

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2014 – 008

By: Mayor Perciak and All Members of Council

**A RESOLUTION PROVIDING FOR THE SUBMISSION OF
ORDINANCE NO. 2013-214 TO THE ELECTORS,
ESTABLISHING AN ELECTION DATE THEREFOR, AND
DECLARING AN EMERGENCY.**

WHEREAS, on January 21, 2014, Council passed Ordinance No. 2013-214, 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 real estate located at 8422 Pearl Road (Part of PPN 395-05-012) in the City of Strongsville from R1-75 (One Family 75) Classification to GB (General Business) Classification, and Declaring an Emergency, As Amended."; 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 primary election of May 6, 2014, for submission of Ordinance No. 2013-214 (as amended), 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 to the electors of the City of Strongsville of Ordinance No. 2013-214 (as amended) on said date.

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 3 is 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 classification of certain real estate located at 8422 Pearl Road (Part of PPN 395-05-012) in the City of Strongsville for the purpose of rezoning the property from its present zoning classification of R1-75 (One Family 75) to GB (General Business) 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 February 5, 2014.

Section 5. That the Board of Elections of Cuyahoga County is requested to cause an appropriate notice to be duly given of the primary election to be held on May 6, 2014, 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 the costs of 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

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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 May 6, 2014 primary 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.

Michael J. Daymut
President of Council

Approved: Thomas S. Givier
Mayor

Date Passed: January 21, 2014

Date Approved: Jan 22, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	☒	☐
Daymut	☒	☐
DeMio	☒	☐
Dooner	☒	☐
Maloney	☒	☐
Schonhut	☒	☐
Southworth	☒	☐

Attest: Lestita J. Seefried
Clerk of Council

Res.
ORD. No. 2014-008 Amended: _____
1st Rdg. 01-21-14 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: 01-21-14 Defeated: _____