

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2015 – 041

By: Mayor Perciak and All Members of Council

**A RESOLUTION PROVIDING FOR THE SUBMISSION OF
ORDINANCE NO. 2014-229 TO THE ELECTORS,
ESTABLISHING AN ELECTION DATE THEREFOR, AND
DECLARING AN EMERGENCY.**

WHEREAS, on January 20, 2015, Council passed Ordinance No. 2014-229, 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 vacant real estate located near Westwood Drive and Olympus Way (Part of PPN 392-30-006) in the City of Strongsville 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 municipal election of November 3, 2015 for submission of Ordinance No. 2014-229 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. 2014-229 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 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 vacant real estate located near Westwood Drive and Olympus Way (Part of PPN 392-30-006) in the City of Strongsville for the purpose of rezoning the property from its present zoning classification of R1-75 (One Family 75) 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 5, 2015.

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 municipal election to be held on November 3, 2015, 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

CITY OF STRONGSVILLE, OHIO
 RESOLUTION NO. 2015 - 041
 Page 3

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 3, 2015 municipal 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 Daymut
 President of Council

Approved: James B. Brunel
 Mayor

Date Passed: March 2, 2015

Date Approved: 3-2-15

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

Attest: Lime Pientka
 Clerk of Council

RES
 ORD. No. 2015-041 Amended: _____
 1st Rdg. 03-02-15 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 229

By: Mr. Maloney

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 VACANT REAL ESTATE LOCATED NEAR WESTWOOD DRIVE AND OLYMPUS WAY (PART OF PPN 392-30-006) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY.

WHEREAS, the owner of vacant property located near Westwood Drive and Olympus Way, being part of permanent parcel number 392-30-006, (the "property") has submitted a petition to the City requesting rezoning of the property from R1-75 (One Family 75) to PF (Public Facilities); 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 from R1-75 (One Family 75) classification to PF (Public Facilities) classification, of certain property described in Exhibit "A" and depicted in Exhibit B, attached hereto and incorporated herein as if fully rewritten; provided that such amendment 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 the property in the ward.

Section 2. That, after approval 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 change 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 property in order to meet the deadline for submittal of this issue to the ballot in accordance with law, 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.

First reading: December 1, 2014 Referred to Planning Commission

Second reading: December 15, 2014 December 2, 2014

Third reading: January 20, 2015 Approved: January 21, 2015

Public Hearing: January 20, 2015

Michael Daymut
President of Council

Approved: Thomas B. Brink
Mayor

Date Passed: January 20, 2015

Date Approved: January 21, 2015

Yea Nay

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

Attest: Aimee Pientko
Clerk of Council

ORD. No. <u>2014 - 229</u>	Amended: _____
1st Rdg. <u>12-1-14</u>	Ref: <u>PC/PZE</u>
2nd Rdg. <u>12-15-14</u>	Ref: <u>PC/PZE</u>
3rd Rdg. <u>1-20-15</u>	Ref: _____

Pub Hrg. <u>01-20-15</u>	Ref: _____
Adopted: <u>1-20-15</u>	Defeated: _____