

# City of Strongsville

16099 Foltz Parkway  
Strongsville, Ohio 44149-5598  
Phone: 440-580-3110  
Council Office Fax: 440-572-1648  
www.strongsville.org

September 14, 2017

## City Council

Michael J. Daymut  
Ward 1

Matthew A. Schonhut  
Ward 2

James E. Carbone  
Ward 3

Gordon C. Short  
Ward 4

Joseph C. DeMio  
At-Large

Kenneth M. Dooner  
At-Large

Duke Southworth  
At-Large

Aimee Pientka, MMC  
Clerk of Council

Tiffany Mekeel, CMC  
Assistant Clerk of Council

## MEETING NOTICE

City Council has scheduled the following meetings for **Monday, September 18, 2017**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road***:

**Caucus will begin at 7:30 p.m. All committees listed will meet immediately following the previous committee:**

**7:30 P.M.**

**Planning, Zoning and Engineering Committee** will meet to discuss Ordinance Nos. 2017-122, 2017-139, 2017-140, 2017-143 and 2017-163.

**Economic Development** will meet to discuss Ordinance No. 2017-156 and other items pertinent to the committee.

**Public Safety and Health Committee** will meet to discuss Ordinance No. 2017-164 and Resolution No. 2017-165.

**Recreation and Community Services Committee** will meet to discuss Ordinance No. 2017-166.

**Public Service and Conservation Committee** will meet to discuss Resolution No. 2017-167.

**8:00 P.M.**

**Regular Council Meeting**

Any other matters that may properly come before this Council may also be discussed.

**BY ORDER OF THE COUNCIL:**

Aimee Pientka, MMC  
Clerk of Council

**STRONGSVILLE CITY COUNCIL REGULAR MEETING**

**MONDAY, SEPTEMBER 18, 2017 AT 8:00 P.M.**

Mike Kalinich Sr. City Council Chamber  
18688 Royalton Road, Strongsville, Ohio

---

**AGENDA**

1. CALL TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. CERTIFICATION OF POSTING:

4. ROLL CALL:

5. COMMENTS ON MINUTES:

- *Council Meeting – September 5, 2017*

6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:

- Mayor's re-appointment and confirmation of David J. Houle to a four (4) year term on the City's Board of Zoning Appeals, effective September 18, 2017 and expiring on September 17, 2021. Oath of Office to follow.

*Presentation by Southwest General Health Center Representatives William A. Young, President and CEO; Albert E. Matyas, Vice President of Ambulatory Operations & Business Development; Susan Tout, M.D. EMS Medical Director; and Jackie Haumschild, EMS Manager.*

- Recognition of Strongsville Community Emergency Response Team (CERT) members for completing Emergency Medical Responder (EMR) Certification.
- Recognition of the City of Strongsville Fire and Emergency Services Department for receiving the 2017 Mission: Lifeline EMS Gold Performance Achievement Award, from the American Heart Association for outstanding cardiac care.

7. REPORTS OF COUNCIL COMMITTEE:

- SCHOOL BOARD – Mr. Dooner:
- SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Carbone:
- BUILDING AND UTILITIES – Mr. Schonhut:
- COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:
- ECONOMIC DEVELOPMENT – Mr. Daymut:
- FINANCE – Mr. Short:
- PLANNING, ZONING AND ENGINEERING – Mr. Daymut:
- PUBLIC SAFETY AND HEALTH – Mr. DeMio:

- PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:
  - A motion to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section F, Lot # 158, Grave E.
  - A motion to ratify, note and approve the burial of Petraq Peto in Section F, Lot # 158, Grave G based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery.
  - A motion to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section B, Lot #177, Grave B.
- RECREATION AND COMMUNITY SERVICES – Mr. Southworth:
- COMMITTEE-OF-THE-WHOLE – Mr. Dooner:

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

- MAYOR PERCIAK:
- FINANCE DEPARTMENT:
- LAW DEPARTMENT:

9. AUDIENCE PARTICIPATION:

10. ORDINANCES AND RESOLUTIONS:

- Ordinance No. 2017-122 by Mr. Daymut. 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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 07-17-17. Tabled by Planning Commission 07-27-17. Unfavorable recommendation by Planning Commission 09-07-17.*
- Ordinance No. 2017-139 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 840 "MEDICAL MARIJUANA" OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AMENDING CHAPTER 1242 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, TO ESTABLISH A NEW SECTION 1242.14 CONCERNING THE REGULATION OF MEDICAL MARIJUANA IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 09-05-17. Favorable recommendation by the Planning Commission 09-07-17.*

- Ordinance No. 2017-140 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 09-05-17. Favorable recommendation by the Planning Commission 09-07-17.*
- Ordinance No. 2017-143 by Mr. Daymut. AN ORDINANCE WAIVING APPLICATION OF CERTAIN RETAINAGE PAYMENT REQUIREMENTS UNDER STRONGSVILLE CODIFIED ORDINANCES SECTION 210.02 AND PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MARK HAYNES CONSTRUCTION, INC., IN CONNECTION WITH THE 2016 COURTLAND CULVERT REPLACEMENT PROJECT; AUTHORIZING THE MAYOR, CITY ENGINEER AND DIRECTOR OF FINANCE TO RELEASE 50% OF THE CURRENT RETAINAGE, AND DECLARING AN EMERGENCY. *First reading 09-05-17.*
- Ordinance No. 2017-156 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING A JOB/PAYROLL CREATION INCENTIVE GRANT FOR NATIONAL AUTOMOTIVE EXPERTS, LLC, AND DECLARING AN EMERGENCY. *First reading 09-05-17.*
- Ordinance No. 2017-163 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR STATE OF OHIO ISSUE 1 FUNDING FOR IMPROVEMENTS TO THE SR 237 (PROSPECT ROAD) AND ALBION ROAD INTERSECTION, IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-164 by Mayor Perciak and Mr. DeMio. AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO BUREAU OF WORKERS' COMPENSATION UNDER THE FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS GRANT PROGRAM FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.
- Resolution No. 2017-165 by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE ADOPTION OF THE CUYAHOGA COUNTY 2017 THROUGH 2022 ALL-HAZARDS MITIGATION PLAN.
- Ordinance No. 2017-166 by Mr. Southworth. AN ORDINANCE AUTHORIZING THE DISPOSAL OF VARIOUS ITEMS AND EQUIPMENT UTILIZED BY THE RECREATION DEPARTMENT AND NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE.
- Resolution No. 2017-167 by Mr. Carbone. A RESOLUTION GRANTING PERMISSION TO REPURCHASE CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY. [Lewis]

11. COMMUNICATIONS, PETITIONS AND CLAIMS:

- Application for Permit: NEW-C1-C2: To: Biab Cleveland, LLC; DBA: Bliss in a Bottle 500 SouthPark Center T43, Strongsville, Ohio 44136 (Responses must be postmarked no later than 09/29/2017).
- Application for Permit: NEW-C2: To: On the Hunt Specialties, LLC; 19583 Hunt Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 10/02/2017).

12. MISCELLANEOUS BUSINESS:

13. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 122

By: Mr. Daymut

**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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), AND DECLARING AN EMERGENCY.**

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 of certain property located at 14092 Pearl Road, in the City of Strongsville, from GB (General Business) classification to MS (Motorist Service) classification (PPN 393-18-014), which property is more fully described in Exhibit A, and depicted in Exhibit B, all attached hereto and incorporated herein by reference.

**Section 2.** That the Clerk of Council is hereby authorized to cause the necessary changes on the Zoning Map to be made in order to reflect the changes in zoning 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 further to afford the applicant an opportunity to submit plans to facilitate economic development within the City, and to assure proper development of all lots and land within the City. 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.

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2017 - 122  
Page 2

First reading: July 17, 2017  
Second reading: \_\_\_\_\_  
Third reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_

Referred to Planning Commission

July 18, 2017  
Stated by Planning Comm. July 7, 2017  
Unfavorable recommendation by  
Approved: Planning Commission  
September 7, 2017

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-122 Amended: \_\_\_\_\_  
1st Rdg. 07-17-17 Ref: PC/PZE  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**Exhibit A  
Legal Description**

**Situated in the City of Strongsville, County of Cuyahoga and State of Ohio, and known as being Consolidated Parcel "S-1" on the Map of Lot Split and Consolidated, of part of Original Strongsville Township Lot No. 56, as shown in Volume 352 of Maps, Page 60 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.**

**Parcel No: 393-18-014 & 015**





PETITION FOR ZONING CHANGE

Ordinance Number: 2017-122

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class GB use to a class MS use.

Such change is necessary for the preservation and enjoyment of a substantial property right because: to allow Ganley Buick GMC to expand onto this parcel as a retail automobile dealership sales facility.

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because: it will expand the footprint of Ganley Buick GMC and it is expected that the vacant building will be razed and the lot to improved with appropriate landscaping, lighting, asphalt, etc.

Please list other supporting documents (if any) which accompany this petition:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_


THE PROPOSED USE OF THE PROPERTY IS: additional retail automobile sales, including new and used vehicle storage and customer and employee parking.

Name, address and telephone number of applicant or applicant's agent:

Name: Joseph Fornal, Treasurer & CFO

Address: 8748 Brecksville Road, Brecksville, Ohio 44141

Telephone Number: 440-584-8202

  
Signature of Owner(s) TREASURER

State of Ohio )  
County of Cuyahoga )

Sworn to and subscribed in my presence this 14 day of JUNE, 2017



Notary Public

My commission expires: \_\_\_\_\_

**ANDREW STEVEN DEVER, Attorney**  
**NOTARY PUBLIC - STATE OF OHIO**  
My commission has no expiration date.  
**Section 147.03 R.C.**

\* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.



PROPERTY DESCRIPTION FORM

Ordinance Number: 2017-122

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 14052 Pearl Road, Strongsville, Ohio 44136

Permanent Parcel No.: 393-18-014

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) Pearl Road to the east

Number and type of buildings which now occupy property (if any): One, two-story brick office and adjoining single story retail space


Acreage: 1.198 acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): \_\_\_\_\_

Said deed restrictions (will) (have) expire(d) on: \_\_\_\_\_

Said property is presently under lease or otherwise encumbered as follows: Mortgage held by Bank of America

| Owner(s)                         | Percent of Ownership: |
|----------------------------------|-----------------------|
| 1. <u>Ganley Real Estate Co.</u> | <u>100</u> %          |
| 2. _____                         | _____ %               |
| 3. _____                         | _____ %               |

  
Signature of Owner(s) TREASURER

State of Ohio )  
County of Cuyahoga )

Sworn to and subscribed to in my presence this 14 day of JUNE, 2017.

  
Notary Public

My commission expires ANDREW STEVEN DEVER, Attorney  
**NOTARY PUBLIC - STATE OF OHIO**  
My commission has no expiration date  
**Section 147.03 R.C.**

\* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

---

**TO:** Ken Mikula, City Engineer

**FROM:** Tiffany Mekeel, Assistant Clerk of Council

**DATE:** June 26, 2017

**SUBJECT:** Rezoning Application  
Ganley Real Estate Co.; Owner  
PPN: 393-18-014  
Address: 14052 Pearl Road  
From General Business (GB) to Motor Services (MS)

---

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

TAM  
Attachments

cc: Thomas P. Perciak, Mayor  
Neal Jamison, Law Director  
Daniel J. Kolick, Assistant Law Director  
George Smerigan, City Planner  
Brent Painter, Economic Development Director  
All Members of Council  
Carol Opera, Planning Commission Secretary

# City of Strongsville

## *Memorandum*

**To:** Neal Jamison, Law Director

**CC:** Mayor Perciak  
Ken Mikula, City Engineer  
Aimee Pientka  
George Smerigan, City Planner  
Brent Painter, Economic Development Director  
Dan Kolick, Assistant Law Director  
Carol Oprea, Planning Commission Secretary

**From:** Lori Daley, Assistant City Engineer

**Date:** June 29, 2017

**Re:** Rezoning Application  
Ganley Real Estate Co.; Owner  
PPN 393-18-014  
From GB to MS

---

Neal,

The legal description included in the Clerk of Council's June 26, 2017 memo regarding the above referenced application accurately depicts the parcel to be rezoned. Please include the attached highlighted map with the legislation.

There is a discrepancy with the address. The applicant lists 14052 Pearl Road as the address, which is consistent with the Cuyahoga County Auditor's website. However, the physical address of the building is 14092 Pearl Road.

Please feel free to contact me with any questions.

Thank you.

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

---

**TO:** Planning Commission  
**FROM:** Aimee Pientka, Clerk of Council  
**DATE:** July 18, 2017  
**SUBJECT:** Referral from Council: Ordinance No. 2017-122

---

---

At its regular meeting of July 17, 2017, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-122 by Mr. Daymut. 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 14092 PEARL ROAD, IN THE CITY OF STRONGSVILLE, FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PPN 393-18-014), AND DECLARING AN EMERGENCY.

A copy of the ordinance is attached for Planning Commission review.

AKP  
Attachment

## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** July 28, 2017

---

Please be advised that at its meeting of July 27, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

**ALTENHEIM REHAB & MEMORY CARE/ Brandon Rouhier, Agent**

Site Plan approval of two parking lot additions for property located at 18627 Shurmer Road, PPN 397-01-092 zoned SR-1 and Public Facility.

**ORDINANCE NO. 2017-123:**

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 property located at 14356 Pearl Road (PPN 393-19-033) in the City of Strongsville from GB (General Business) Classification to R-RS (Restaurant-Recreational Services) Classification and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission Tabled the following;

**ORDINANCE NO. 2017-111:**

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 property located at 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification.

**ORDINANCE NO. 2017-122:**

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 property located 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.



## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** September 8, 2017

---

Please be advised that at its meeting of September 7, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

### **ORDINANCE NO. 2017- 139**

An Ordinance Enacting a New Chapter 840 "MEDICAL MARIJUANA" of Title Two of Part Eight-Business Regulations and Taxation Code of the Codified Ordinances of the City of Strongsville; Amending Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code, to establish a New Section 1242.14 concerning the Regulations of Medical Marijuana in the City of Strongsville and Declaring an Emergency.

### **ORDINANCE NO 2017 - 140**

An Ordinance Amending Section 1258.03 of Title Six of part Twelve-Planning and Zoning Coe of the Codified Ordinances of the City of Strongsville in order to Establish Regulations for the Storage, display and Sale of Vehicles in a General Business District, and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission gave Unfavorable Recommendation to the following;

### **ORDINANCE NO. 2017-122:**

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 property located 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.



**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2017 – 139**

**By: Mayor Perciak and All Members of Council**

**AN ORDINANCE ENACTING A NEW CHAPTER 840 “MEDICAL MARIJUANA” OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AMENDING CHAPTER 1242 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, TO ESTABLISH A NEW SECTION 1242.14 CONCERNING THE REGULATION OF MEDICAL MARIJUANA IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.**

WHEREAS, on June 8, 2016, the Ohio General Assembly adopted and the Governor signed into law, 131 Sub. H.B. 523, which became effective September 8, 2016; and

WHEREAS, 131 Sub. H.B. 523, among other things, permits patients in Ohio to use medical marijuana on the recommendation of physicians; creates state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; authorizes the legislative authority of a city to adopt regulations dealing with or limiting the number of retail medical marijuana dispensaries; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground or public park; and

WHEREAS, pursuant to Home Rule authority found in Article XVIII of the Constitution of the State of Ohio, the City Charter, and the Ohio Revised Code (“ORC”), municipalities in the State of Ohio have the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, ORC Section 3796.29, enacted by H.B. 523, affirms that municipalities may adopt restrictions, including prohibiting or limiting the number of cultivators, processors, or retail dispensaries of medical marijuana within their corporation limits; and

WHEREAS, H.B. 523 provides that the Ohio Department of Commerce, the Board of Pharmacy, and the State Medical Board shall adopt rules establishing standards and procedures for the medical marijuana control program; and

WHEREAS, these state agencies have published certain proposed rules governing operation of marijuana dispensaries, cultivators, and processors, the issuance of certificates to physicians wishing to recommend medical marijuana to

patients, and the registration of patients and caregivers wishing to purchase medical marijuana pursuant to these recommendations; and

WHEREAS, the City of Strongsville has studied these proposed rules; and

WHEREAS, marijuana (cannabis) remains classified as a Schedule I controlled substance under the Federal Controlled Substances Act, rendering the manufacture, distribution, dispensation, and the possession of marijuana with intention to manufacture, distribute, or dispense, a crime under Federal law; and

WHEREAS, a consequence of the continued prohibition of marijuana by the Federal government is that financial services providers such as banks and credit card companies are unable to do business with marijuana enterprises because it is illegal under Federal law to transmit funds known to have been derived from marijuana; and

WHEREAS, the unbanked status of marijuana businesses results in the businesses and their customers carrying significant amounts of cash; and

WHEREAS, the presence of large amounts of cash invites opportunity for robbery, theft, money laundering, tax evasion, and other crimes constituting threats to the public health, safety, and welfare; and

WHEREAS, due to the above threats to public health, safety, and welfare, having reviewed the State's rules and Federal law's continued classification of marijuana (cannabis) as a Schedule I drug, the City of Strongsville determines that cultivation, processing, and retail dispensing of marijuana for medical purposes, or otherwise, shall not be a permitted use within this City.

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

**Section 1.** That this Council hereby enacts a new Chapter 840 Medical Marijuana, of Title Two of Part Eight-Business Regulation and Taxation Code of the Codified Ordinances of the City of Strongsville, to read in its entirety as follows:

**CHAPTER 840  
Medical Marijuana**

|               |                            |
|---------------|----------------------------|
| <b>840.01</b> | <b>Definitions.</b>        |
| <b>840.02</b> | <b>Prohibitions.</b>       |
| <b>840.03</b> | <b>Research permitted.</b> |
| <b>840.99</b> | <b>Penalty.</b>            |

**840.01 DEFINITIONS.**

(a) “Academic Medical Center” has the same meaning as in Section 4731.297 of the Ohio Revised Code.

(b) “Marijuana” has the same meaning as marijuana as defined in Section 3719.01 of the Ohio Revised Code.

(c) “Medical Marijuana” means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

(d) “State University” has the same meaning as in Section 3345.011 of the Ohio Revised Code.

**840.02 PROHIBITIONS.**

(a) No person or entity owning, renting, leasing, or having any interest whatsoever in real property located within the City of Strongsville shall develop, construct, reconstruct, remodel, adapt or use, or permit the use of, said real property for any of the following:

- (1) as a medical marijuana dispensary;
- (2) for the processing of medical marijuana;
- (3) for the indoor or outdoor cultivation of medical marijuana.

(b) No person or entity shall enter upon or occupy any public property, street, or right-of-way for any of the uses enumerated in Section 840.02(a).

**840.03 RESEARCH PERMITTED.**

Nothing in this Chapter shall be deemed to prohibit or limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

**840.99 PENALTY.**

(a) Whoever knowingly violates Section 840.02(a) is guilty of a misdemeanor of the first degree. Each day of violation shall be deemed to be a separate offense.

(b) Whoever knowingly violates Section 840.02(b) is guilty of a misdemeanor of the fourth degree. Each day of violation shall be deemed to be a separate offense.

**Section 2.** That new Section 1242.14 of Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville concerning Medical Marijuana Cultivation, Processing, or Retail Dispensing, be and is hereby enacted to read in its entirety as follows:

**CHAPTER 1242  
ADMINISTRATION, ENFORCEMENT AND PENALTY**

\* \* \*

**1242.14      CULTIVATION, PROCESSING, OR RETAIL DISPENSING  
OF MEDICAL MARIJUANA PROHIBITED IN ALL  
DISTRICTS.**

(a) The cultivation, processing, or retail dispensing of medical marijuana shall be a prohibited use in all zoning districts within the City of Strongsville.

(b) Nothing in this Section shall be deemed to prohibit or limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

(c) Use of property in violation of Section 1242.14(a) has been determined to be and shall constitute a nuisance *per se*.

(d) In addition to other penalties provided by law, including but not limited to those set out in this Chapter, the Law Department shall be authorized to institute civil proceedings in a court of competent jurisdiction to enjoin violations of this Section; for monetary damages arising from violations of this Section; and to take all actions necessary to secure enforcement of any injunction and collect upon any damage award, judgment, or fine in contempt levied in relation to a violation of this Section.

\* \* \*

**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 of any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2017 – 139**  
**Page 5**

**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 address the issues associated with passage of 131 Sub. H.B. 523 regarding the regulation of medical marijuana. 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: September 5, 2017  
 Second reading: \_\_\_\_\_  
 Third reading: \_\_\_\_\_  
 Public Hearing: \_\_\_\_\_

Referred to Planning Commission

September 6, 2017  
*Favorable recommendation by PC*  
 Approved: September 7, 2017

\_\_\_\_\_  
 President of Council

Approved: \_\_\_\_\_  
 Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2017-139 Amended: \_\_\_\_\_  
 1st Rdg. 09-05-17 Ref: PC1P2E  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

---

**TO:** Planning Commission

**FROM:** Tiffany Mekeel, Assistant Clerk of Council

**DATE:** September 6, 2017

**SUBJECT:** Referral from Council: Ordinance Nos. 2017-139 & 2017-140

---

---

At its regular meeting of September 5, 2017, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- **Ordinance No. 2017-139** by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 840 "MEDICAL MARIJUANA" OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AMENDING CHAPTER 1242 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, TO ESTABLISH A NEW SECTION 1242.14 CONCERNING THE REGULATION OF MEDICAL MARIJUANA IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- **Ordinance No. 2017-140** by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.

Copies of the ordinances are attached for Planning Commission review.

TAM  
Attachment



## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** September 8, 2017

---

Please be advised that at its meeting of September 7, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

### **ORDINANCE NO. 2017- 139**

An Ordinance Enacting a New Chapter 840 "MEDICAL MARIJUANA" of Title Two of Part Eight-Business Regulations and Taxation Code of the Codified Ordinances of the City of Strongsville; Amending Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code, to establish a New Section 1242.14 concerning the Regulations of Medical Marijuana in the City of Strongsville and Declaring an Emergency.

### **ORDINANCE NO 2017 - 140**

An Ordinance Amending Section 1258.03 of Title Six of part Twelve-Planning and Zoning Coe of the Codified Ordinances of the City of Strongsville in order to Establish Regulations for the Storage, display and Sale of Vehicles in a General Business District, and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission gave Unfavorable Recommendation to the following;

### **ORDINANCE NO. 2017-122:**

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 property located 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 140

By: Mayor Perciak and Mr. Daymut

**AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That Section 1258.03 of Chapter 1258 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville concerning Use Regulations; General Business District, be and is hereby amended to read in its entirety as follows:

**1258.03 USE REGULATIONS; GENERAL BUSINESS DISTRICT.**

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained in whole or in part, in General Business Districts, only for uses set forth in the following schedules and regulations:

(a) Main Buildings and Uses Permitted.

- (1) Offices, stores, services and other use classifications as permitted in Local Business Districts;
- (2) Mortuaries (Funeral Homes);
- (3) Additional retail business stores and services conducted wholly within enclosed buildings and devoted to supplying the retail business needs of the community to the following extent:
  - A. Retail sales.
    1. The sale of all food; frozen food lockers;
    2. The sale of all general merchandise; dry goods, variety and department stores, but excluding the sale of items listed in Sections 1258.06(a)(4) and 1258.06(a)(5);
    3. The sale of all hardware, appliances, china, furniture, floor and wall covering, business equipment, music, radio and television, provided no loudspeakers broadcast outside the parcel;
    4. The sale of bicycles, sport and athletic equipment, pet shops;
    5. Wholesale offices and showrooms, with storage limited to samples;



6. The sale, serving and consumption of food, soft drinks, juices and ice cream in carry-out and sit-down restaurants whenever such use is within a business building located adjacent to another business building having one or more party walls and a common roof with one or more similar business buildings, but not as a separate business building or use, provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07. An outdoor eating area adjacent to and as an accessory use to the main building may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.
7. Restaurants, taverns, night clubs, delicatessens, eating establishments, businesses permitting dancing and live entertainment, whenever such use is within a business building located adjacent to another business building having one or more party walls and a common roof with one or more similar business buildings but not as a separate building or use provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code. An outdoor eating area adjacent to and as an accessory use to the main building may be permitted provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.
8. Individual retail business stores of 100,000 square feet and larger may be permitted a limited area to display merchandise outside the store building in an approved designated, self-contained, screened area provided a conditional use permit is granted in accordance with the provisions of Section 1242.07 of this Zoning Code.
9. The sale and/or exchange of propane canisters not exceeding twenty (20) pounds at freestanding "big box" stores exceeding 50,000 square feet gross floor area; and freestanding "super" drug stores exceeding 14,000 square feet gross floor area provided a conditional use permit is granted in accordance with the provisions of Section 1242.07 of this Zoning Code.
10. Brewpubs and microbreweries which include attached restaurant facilities for the on-site consumption of food and beverages provided that a conditional use

permit is granted in accordance with the standards set forth in Section 1242.07 of this Zoning Code.

~~(Ord. 2015-114. Passed 7-20-15.)~~

B. Services.

1. Shops for custom work for the making of articles to be sold only at retail on the premises, excluding internal combustion engines;
2. All personal service establishments without limitations on the number of persons engaged in such work, but excluding services listed in Section 1258.06(a)(6);
3. Photographic developing, blueprinting, letter, job and newspaper printing, radio or television stations with ancillary transmittal towers, telephone exchanges, transformer stations;
4. Bus passenger stations, taxi stations; and
5. Veterinary office/out-patient clinic provided such use is a single use in a free-standing building with no dog runs and no overnight housing of animals.

C. Churches. Buildings and land for churches provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code. To be located in a General Business District, a church shall be governed by and meet all requirements, standards and procedures of Chapter 1256 and other Codified Ordinance sections referenced therein.

D. Child/Adult Day Care Centers. Buildings and land for child/adult day care centers, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code.

E. Exercise Facilities. Dance instruction, gymnastics, yoga, martial arts training, gymnasiums, and physical fitness centers, none of which shall exceed 5,000 square feet, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code.

F. Automotive Service Centers. Automotive Service Centers in accordance with the provisions of Section 1258.14 and provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.

G. Training/Amusement Facilities.

~~(Ord. 2016-158. Passed 11-21-16; Ord. 2016-198. Passed 11-21-16.)~~

- (b) Similar Main Uses Permitted. Any other general business store, shop or service not listed above or in any subsequent use classification and determined as similar by the Planning Commission in accordance with the standards set forth in Section 1242.08.



- (c) Accessory Uses Permitted. Any accessory use such as storage of goods or processing operations which are clearly incident to conducting a retail business, office or service establishment or other permitted main use, provided that such accessory use serves solely as an accessory use to permitted main uses on the same zoning lot, and provided such an accessory use has no injurious effect on the adjoining residential districts. The following accessory uses are also permitted:
- (1) Accessory off-street parking and loading facilities as required in Chapter 1270 of this Zoning Code; and
  - (2) Signs in General Business Districts shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the type, design size, location, illumination and other provisions set forth in Chapter 1272 of this Zoning Code.
  - (3) Crematories only as an integral component of a licensed mortuary (funeral home) provided a conditional use permit is granted in accordance with the standards set forth in Section 1242.07.
  - (4) **Storage, display, and sale of vehicles associated with an adjacent automobile dealership on abutting property zoned Motorist Service (MS) provided that a conditional use permit is granted in accordance with the standards set forth in Section 1242.07 of the Zoning Code.**

~~(Ord. 2016-158. Passed 11-21-16; Ord. 2016-198. Passed 11-21-16)~~

**Section 2.** 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 3.** 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 necessary to provide for the appropriate regulation of the storage, display and sale of vehicles in General Business Districts to ensure the safety and welfare of the general public. 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: September 5, 2017 Referred to Planning Commission

Second reading: \_\_\_\_\_

Third reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

September 6, 2017  
Favorable recommendation by PC  
Approved: September 7, 2017

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2017 - 140  
Page 5

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-140 Amended: \_\_\_\_\_  
1st Rdg. 09-05-17 Ref: PC.1P2E  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

---

**TO:** Planning Commission

**FROM:** Tiffany Mekeel, Assistant Clerk of Council

**DATE:** September 6, 2017

**SUBJECT:** Referral from Council: Ordinance Nos. 2017-139 & 2017-140

---

---

At its regular meeting of September 5, 2017, City Council referred the following Ordinances to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2017-139 by Mayor Perciak and All Members of Council. AN ORDINANCE ENACTING A NEW CHAPTER 840 "MEDICAL MARIJUANA" OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE; AMENDING CHAPTER 1242 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, TO ESTABLISH A NEW SECTION 1242.14 CONCERNING THE REGULATION OF MEDICAL MARIJUANA IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.
- Ordinance No. 2017-140 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AMENDING SECTION 1258.03 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR THE STORAGE, DISPLAY AND SALE OF VEHICLES IN A GENERAL BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.

Copies of the ordinances are attached for Planning Commission review.

TAM  
Attachment



## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Carol Oprea, Administrative Assistant, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** September 8, 2017

---

Please be advised that at its meeting of September 7, 2017, the Strongsville Planning Commission gave Favorable Recommendation to the following;

### **ORDINANCE NO. 2017- 139**

An Ordinance Enacting a New Chapter 840 "MEDICAL MARIJUANA" of Title Two of Part Eight-Business Regulations and Taxation Code of the Codified Ordinances of the City of Strongsville; Amending Chapter 1242 of Title Six of Part Twelve-Planning and Zoning Code, to establish a New Section 1242.14 concerning the Regulations of Medical Marijuana in the City of Strongsville and Declaring an Emergency.

### **ORDINANCE NO 2017 - 140**

An Ordinance Amending Section 1258.03 of Title Six of part Twelve-Planning and Zoning Coe of the Codified Ordinances of the City of Strongsville in order to Establish Regulations for the Storage, display and Sale of Vehicles in a General Business District, and Declaring an Emergency.

Also at that meeting the Strongsville Planning Commission gave Unfavorable Recommendation to the following;

### **ORDINANCE NO. 2017-122:**

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 property located 14092 Pearl Road, in the City of Strongsville from GB (General Business) Classification to MS (Motorist Service) Classification (PPN 393-18-014), and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 143

By: Mr. Daymut

**AN ORDINANCE WAIVING APPLICATION OF CERTAIN RETAINAGE PAYMENT REQUIREMENTS UNDER STRONGSVILLE CODIFIED ORDINANCES SECTION 210.02 AND PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MARK HAYNES CONSTRUCTION, INC., IN CONNECTION WITH THE 2016 COURTLAND CULVERT REPLACEMENT PROJECT; AUTHORIZING THE MAYOR, CITY ENGINEER AND DIRECTOR OF FINANCE TO RELEASE 50% OF THE CURRENT RETAINAGE, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 2016-143, Council authorized the Mayor to enter into a contract with Mark Haynes Construction, Inc. ("Haynes") for the 2016 Courtland Culvert Replacement Project, in the amount of \$663,635.00; and

WHEREAS, by and through Ordinance No. 2016-231, the City, as recommended by the City Engineer, determined it would be in the best interests of the City to approve Change Order No. 1 to include as a part of the Project certain additional work requested by the City, and all required for the Project to continue, in the total amount of \$21,238.50; and

WHEREAS, to date, the City has held as retainage for the entire Project the amount of \$67,508.58 arising from said contract in accordance with Strongsville Codified Ordinances ("SCO") Section 210.02; and

WHEREAS, SCO Section 210.02 specifically provides in part, "The Municipality will retain ten percent of the amount of the monthly estimates until final completion and acceptance of all work or delivery of all materials required by the contract. Such amounts will be retained by the Municipality as a guarantee that the contractor will faithfully and completely fulfill and execute all the obligations and conditions imposed by any such contract and to indemnify the Municipality for any damage caused to the Municipality by reason of any failure or breach on the part of the contractor to fulfill such conditions and obligations.", which provision is also part of and governs the contract between Haynes and the City; and

WHEREAS, Council is informed that the project work is substantially completed with the new culvert in use, but remains subject to final adjustments including a punch list and final contract close-out requirements; and

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2017 – 143**  
**Page 2**

WHEREAS, the City's Engineer has now reviewed Haynes' request for payment of 50% of the entire retainage being held by the City, along with other documentation attached hereto as Exhibits A, B, C and D, including the Affidavit and Certification of Haynes concerning status of payments to its subcontractors, materialmen and employees, the Affidavit of Compliance with regard to conformance with Prevailing Wages, and the Consent of the Surety to Reduction in or Partial Release of Retainage, and are accordingly recommending approval of the partial release of retainage at this time in the amount of \$33,754.29.

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

**Section 1.** That the Council finds and determines that under the circumstances, it would be fair, equitable and in the best interests of the City to waive application of certain retainage provisions, in part, as contained in SCO 210.02 and as incorporated into the contract of the parties, in order to permit release of one-half of the retainage prior to final contract closeout and formal acceptance of all work on the project.

**Section 2.** That further the Mayor, City Engineer and Director of Finance are hereby authorized and empowered to do whatever is necessary to promptly release 50% of the retainage in the amount of \$33,754.29 to the contractor, **MARK HAYNES CONSTRUCTION, INC.**, but specifically to continue to hold the remaining 50% of the retainage in the amount of \$33,754.29, consistent with the requirements of SCO 210.02 and the contract, until all final requirements are met in accordance with the contract and law.

**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 provide for facilitation of final contract and project closeout, safe roads within the City, to avoid potential legal entanglements, and 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.

|                      |                      |
|----------------------|----------------------|
| _____                | Approved: _____      |
| President of Council | Mayor                |
| Date Passed: _____   | Date Approved: _____ |



CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2017 - 143  
Page 3

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-143. Amended: \_\_\_\_\_  
1st Rdg. 04-05-17 Ref: PZE  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

Owner: City of Strongsville

Project Name/Address:  
 Application Period: Retainage 50%  
 Application No.: 7

Contractor's Name:

**Mark Haynes Construction, Inc.**

Remittance Address: 3130 State Route 18  
Nonwalk, Ohio 44889  
 Contractor's Project No.: 2516 Contractor Phone Number: 419-663-2457  
 Engineer Project No.: 7 Contractor's Invoice Number:  
 Owner's Contract No.: 8/28/2017 Invoice Date:

| Change Order Summary               |                        |  |                    |
|------------------------------------|------------------------|--|--------------------|
| Number                             | Approved Change Orders |  | Deductions         |
|                                    | Additions              |  |                    |
| CO1                                | \$21,238.50            |  |                    |
| <b>TOTALS</b>                      | <b>\$21,238.50</b>     |  | <b>\$0.00</b>      |
| <b>NET CHANGE BY CHANGE ORDERS</b> |                        |  | <b>\$21,238.50</b> |

**Contractor's Certification**  
 The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment; free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] (Contractor) 8/28/2017

| Payment Details  |               |
|--|---------------|
| 1. ORIGINAL CONTRACT PRICE .....   | \$ 663,635.00 |
| 2. Net change by Change Orders .....   | \$ 21,238.50  |
| 3. CURRENT CONTRACT PRICE (Line 1 ± 2) .....                                   | \$ 684,873.50 |
| 4. TOTAL COMPLETED AND STORED TO DATE<br>(Column F on Progress Estimate) ..... | \$ 675,085.84 |
| 5. RETAINAGE:  |               |
| a. <u>.10%</u> x Work Completed (Column D on Progress Estimate) ....           | \$ -          |
| b. <u>.8%</u> x Stored Material (Column E on Progress Estimate) .....          | \$ 33,754.29  |
| c. Total Retainage (Line 5a + Line 5b) .....                                   | \$ 33,754.29  |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) .....                            | \$ 641,331.55 |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) .....                | \$ 607,577.26 |
| 8. AMOUNT DUE THIS APPLICATION .....   | \$ 33,754.29  |
| 9. BALANCE TO FINISH, PLUS RETAINAGE .....                                     | \$ 33,754.29  |
| (Column G on Progress Estimate + Line 5 above) .....                           | \$ 33,754.29  |

**Approval Section**

Payment of: \$ \_\_\_\_\_  
 (Line 8 or other - attach explanation of other amount)

is recommended by: \_\_\_\_\_ (Date)

Payment of: \$ \_\_\_\_\_  
 (Line 8 or other - attach explanation of other amount)

Is approved by: \_\_\_\_\_ (Owner) (Date)

Is approved by: \_\_\_\_\_ (Funding Agency (if applicable)) (Date)



STATE OF OHIO )  
 ) SS: AFFIDAVIT AND WAIVER OF LIEN  
COUNTY OF Huron ) (Final Payment)

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION.

Mark Haynes being first duly sworn says that he/she is the President of Mark Haynes Construction, Inc. (Authorized Officer) (hereinafter referred to as the "Company") and is familiar with the following facts stated herein:

1. The Company performed services; labor, and/or furnished material, machinery, equipment, and fuel (hereinafter referred to as "Work") on a Project for the construction of certain buildings and/or improvements known as Courtland Culvert Replacement on property owned by City of Strongsville (hereinafter referred to as "Owner"), and located at Strongsville, Ohio (hereinafter called the "Property").

2. The Company has a contract with and has provided Work for City of Strongsville as a Contractor (Name of Owner, Contractor, Subcontractor) (Contractor, Subcontractor, Materials, Supplier)

3. All laborers, materialmen and Subcontractors of the company have been paid for Work furnished by them to the Company for the Project to the full extent that sums were due to said parties and for which the Company has previously received payment for Work so furnished by said parties.

4. The total amount invoiced to date (including the current invoice amount) by the Company to City of Strongsville is six Hundred Seventy-Five Thousand Eighty-Five and Eighty-Four Cents Dollars (Name of Owner, Contractor, Subcontractor) (\$675,085.84).

The balance currently due and unpaid to the Company (including the current invoice amount) by the Company to Mark Haynes Construction, Inc. is one Hundred Three Thousand Three Hundred Twenty-Six & one cent Dollars (\$103,326.01). Without waiving for mechanic's lien or other purposes the priority of the date that the Company first commenced performing Work for the Project, the Company agrees that upon the payment to it of said current invoice amount, the Company hereby waives and releases: (a) all liens and lien claims and rights against the property and funds of the Owner, and (b) all claims against the Owner with respect to amounts due from the Owner for the Company.

5. The Company represents that it is not aware of any mechanic's lien having been filed by or presently threatened to be filed by any party having provided Work for the Company against the Property or funds of the Owner.

6. The total amount invoiced to date (including the current invoice amount) by the Company is six Hundred Seventy-Five Thousand Eighty-Five and Eighty-Four Cents Dollars (\$675,085.84).

[Signature]  
Individual's Signature

Sworn to before me and subscribed in my presence this 3 day of July, 2016.

[Signature]  
Notary Public



GLORIA J. NISSEN  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires  
March 19, 2018

GC

EXHIBIT B



AFFIDAVIT OF CONTRACTOR  
OR SUB-CONTRACTOR  
PREVAILING WAGES

I, Mark Haynes President  
(Name of person signing Affidavit) (Title)

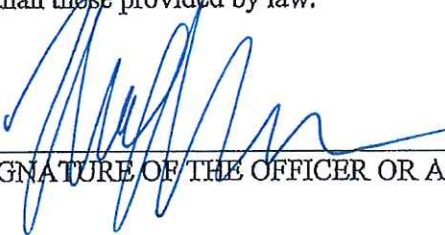
of the Mark Haynes Construction, Inc., do hereby certify that the wages paid to all Employees for the full number of hours worked in connection with the CONTRACT to: the Improvement, Reconstruction and Construction of:

Strongsville - Courtland Culvert Replacement  
(Project and Location)

during the following period from 10-3-16 to 6-30-17

is in accordance with the prevailing wage prescribed by the Contract Document.

I further certify that no rebates or deductions for any wages due any person have been directly or indirectly made other than those provided by law.

  
(SIGNATURE OF THE OFFICER OR AGENT)

SWORN TO and subscribed in my presence this 3 day of July, 2016.



Gloria J. Nissen  
GLORIA J. NISSEN  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires  
March 19, 2020  
(Notary Public)

The above Affidavit must be executed and sworn to by the Officer or Agent or the CONTRACTOR or SUBCONTRACTOR who supervises the payment of Employees, before the Owner will release the Surety and/or make a final payment due under the terms of the CONTRACT.

**CONSENT OF SURETY  
TO REDUCTION IN OR  
PARTIAL RELEASE OF RETAINAGE**

OWNER   
ARCHITECT   
CONTRACTOR   
SURETY   
OTHER

AIA DOCUMENT G707 A

Bond No. SSB0429819

PROJECT:  
(name, address) 2016 Courtland Culvert Replacement

TO (Owner)

City of Strongsville  
16099 Foltz Parkway  
Strongsville, OH 44149

ARCHITECT'S PROJECT NO:

CONTRACT FOR: \$675,085.84

CONTRACT DATE: July 28, 2016

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the (here insert name and address of Surety as it appears in the bond.)

RLI Insurance Company  
9100 South Hills Blvd, Suite 350 Broadview Heights, OH 44147

, SURETY,

on bond of (here insert name and address of Contractor as it appears in the bond)

Mark Haynes Construction, Inc.  
3130 State Route 18 Norwalk, OH 44857

, CONTRACTOR,

hereby approves the reduction in or partial release of retainage to the Contractor as follows:

reduce retainage from 10% to 5%

The Surety agrees that such reduction in or partial release of retainage to the Contractor shall not relieve the Surety of any of its obligations to (here insert the name and address of Owner)

City of Strongsville  
16099 Foltz Parkway Strongsville, OH 44149

, OWNER,

as set forth in the said Surety's bond.

IN WITNESS WHEREOF,  
the Surety has hereunto set its hand this 29th day of August, 2017

RLI Insurance Company

Surety

Signature of Authorized Representative

Mary Ann Copley

Attorney-in-Fact

Title Surety Phone No. 440-746-0999

Attest:  
(Seal): Nicole Green

**EXHIBIT D**





9025 N. Lindbergh Dr. | Peoria, IL 61615  
Phone: (800)645-2402 | Fax: (309)689-2036

# POWER OF ATTORNEY

## RLI Insurance Company

### Contractors Bonding and Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That this Power of Attorney may be effective and given to either or both of RLI Insurance Company and Contractors Bonding and Insurance Company, required for the applicable bond.

That RLI Insurance Company and/or Contractors Bonding and Insurance Company, each Illinois corporations (as applicable), each authorized and licensed to do business in all states and the District of Columbia do hereby make, constitute and appoint:

Bruce W. Lockhart, David J. Black, Jeremy S. Ball, Louis A. Colagrossi, Mark N. Coleman, Mary Ann Copley, Lori A. Proch, Gary E. Roadruck, Stephanie A. Rook, Linka V. Roeser, Kyp L. Ross, Faith A. Studeny, Kathy Van Tassel, Elaina M. McGrath, Teresa Bennett, Sue A. Brandal, jointly or severally

in the City of Richfield, State of Ohio, as Attorney in Fact, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds, undertakings, and recognizances in an amount not to exceed Ten Million Dollars (\$10,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

RLI Insurance Company and Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of the Resolution adopted by the Board of Directors of each such corporation, and now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation shall be executed in the corporate name of the Corporation by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Corporation. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation. The signature of any such officer and the corporate seal may be printed by facsimile or other electronic image."

IN WITNESS WHEREOF, RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 9th day of March, 2017.



RLI Insurance Company  
Contractors Bonding and Insurance Company

B.W.D.

Barton W. Davis

Vice President

State of Illinois }  
County of Peoria } SS

On this 9th day of March, 2017, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company, and acknowledged said instrument to be the voluntary act and deed of said corporation.

Jacqueline M. Bockler

Jacqueline M. Bockler

Notary Public



#### CERTIFICATE

I, the undersigned officer of RLI Insurance Company, and/or Contractors Bonding and Insurance Company, each Illinois corporations, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 29th day of August, 2017.

RLI Insurance Company  
Contractors Bonding and Insurance Company

B.W.D.

Barton W. Davis

Vice President

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 156

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING A JOB/PAYROLL  
CREATION INCENTIVE GRANT FOR NATIONAL  
AUTOMOTIVE EXPERTS, LLC, AND DECLARING AN  
EMERGENCY.**

WHEREAS, the retention and creation of jobs and employment opportunities is integral to the continued economic health of the City of Strongsville, Ohio, and its citizens; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the authority to exercise all powers of local self-government, and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws; and

WHEREAS, Article I of the Charter of the City of Strongsville provides that the City shall have all powers of local self-government and municipal home rule now or hereafter granted to municipalities by the Constitution and laws of Ohio; and further that the powers of the City may also be exercised in such manner as may now or hereafter be provided by the general laws of Ohio not conflicting with the City Charter or Ordinances; and

WHEREAS, the use of governmental resources for the promotion of economic development in the community is in the public interest and is a proper exercise of municipal powers pursuant to Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, to this end, by adoption of Ordinance No. 2013-234, the City authorized a Job/Payroll Creation Incentive Grant Program to provide incentives to businesses to create or expand employment opportunities within the City of Strongsville without utilizing tax revenues or impacting negatively upon the local school system; and

WHEREAS, the Economic Development Director has recommended that a Job/ Payroll Creation Incentive Grant application be approved and that a grant be awarded to **NATIONAL AUTOMOTIVE EXPERTS, LLC**, located at 8370 Dow Circle, Suite 100, Strongsville, Ohio 44136, based upon its application as a marketer, distributor, and administrator of warranties and vehicle service contracts; and

WHEREAS, National Automotive Experts, LLC, as employer, is committing to the creation of 30 new full-time jobs by 2018 in Strongsville, with a total new payroll of \$6,000,000.00, all arising after the effective date of the application being June 30, 2017, in accordance with Program guidelines.

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

**Section 1.** That pursuant to Article VIII, Section 13 and Article XVIII, Section 3 of the Ohio Constitution, and City Ordinance No. 2013-234, this Council hereby approves the application of **NATIONAL AUTOMOTIVE EXPERTS, LLC**, duly filed with the City on June 30, 2017, and authorizes the creation of a Job/Payroll Creation Incentive Grant to National Automotive Experts, LLC for a term and amount as predicated upon its application, Exhibit 1, and pursuant to the Program's terms and conditions as reflected in Exhibit 2, both of which are attached hereto and made a part hereof and which collectively shall constitute the agreement between the applicant and the City.

**Section 2.** That as further specified in the Incentive Grant Program, if the within project does not proceed as specified in the application, Exhibit 1, or if the company were to leave the City during the term of agreement, then Council may rescind the agreement and/or require repayment of grant monies.

**Section 3.** That Council hereby authorizes and appropriates funding and payment for the Job/Payroll Creation Incentive Grant from the City's non-tax revenue sources, including but not limited to the following: interest income, permit fees, activity fees, service charges, and tax incentive application and monitoring fees for National Automotive Experts, LLC, which shall be paid from the General Fund.

**Section 4.** 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 5.** That this Ordinance 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 the authorization and approval of the Job/Payroll Creation Incentive Grant is necessary to create new jobs and new payroll associated with an existing business within the City of Strongsville in furtherance of the City's economic development and well-being, and to generate additional tax dollars now and in the future. 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.



CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2017 - <sup>156</sup> \_\_\_\_\_  
Page 3

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-156 Amended: \_\_\_\_\_  
1st Rdg. 09-05-17 Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Repealed: \_\_\_\_\_



**CITY OF STRONGSVILLE**  
**Application**  
**Job/Payroll Creation Incentive Grant Program**

**Applicant Information:**

Business Name/Entity Form: National Automotive Experts LLC

Current Address: 8370 Dow Circle W Suite 100 Strongsville  
Ohio 44136

Company Website: www.naenwan.com

NAICS Code: 524210

Contact Name & Title: Andrew Seger, General Counsel

Contact e-mail Address: legal@naenwan.com

Contact Phone: 440-863-5506

Current Number of Full-Time Permanent Employees in Strongsville: 131

Current Payroll in Strongsville: \$9,670,320.30 (Annualized based on June 30 amount.)

Brief Company Description: Marketer, distributor, and administrator  
of warranties and vehicle service contracts.

Principal Owners/Officers: Kelly Price & Christopher D. Neuenschwander

Federal Identification No. (FEIN): 20-4752011

Does your firm owe any monies to the State of Ohio, a State agency or Political Subdivision? If so, please explain: No.

**Project Information:**

Brief Project Description: Build out of approx 22,000 square feet existing office space and construction of approx. 65,000 square feet new construction office space.

Project Address/Location(s): 8370 Dow Circle W Suite 100 Strongsville Ohio 44136

Project Start Date: In progress

Estimated Completion Date: 8/1/2018

\*New Full-Time Permanent Jobs Created by the Project: 30

\*New Payroll Created by the Project: \$ 6,000,000

Total Project Investment:

• Real Property Investment: \$12,500,000

• Personal Property Investment: \$2,000,000

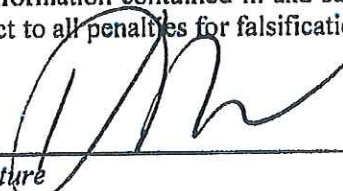
Application Fee:

- A non-refundable fee of \$ 500.00 is to be submitted with this application. A copy of the application will be attached to the final Job/Payroll Creation Incentive Grant Program Agreement, which must be submitted to City Council for approval.

**\*Note: Certain required thresholds under the Program must be met in order to receive a grant.**

**Certification of Information:**

Submission of this application expressly authorizes the City of Strongsville to contact any agency to confirm the statements contained herein. The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct, and is subject to all penalties for falsification provided under law.

  
\_\_\_\_\_  
*Signature*  
Chief Executive Officer  
\_\_\_\_\_  
*Title*

Kelly Price  
\_\_\_\_\_  
*Printed Name*  
6/30/2017  
\_\_\_\_\_  
*Date*

Please submit completed application to:

**The City of Strongsville**  
Department of Economic Development  
16099 Foltz Parkway, Strongsville, Ohio 44149  
Attention: Brent Painter, Director of Economic Development  
(440) 580-3118  
[brent.painter@strongsville.org](mailto:brent.painter@strongsville.org)

JPMorgan Chase Bank, N.A.

|                     |               |
|---------------------|---------------|
| <b>Aug 17, 2017</b> | <b>005194</b> |
| DATE                | CHECK NO.     |



**National Automotive Experts**  
 8370 Dow Circle, Suite 100  
 Strongsville, OH 44136

25-3/440

(877) 222-1645  
 www.naenwan.com

\$500.00

Pay Five Hundred Dollars And 00 Cents

to the Order of:

**The City of Strongsville**  
 Dept Of Economic Development  
 16099 Foltz Pkwy  
 Strongsville, OH 44149



*Kaitlyn White*

⑈005194⑈ ⑆044000037⑆ 897973959⑈

| National Automotive Experts | Vendor                   | Vendor ID      | Payment Number | Date       | Check Number |
|-----------------------------|--------------------------|----------------|----------------|------------|--------------|
|                             | The City of Strongsville | STRONGSVILLE C | 0000021530     | 08/17/2017 | 005194       |

| Invoice Number  | Date       | Description               | Paid Amount |
|-----------------|------------|---------------------------|-------------|
| APPLICATION FEE | 08/15/2017 | Job/Payroll Grant Program | \$500.00    |

**TOTALS:** \$500.00

| National Automotive Experts | Vendor                   | Vendor ID      | Payment Number | Date       | Check Number |
|-----------------------------|--------------------------|----------------|----------------|------------|--------------|
|                             | The City of Strongsville | STRONGSVILLE C | 0000021530     | 08/17/2017 | 005194       |

| Invoice Number  | Date       | Description               | Amount   | Discount | Paid Amount |
|-----------------|------------|---------------------------|----------|----------|-------------|
| APPLICATION FEE | 08/15/2017 | Job/Payroll Grant Program | \$500.00 | \$0.00   | \$500.00    |

**TOTALS:** \$500.00      \$0.00      \$500.00

Security features included. Details on back.



---

## JOB/PAYROLL CREATION INCENTIVE GRANT PROGRAM

---

The City of Strongsville has established a Job/Payroll Creation Incentive Program that offers incentives to eligible businesses that are creating new, full-time jobs generating new payroll. The City will offer an eligible company an annual grant payment based on a percentage of the annual payroll withholding taxes generated by jobs that are new to the City of Strongsville.

### **Program Parameters/Requirements:**

- The program will be structured as an incentive grant based upon the creation of new full-time jobs and payroll.
- Strongsville's payroll withholding tax is 2%. Grants are based upon a percentage of the payroll tax withheld for new jobs created as a result of an approved project (See Grant Guidelines below). Grants will be awarded using non-tax revenues.
- Each grant application must be approved by City Council and the Mayor through a specific grant agreement, prior to the applicant company undertaking the project.
- The program will be available to businesses committing to a re-location/expansion into Strongsville or existing Strongsville businesses committing to an increase of jobs and payroll in the City.
- In order to be eligible, a company locating a new business in Strongsville must create a minimum of thirty (30) new full-time jobs within a 3-year period generating a minimum new annual payroll of \$6,000,000 to the City of Strongsville and as indicated in their application.
- A company already located in Strongsville and expanding at its current facility, or expanding at a new facility within the City, must create within a 3-year period thirty (30) new full-time jobs generating a minimum annual payroll of \$6,000,000 new to the City of Strongsville, while maintaining its current employee payroll.
- All applicants must meet the minimum required number of additional new full-time jobs and new annual payroll to new or existing Strongsville businesses to be eligible, and as measured against current jobs and current payroll at time of application.
- No grant funds will be awarded until required and agreed upon minimum thresholds are met for both new full-time jobs and new annual payroll as set forth in the specific Job/Payroll Creation Grant Agreement with the City, and consistent with the above parameters. The term of the grant starts only once designated targets are met. Such targets must be maintained for each year in order to be eligible to receive the grant for that particular year.
- Independent contractor positions do not qualify as full-time jobs.
- The following categories are not eligible altogether under the Program: Retail and food service businesses; public utilities; state, federal or local governmental units, agencies or entities.





**Grant Guidelines:**

The maximum grant will be for eight (8) years\* and 30%. All grants will be based on actual new jobs and payroll according to the following schedule:

| Minimum New Full-Time Jobs Created | New Annual Payroll              | Length of Grant | Award Rate |
|------------------------------------|---------------------------------|-----------------|------------|
| N/A                                | Less than \$6 million           | N/A             | N/A        |
| 30                                 | \$6 million to \$9.99 million   | 3 years         | 25%        |
| 50                                 | \$10 million to \$11.99 million | 3 years         | 30%        |
| 70                                 | \$12 million to \$13.99 million | 4 years         | 30%        |
| 90                                 | \$14 million to \$15.99 million | 5 years         | 30%        |
| 110                                | \$16 million to \$17.99 million | 6 years         | 30%        |
| 130                                | \$18 million to \$19.99 million | 7 years         | 30%        |
| 150                                | \$20 million or above           | 8 years         | 30%        |

\*Notwithstanding the technical parameters of the grant guidelines, an applicant may be eligible for a grant with a term not to exceed ten (10) years at a 30% award rate at the City's sole discretion only if both of the following circumstances are established: (a) The project must create at least a 75% increase over the grant guideline threshold for new annual payroll of \$20 million (i.e. \$35 million) and/or new jobs requirement of 150 new permanent full-time jobs (i.e. at least 265 new full-time jobs); and (b) is identified by the City of Strongsville as having additional extraordinary circumstances associated with the project.

- For companies already located in Strongsville, only new jobs and payroll shall be used to determine the number of years and the award percentage of the grant. The company will be required to maintain the workforce level and payroll that are current when the grant application is filed.
- If the company is leasing space, the number of years of the grant may be limited so as not to exceed the current lease term.
- If a company has multiple locations in the City and total new employment and new payroll requirements are met at any combination of locations within the City, then the company will qualify for the grant payments.
- City Council will have the discretion to customize allowable time frames for each grant agreement when unusual circumstances may warrant, so long as consistent with the parameters and intent of this Program.
- Only new payroll attributable to new employees and paid after the effective date of the application will be eligible for purposes of calculating the amount of the grants awarded.



---

### **Application Procedures:**

Application forms will be available from the Economic Development Department. A non-refundable application fee of \$500.00 in the form of a check payable to the City of Strongsville shall be submitted with the application to cover administrative costs.

### **Program Funding:**

Funding for the grant program will be charged and paid from non-tax generated revenues, including but not limited to, interest income, permit fees, service charges, activity fees, and tax incentive application and monitoring fees.

### **Claw Back Provision:**

Each grant agreement will include a binding claw back provision requiring, at the option of the City, repayment of grant monies if the company leaves the City during the term of the agreement.

### **Annual Reporting:**

- Upon the City's request and on forms provided by the City, companies must submit an annual Job/Payroll Creation Grant report documenting new employment and payroll, and providing whatever additional information is requested by the Director of Finance. This report will be required annually during each year that a grant is being awarded.
- The annual performance reports will be reviewed by the Director of Economic Development and the Finance Director. An annual summary report of all grants activity will be prepared by the Director of Economic Development and transmitted to the Mayor and City Council.

### **Termination of Agreement:**

- If the project does not proceed as specified in the agreement, or the company leaves the City during the term of agreement, then Council may rescind the agreement upon recommendation of the Administration.

*October 21, 2013*



CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 163

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR STATE OF OHIO ISSUE 1 FUNDING FOR IMPROVEMENTS TO THE SR 237 (PROSPECT ROAD) AND ALBION ROAD INTERSECTION, IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.**

WHEREAS, this Council is desirous of making application for State of Ohio Issue 1 funding, including both a grant and loan (at zero percent interest), for improvements to Prospect Road and Albion Road in connection with the SR 237 (Prospect Road) and Albion Road Intersection Improvements Project, consisting of widening and full reconstruction of the existing two-lane roadway for the addition of dedicated EB and WB left turn lanes and dedicated NB right turn lane on Albion Road, extension of the NB and SB left turn lanes and dedicated EB right turn lane on Prospect Road, with a total overall estimated cost of \$3,197,466.00.

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

**Section 1.** That the Mayor and City Engineer be and are hereby authorized and directed to prepare and submit an application to the Ohio Public Works Commission for some \$2,400,000.00 in Issue 1 funding, including both a grant and loan, for improvements to Prospect Road and Albion Road in connection with the SR 237 (Prospect Road) and Albion Road Intersection Improvements Project; and to execute all documents and do all things necessary in furtherance thereof.

**Section 2.** That, if such application is approved, it is the intent of this Council to pay for the City's portion of the costs in connection with such project, estimated to be some \$797,466.00, from the General Capital Improvement Fund, Prospect/Albion TIF Fund, and such other local and/or state funds which may become available for such project.

**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 immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the preparation and submission of the application is immediately necessary in order to meet the application deadline date, to provide for improved traffic flow and level of service, improved safety, and safe roads within the municipality, 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.

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2017 - 163  
Page 2

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-163 Amended: \_\_\_\_\_  
1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 164

By: Mayor Perciak and Mr. DeMio

**AN ORDINANCE APPROVING AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO BUREAU OF WORKERS' COMPENSATION UNDER THE FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS GRANT PROGRAM FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT; AUTHORIZING ACCEPTANCE OF FUNDS, AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Bureau of Workers' Compensation uses the Firefighter Exposure to Environmental Elements Grant (FEEEG) Program to partner with Ohio employers to minimize exposure to dangerous environmental elements; and

WHEREAS, the program is available to eligible Ohio employers who wish to purchase personal protective equipment for their firefighters for protection against exposure to environmental elements; and

WHEREAS, eligible Ohio firefighter employers may apply for and receive up to \$15,000.00, with a 5 to 1 match required from the City; and

WHEREAS, the City, through its Fire Department, is requesting authorization to apply for any available funding for the purchase of hoods with barrier protection and washable gloves; and

WHEREAS, when the City is advised that its application for funding under the Grant program is approved, the City is desirous of accepting such award.

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

**Section 1.** That this Council hereby authorizes the Mayor and/or Fire Chief to execute and file an application for financial assistance with the Ohio Bureau of Workers' Compensation under the Firefighter Exposure to Environmental Elements Grant Program for the purchase of personal protective equipment, being hoods with barrier protection and washable gloves, for the Strongsville Fire Department, as more fully set forth in the application on file in the office of the Fire Chief; and further authorizes the Mayor, Director of Finance, Fire Chief, and/or their authorized representatives to provide, execute and deliver whatever certifications, assurances and such other information as may be required in connection therewith.

**Section 2.** That this Council hereby approves the acceptance of any award of funding under such Grant program, and hereby authorizes the Mayor, Director of Finance, Fire Chief, and other appropriate officers of the City to do all things necessary in furtherance thereof.

**Section 3.** That any advance of funds under this Ordinance and/or the City's portion of costs to meet its obligations under said grant shall be paid from the Fire Levy Fund.

**CITY OF STRONGSVILLE, OHIO**  
**ORDINANCE NO. 2017 - 164**  
**Page 2**

**Section 4.** 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 5.** That this Ordinance 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 it is immediately necessary to timely file such application in order for the City to participate in such grant funding to continue to provide for the protection of the City's firefighters, to accept such funds when awarded, 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.

\_\_\_\_\_  
 President of Council

Approved: \_\_\_\_\_  
 Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
 Clerk of Council

ORD. No. 2017-164 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 – 165

By: Mayor Perciak and All Members of Council

**A RESOLUTION APPROVING THE ADOPTION OF THE  
CUYAHOGA COUNTY 2017 THROUGH 2022 ALL-  
HAZARDS MITIGATION PLAN.**

WHEREAS, hazard mitigation is defined as any sustainable action taken to reduce or eliminate damage from future disaster; and

WHEREAS, the City of Strongsville is vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship and threats to public health and safety; and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks and vulnerabilities; and

WHEREAS, the City of Strongsville acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds; and

WHEREAS, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan has been developed by the Cuyahoga County Office of Emergency Management in cooperation with other county departments, and officials and citizens of the City of Strongsville; and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan; and

WHEREAS, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its municipal governments; and

WHEREAS, the City's Fire Chief, having reviewed and recommended adoption of the "Cuyahoga County 2017-2022 All-Hazards Mitigation Plan," this Council finds it acceptable.

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

**Section 1.** That based upon the recommendation of the City's Chief of Fire, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Strongsville, a copy of which is on file in the office of the Fire Chief.

**Section 2.** That the respective officials and agencies identified in the implementation strategy of the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan are hereby directed to implement the recommended activities assigned to them.



CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 - 165

Page 2

**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 actions were in meetings open to the public, in compliance with all legal requirements.

**Section 4.** That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

*RES*  
 -ORD. No. 2017-165 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 - 166

By: Mr. Southworth

**AN ORDINANCE AUTHORIZING THE DISPOSAL OF VARIOUS ITEMS AND EQUIPMENT UTILIZED BY THE RECREATION DEPARTMENT AND NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council finds that the City of Strongsville Recreation & Senior Services Department has various items and equipment which are in poor condition and unsafe for further use, and which are surplus, have no monetary value and are no longer needed for any municipal purpose; and further finds that it would be in the best interest of the City to dispose of such items and equipment. Said items and equipment are more fully set forth in Exhibit A attached hereto and incorporated herein by reference.

**Section 2.** That, pursuant to Article IV, §3(e) of the City Charter, the Director of Finance, with the assistance of the Director of Recreation & Senior Services, be and are hereby authorized to dispose of the items and equipment which are identified in Exhibit A, and to perform all acts required in furtherance thereof.

**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 shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

ORD. No. 2017-166 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_

Recreation department items to dispose of

1. (1) 48" round table
2. (2) 6' tables
3. (27) 5' tables
4. (1) 10' table
5. (21) square tables
6. 42 blue conference chairs
7. 9 pre-school chairs
8. Miscellaneous toys from the tot room
9. 1 portable projection screen
10. 1 scale
11. (9) motors for pool pumps – no serial/model numbers
12. Pool Pump – model A80
13. Pool Pump – model G141098
14. Pool Pump – 1CA066
15. Pool Pump – 1CA067
16. Pool Pump – 1CA068

**EXHIBIT A**

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2017 - 167

By: Mr. Carbone

**A RESOLUTION GRANTING PERMISSION TO REPURCHASE CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY. [Lewis]**

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

**Section 1.** That pursuant to Codified Ordinance Section 1060.09, this Council hereby authorizes the repurchase of a certificate for burial rights in the Strongsville Municipal Cemetery for Grave I, in Lot No. 51 of Section F, from Ralph E. Lewis, by the City of Strongsville at the same price that was originally paid therefor.

**Section 2.** That the funds for the repurchase of said certificate have been appropriated and shall be paid from the General Fund.

**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 the 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 shall take effect and be in force from and after the earliest period allowed by law.

\_\_\_\_\_  
President of Council  
Approved: \_\_\_\_\_  
Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

|            | <u>Yea</u> | <u>Nay</u> |
|------------|------------|------------|
| Carbone    | _____      | _____      |
| Daymut     | _____      | _____      |
| DeMio      | _____      | _____      |
| Dooner     | _____      | _____      |
| Schonhut   | _____      | _____      |
| Short      | _____      | _____      |
| Southworth | _____      | _____      |

Attest: \_\_\_\_\_  
Clerk of Council

RES  
ORD. No. 2017-167 Amended: \_\_\_\_\_  
 1st Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 2nd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 3rd Rdg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: \_\_\_\_\_