

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2014 – 048

By: Mayor Perciak and All Members of Council

A RESOLUTION AUTHORIZING THE MAYOR AND BUILDING COMMISSIONER TO WAIVE AND/OR REDUCE CERTAIN BUILDING PERMIT AND INSPECTION FEES ASSOCIATED WITH CONSTRUCTION OF A NEW CENTER MIDDLE SCHOOL BY THE STRONGSVILLE SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the Strongsville School District/Board of Education (hereinafter "District" or "Schools") is undertaking extensive construction of a new building and facility for the School District's Center Middle School located on PPN 392-30-006, at 13200 Pearl Road, in the City of Strongsville, and which final site plan was approved by the City's Planning Commission; and

WHEREAS, due to the inherently unique nature of the mutual and close relationship between the City government and the public schools beyond their mere existence as another political subdivision within the community, and their undeniable substantial impact upon the quality of life of the community, they have enjoyed a special relationship with the City unlike that between or with any other institutions or even political subdivisions; and

WHEREAS, the Schools have over the years and currently, been generous in permitting the City's Recreation Department to occupy and utilize various City Schools' facilities for purposes of certain of the City's Recreation Department programs, such as youth basketball, including specifically at Center Middle School; and previously to utilize baseball fields at Center Middle School, all of which were provided at no cost to the City with no charges for overtime, maintenance or cleaning; and

WHEREAS, in 2011, the School District further agreed to enter into a Lease Agreement with the City at nominal cost permitting the City to utilize the grounds of Allen Elementary School on Park Lane Drive for municipal recreation programs, all for the welfare of the residents of the City of Strongsville; and

WHEREAS, in order to protect the public health, safety and welfare, the City has imposed special safety rules and requirements on the Schools which have caused their costs of construction, paid for by public dollars of the residents of the City, to be substantially increased through no fault of their own; and

WHEREAS, due to the above, it is advantageous for the general good for the City to facilitate substantial investment by the Schools back into its facilities for the benefit of the residents, the community and the City; thus it is the recommendation of the City Administration and the Council that waiver and/or reduction of certain building permit and inspection fees for the Schools Center Middle School project is warranted and beneficial and in the best interest of the City in this particular instance.

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

Section 1. That for the above reasons, Council hereby authorizes the Mayor and Building Commissioner to waive and/or reduce certain building permit and inspection fees that exceed the amount of \$100,000.00 in relation to the estimated total fees otherwise due of \$293,000.00 to the City pursuant to SCO Chapter 1420, only on account of the construction work for a new building and facility undertaken by the Schools at Center Middle School located at 13200 Pearl Road, as approved by the City's Planning Commission on March 13, 2014.

Section 2. That the waiver and/or reduction of a portion of the fees in this one particular instance is not intended to nor shall it constitute in any manner a continuing or permanent policy or precedent of any kind in relation to the payment of required building permit and inspection fees for any other political subdivision, nor in relation to any future project of the Strongsville School District.

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 Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to facilitate construction of a new public school building and investment in School District facilities, and for the security and the benefit of students and residents within the Strongsville community. 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 Daymut
President of Council

Approved: Thomas S. Briere
Mayor

Date Passed: March 17, 2014

Date Approved: March 18, 2014

Table with columns Yea and Nay, listing council members: Carbone, Daymut, DeMio, Dooner, Maloney, Schonhut, Southworth.

RES Attest: Jimmie Pirotka
ORD. No. 2014-048 Clerk of Council
1st Rdg. 03-17-14 Ref:
2nd Rdg. Suspended Ref:
3rd Rdg. Suspended Ref:
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Adopted: 03-17-14 Defeated: