

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2015 – 040

By: Mayor Perciak and All Members of Council

A RESOLUTION REPEALING RESOLUTION NO. 2015-007 AND AUTHORIZING WITHDRAWAL OF REZONING ORDINANCE NO. 2014-229 TO THE ELECTORS AT A MAY 5, 2015 SPECIAL ELECTION IN ORDER TO RESCHEDULE THE ISSUE TO A REGULARLY SCHEDULED MUNICIPAL ELECTION IN NOVEMBER, 2015, AND DECLARING AN EMERGENCY.

WHEREAS, through adoption of Resolution No. 2015-007 on or about January 20, 2015, this Council had provided for submission of rezoning Ordinance No. 2014-229 to the electors at a municipal election then set for May 5, 2015; and

WHEREAS, subsequent thereto and after expiration of the petition filing date of February 4, 2015 for municipal elective candidates, it became apparent there would be no municipal primary election on May 5, 2015; and as a consequence, the Cuyahoga County Board of Elections has designated the vote on the underlying rezoning ordinance as a "special election" requiring payment of substantial costs in order to pay for such election; and

WHEREAS, accordingly, the applicant/petitioner for the rezoning being the Strongsville City School District Board of Education has requested by written communication, attached hereto as Exhibit A, that the rezoning issue be withdrawn from the May 5, 2015 ballot and re-set for the November 3, 2015 regular municipal election in order to avoid such costs; and

WHEREAS, the City of Strongsville has no objection to such a change.

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 That this Council's Resolution No. 2015-007 be and is hereby repealed, and further that the rezoning issue presented by Ordinance No. 2014-229, passed on January 20, 2015, be withdrawn from the May 5, 2015 ballot and officially rescheduled for the November 3, 2015 ballot through whatever process is required under law.

Section 2. That the Clerk of Council immediately transmit a certified copy of this Resolution to the Cuyahoga County Board of Elections, attention Mr. Brent Lawler, Candidate & Petition Services, 2925 Euclid Avenue, Cleveland, Ohio 44115, for processing.

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 to comply with the Board of Elections' March 6, 2015 deadline requirement for withdrawal of a ballot issue under law and in order to accommodate the petitioner. 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 J. Burwick
 Mayor

Date Passed: March 2, 2015

Date Approved: 3-2-15

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Dooner	<input checked="" type="checkbox"/>	_____
Maloney	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Southworth	<input checked="" type="checkbox"/>	_____

Attest: Aimee Pientka
 Clerk of Council

RES
 ORD. No. 2015-040 Amended: _____
 1st Rdg. 03-02-15 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: 03-02-15 Defeated: _____

FW: Rezoning Petition

Michael Daymut

Sent: Wednesday, February 18, 2015 4:21 PM

To: Ken Kraus

RECEIVED

FEB 18 2015

DAVID H. HUNT
CITY OF STROKESVILLE

From: krupinski@strongnet.org [krupinski@strongnet.org]

Sent: Wednesday, February 18, 2015 4:02 PM

To: Michael Daymut

Cc: boardofeducation@strongnet.org

Subject: Rezoning Petition

Mike,

Let this e-mail document that the Strongsville City School District agrees to delay the Rezoning Ballot Issue, in connection with our new Middle School Project, from the May Primary to the November, 2015 General Election.

Our district continues to strive to cultivate the close working relationship with our city going forward for the betterment of our district, its students and the Strongsville Community.

Respectfully,

John

EXHIBIT A