased cost. The increase is due to some drilling issues at the corner of Royalton Road and Howe Road. The hole for the mast arm kept getting inundated with water. The other issue was pertaining to some equipment that goes into the traffic boxes. Some of it wasn’t going to work as originally thought due to the layout of the boxes. Mr. Jamison advised the amended amount is still under the original contract price. Mr. Schonhut anticipates additional change orders for the project in the future. The recommendation was to suspend and adopt that legislation. Resolution No. 2020-041 is to authorize the mayor to advertise for bids for the pavement reconstruction program for 2020. Council received a list from the engineering department of the streets being considered for work. The recommendation was to suspend and adopt that legislation. Mayor Perciak advised because this project will exceed $5 million dollars, the city will be having notes issued to help fund this; seeing as interest rates are currently very low.

Public Service & Conservation Committee: Chairman Kaminski advised Ordinance No. 2020-042 is to enter into a contract for the clock tower restoration project. The contract is with Masonry Restoration Maintenance, Inc. in the amount of $279,676.00. The recommendation was to suspend and adopt this legislation. Suspension and adoption was also recommended for Resolution No. 2020-043; a resolution authorizing the mayor to advertise for bids for the purchase of general pavement services for 2020 to be used by the service department. Resolution No. 2020-044 is to grant permission to repurchase a certain certificate for burial rights in the Strongsville Municipal Cemetery (Taylor). Suspension and adoption was recommended for that legislation.

Committee of the Whole: Mr. Schonhut recommended suspension and adoption for Ordinance No. 2020-045; an ordinance approving and adopting the replacement pages to the Codified Ordinances of the city. Resolution No. 2020-046 is to authorize the mayor to enter into a modification and consent to a mortgage subordination in regards to the declaration of covenants, conditions, easements and restrictions filed in connection with property owned by M & B Strongsville, LLC. This is in relation to the KidsFirst Learning Center on Howe Road. This is to release the restriction in order to allow the name of KidsFirst Learning Center to be changed if wanted. Mr. Short advised this property will still remain as a day care center. The recommendation was to suspend and adopt that resolution. Suspension and adoption was also recommended for Resolution No. 2020-047; a resolution approving the application of Emil S. Karim to place land in an agricultural district.

***Mr. Short made a motion to adjourn into executive session for the purpose of discussing imminent and pending litigation matters. It was seconded by Mr. DeMio to adjourn from open session into executive session [Article XI, Section 9, City Charter]. All members present voted aye and the motion carried. Council adjourned into executive session at 7:39 p.m. Also present from the Administration: Mayor Perciak and Law Director Neal Jamison. The executive session concluded at 7:55 p.m. and reconvened into open session.***

**MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON MONDAY, MARCH 16, 2020 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.**

**CALL TO ORDER:**

Council President Schonhut called the meeting to order at 8:00 p.m. All joined in the Pledge of Allegiance to the Flag.

**CERTIFICATION OF POSTING:**

The Clerk of Council certified that the meeting had been posted in accordance with Ordinance No. 2004-273.

**ROLL CALL:**

**Present: Council Members:** Matthew A. Schonhut, Annmarie P. Roff, James A. Kaminski, Gordon C. Short Joseph C. DeMio, Kelly A. Kosek and James E. Carbone. Also Present: Clerk of Council Aimee Pientka. **Administration:** Mayor Thomas P. Perciak, Law Director Neal M. Jamison, Communications and Technology Director David E. Sems, Service Director Joe Walker, Human Resource Director Steve Kilo, Fire Chief Jack Draves, Police Chief Mark Fender and Public Safety Director Charles Goss.

Absent: Finance Director Joe Dubovec Economic Development Director Brent Painter, Building Commissioner Tony Biondillo, City Engineer Ken Mikula and Recreation and Senior Services Director Bryan Bogre.

**COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting held on March 2, 2020 were approved as submitted.

**PUBLIC HEARING:**

**Resolution No. 2020-047** by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF EMIL S. KARIM TO PLACE LAND IN AN AGRICULTURAL DISTRICT.

*Mr. Schonhut invited anyone wishing to speak* ***IN FAVOR*** *of the Resolution to approach the podium and address Council.*

*(No comments)*

**PUBLIC HEARING (cont’d):**

*Mr. Schonhut then invited anyone wishing to speak* ***IN OPPOSITION*** *of the Resolution to approach the podium and address Council.*

(No comments)

*Hearing no further comments in regard to this matter, Council President Schonhut closed the Public Hearing on said Resolution.*

***On the matter of the possible re-appointment and re-employment of Joseph M. Walker, who will be retired effective March 31, 2020 and seeking re-employment to his former and same position as Service Director for The City of Strongsville, to be effective April 1, 2020.***

*Mr. Schonhut invited anyone wishing to speak* ***IN FAVOR*** *of the Resolution to approach the podium and address Council.*

Mayor Perciak – Mr. President, may I speak just really quickly? I favor the re-employment of Joseph Walker to continue on as a service director for the City of Strongsville. We are lucky and blessed, not only to have his experience and his credentials, he’s an engineer, and he’s worked unending hours to help the residents and the business men and women of this community; so I strongly urge the council to vote to re-employ Mr. Walker in his capacity as service director, thank you.

Mr. Schonhut – Thank you Mr. Mayor, is there anybody else here tonight that would like to speak in favor of that matter?

(No comments)

*Mr. Schonhut then invited anyone wishing to speak* ***IN OPPOSITION*** *of the Resolution to approach the podium and address Council.*

(No comments)

*Hearing no further comments in regard to this matter, Council President Schonhut closed the Public Hearing on said matter.*

**APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITIONS:**

***Mayor’s appointment and Council confirmation of Dustin M. Hayden to fill the vacancy and unexpired term of Thomas E. Smeader, as a member of the City’s Board of Zoning Appeals, expiring March 14, 2021.***

Mayor Perciak – Yes, good evening again Mr. President, council members, and everyone at home. This evening I would like to appoint and ask the council to confirm the appointment of Dustin M. Hayden to fill the vacancy and unexpired term of Thomas E. Smeader as a member of the City’s Board of Zoning Appeals. His term will expire March 14, 2021. Just a little background, Dustin is a resident here of the City of Strongsville. His wife, Jackie, is here with him; his wife of 12 years. He has two children, Jack and Roselyn. He is a graduate of Ohio State University. He was in the mortgage loan business long before he became an executive at the Fifth Third Bank. I think everybody knows who Dustin is; and that’s enough.

**APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITIONS (cont’d):**

Mr. Schonhut – Thank you Mr. Mayor, do we have a motion on that?

***Motion made by Mr. Short, second by Mr. DeMio, to confirm the Mayor’s appointment of Dustin M. Hayden to fill the vacancy and unexpired term of Thomas E. Smeader, as a member of the City’s Board of Zoning Appeals, expiring March 14, 2021. All members present voted aye and the motion carried.***

***At this time, Mayor Perciak administered the Oath of Office.***

(Applause)

***Motion to confirm the Mayor’s possible re-appointment of Joseph M. Walker as Service Director for the City of Strongsville to be effective April 1, 2020, in compliance with Section 145.381 of the Ohio Revised Code.***

***Motion made by Mr. Short, second by Mr. DeMio, to confirm the Mayor’s possible re-appointment of Joseph M. Walker as Service Director for the City of Strongsville to be effective April 1, 2020, in compliance with Section 145.381 of the Ohio Revised Code. All members present voted aye and the motion carried.***

(Applause)

Mr. Schonhut – Joe, thank you very much for your continued leadership here.

Mr. Walker – Thank you all very much, this support means a ton to me; it really does and I’m looking forward to staying. Thank you all very, very much.

Mr. Schonhut – Don’t know anybody else looking forward to crawling through sewers; but okay.

(Laughter)

**REPORTS OF COUNCIL COMMITTEES:**

**SCHOOL BOARD – Mr. Carbone:**

(No report)

**SCHOOL BOARD – Mr. Carbone (cont’d):**

(No report)

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Short:**

(No report)

**BUILDING AND UTILITIES – DeMio:**

(No report)

**REPORTS OF COUNCIL COMMITTEES (cont’d):**

**COMMUNICATIONS AND TECHNOLOGY – Ms. Roff**:

(No report)

**ECONOMIC DEVELOPMENT – Mr. Carbone:**

(No report)

**FINANCE – Mr. DeMio:**

(No report)

**PLANNING, ZONING AND ENGINEERING – Mr. Schonhut:**

(No Report)

**PUBLIC SAFETY AND HEALTH – Mr. Short:**

(No report)

**PUBLIC SERVICE AND CONSERVATION – Mr. Kaminski:**

(No report)

**RECREATION AND COMMUNITY SERVICES – Ms. Kosek:**

(No report)

**COMMITTEE OF THE WHOLE – Mr. Schonhut:**

(No report)

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

**MAYOR PERCIAK:** Thank you Mr. President, I think enough has been said about the coronavirus. We’re trying our very best here. I just want everyone to know back home that with the help of the council president, the councilmen, the city administration-we’re doing everything we can to continue to keep the City of Strongsville safe. Our police force, our firefighters, our dispatchers, our jailers, all the people who provide the vital services…our service department, our IT department are all on board and understand the commitment they made to this community to keep us all safe and to keep our business going as normally as we possibly can. As you know, we have been instructed by the governor to close our rec center, to close the senior center; and we will continue to follow the mandates of the governor’s office and from Washington D.C. Over there, I don’t know really who is handing down the mandates anymore; but at the end of the day, be assured we will always do what’s in the best interests of all the people in the City of Strongsville. I want to thank my administration, I want to thank the council president especially, for meeting with me and for meeting with our administration. I want to thank all the councilman for the time they’ve spent with me and answering all the residents’ questions the best they could. To all of you up here, thanks; thanks for your understanding; thanks for your support.

**REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS (cont’d):**

**MAYOR PERCIAK (cont’d):** I’m sure our fire chief, our police chief, our safety director, David Sems, our IT director, and everybody who is involved in this; not to mention Walker over there, to make sure that he’s keeping everything going for us. We have our HR director here too tonight for specific reasons. We’re still waiting for some type of clarification about certain employee situations that we need to address during this coronavirus situation. As soon as we receive further instructions, either from the federal government or from the State government, we will go ahead, along with our law director, and get this right. So everyone understands, our law director has been at all of our sides through this and he’s been nothing but a big help. Neal, thank you; sometimes I don’t say thank you enough to you; but thanks for everything you do. Mr. President that ends my report.

Mr. Schonhut – Thank you Mr. Mayor and thank you for your continued leadership, as well as your entire team, for unprecedented times. I think I speak for all of us that we’re all here for whatever our residents need and whatever you and your team needs to get us through this.

**FINANCE DEPARTMENT – Mr. Dubovec:**

***Mr. Jamison read Mr. Dubovec’s memo certifying funds for this council meeting. A copy of this memo is attached to the back of these minutes.***

**LAW DEPARTMENT – Mr. Jamison:** A couple members asked me to address this right as we were meeting earlier. If you had heard Governor DeWine earlier today, he had made the request and a lawsuit was filed this afternoon to postpone the primary. They filed suit in Franklin County Common Pleas Court, which is down in Columbus. The ruling just came down within the last half hour; the judge denied that request. I would recommend that everybody out there check tomorrow to see what the latest is. I don’t know what legal avenues are available because of the timeframes involved in terms of appeals or stays of that judge’s order; but I would recommend everyone who is interested in voting or has a concern about it to check tomorrow morning; go to the Board of Election’s website and confirm what’s going on. I know that is an important event for a lot of different people; particularly, I know we have a health and human services levy on tomorrow; so I would recommend everybody check that tomorrow because it’s part of our obligation and duty as citizens of this State. Other than that, all ordinances and resolutions are in proper legal form. That concludes my report.

Mr. DeMio – Matt, if I may, I know a lot of people that are able to watch tonight may not be comfortable using computers; so the phone number to the Board of Elections is (216) 443-3200; ask for voter services and hopefully they will have an answer. I believe their line opens promptly on Election Day at 7:00 a.m.; a little bit after the polls open. Just a little helpful hint, and thank you for allowing it.

Mr. Schonhut – Yes, absolutely, and hopefully our democratic process goes through one way or another as planned. Obviously, there is some confusion out there; but we’re trying to give it to you in real time as when we get it here. As Joe said, it might be a good idea to call down there in the morning to make sure one way or another that you’re able to have your voice heard. Any other comments on anything there?

(No comments)

**AUDIENCE PARTICIPATION:**

Ms. Roff – I want to real quick congratulate David Sems on the birth of his child; and while he’s at home with a brand new baby talking to me on the phone. Congratulations David, and I appreciate your help too this weekend.

(Applause)

Mr. Schonhut – We do have one person signed in. We do ask that audience people that choose to address us up here at the podium please state your name and address and please spell your name for the record for our clerks. The one person that we do have signed in is Mike Culp. We do ask that you keep your comments to 5 minutes or under please.

Mike Culp, 5200 Oakes Road, Brecksville, OH: Absolutely, my name is Mike Culp. I live at 5200 Oakes Road, Brecksville, OH. Council President, council members, mayor, thank you so much for letting me speak tonight. My firm, Kegler Brown represents Condado Tacos. I’ll be very brief given the circumstances. Last meeting, council voted 4-3 against granting a liquor permit to Condado Tacos. Originally, it was signed off on through the TREX process as an economic development project as I understand it. Indeed, it is an economic development project. Not only would it help bolster an ongoing development, it’s a $1.2 million dollar investment, it will create 50 jobs, generate $224,000.00 in sales tax and $12,500 on employment tax. Now, I understand that each of you who voted against the permit have been told that even by voting no last week there’s a process by which my client can follow to get approval. It starts with the liquor control hearing to hear the city’s case for objecting to it. We believe our client stands a good chance for approval at some point; however, with the coronavirus outbreak, the commission has decided to postpone all hearings indefinitely until people come to grips with this. That creates a potential problem for Condado Tacos which wanted to start to build in April or May. Given this uncertainty and given that this is a good economic development project, I hope one of the council members who voted no would offer a motion to reconsider and vote yes to help move this endeavor along. I want to thank you for your time and, given the circumstances, letting me speak.

Mr. Schonhut – Thank you very much Mike, if somebody were to reconsider, it would fall under the “Miscellaneous Business” portion of our meeting. Unfortunately, you have to stick around to see whether or not that happens here. Is there anybody else who wishes to address council tonight?

(No comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2020-040** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 2 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND PERRAM ELECTRIC, INC., IN CONNECTION WITH THE STRONGSVILLE TRAFFIC SIGNAL UPGRADE PROJECT, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Ordinance No. 2020-040 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont’d):**

**Resolution No. 2020-041** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2020 IN THE CITY OF STRONGSVILLE.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Resolution No. 2020-041 ADOPTED.**

**Ordinance No. 2020-042** by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE CITY OF STRONGSVILLE CLOCK TOWER EXTERIOR RESTORATION PROJECT, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Ordinance No. 2020-042 ADOPTED.**

**Resolution No. 2020-043** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2020 TO BE USED BY THE DEPARTMENT OF PUBLIC SERVICE OF THE CITY OF STRONGSVILLE.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Resolution No. 2020-043 ADOPTED.**

**Resolution No. 2020-044** by Mayor Perciak and All Members of Council. A RESOLUTION GRANTING PERMISSION TO REPURCHASE A CERTAIN CERTIFICATE FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY. [Taylor]

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Resolution No. 2020-044 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont’d):**

**Ordinance No. 2020-045** by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND ADOPTING REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY FOR THE LAST HALF OF 2019 AND THROUGH JANUARY 21, 2020, REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Ordinance No. 2020-045 ADOPTED.**

**Resolution No. 2020-046** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MODIFICATION AND CONSENT TO A MORTGAGE SUBORDINATION IN REGARDS TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FILED IN CONNECTION WITH PROPERTY OWNED BY M & B STRONGSVILLE, LLC, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Resolution No. 2020-046 ADOPTED.**

**Resolution No. 2020-047** by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF EMIL S. KARIM TO PLACE LAND IN AN AGRICULTURAL DISTRICT.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All ayes. Motion carries. Resolution No. 2020-047 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

*Application for Permit:* ***NEW D5I:*** *To:* ***Outback Steakhouse of Florida LLC****, DBA: Outback Steakhouse, 17602 Royalton Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 04/03/2020).*

***There were no objections to this permit.***

**MISCELLANEOUS BUSINESS:**

Mr. Schonhut – Any miscellaneous business?

(No comments)

**ADJOURNMENT:**

There being no further business to come before this Council, President Schonhut adjourned the meeting at 8:24 p.m.

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Aimee Pientka, MMC Date

Clerk of Council