

SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON DECEMBER 15, 2014.

The Council of the City of Strongsville met in the Caucus Room at the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road, on ***Monday, December 15, 2014 at 7:30 p.m.***

Present: Council Members: James E. Carbone, Michael J. Daymut, Joseph C. DeMio, Matthew A. Schonhut, J. Scott Maloney, Kenneth M. Dooner and Duke Southworth. Also Present: Assistant Clerk of Council Tiffany Mekeel. Administration: Mayor Thomas P. Perciak, Assistant Law Director Daniel J. Kolick, Finance Director Joseph Dubovec, Economic Development Director Brent Painter, Service Director Joseph M. Walker, Communications and Technology Director John Bedford, Building Commissioner Tony Biondillo, City Engineer Ken Mikula, Human Resource Director Steve Kilo, Public Safety Director Charles Goss, Police Chief James Kobak and Fire Chief Jeff Branic.

Council President Daymut called the caucus to order at 7:31 p.m.

The following Council Committees met to review legislation on the agenda:

Planning, Zoning and Engineering: Mr. Maloney advised that there are seven pieces of legislation. First is Ordinance No. 2014-229. Amending our zoning for vacant real estate located near Westwood Drive and Olympus Way, tied to the development that is going on over there near the school. It was on first reading and referred to Planning Commission and got favorable recommendation at the Planning Commission's December 4, 2014 meeting. This will be placed on second reading and there will be a public hearing on Tuesday, January 20, 2015. Mr. Southworth asked if there needs to be a vote at the January 20, 2015. Mr. Daymut advised that according to the time sequence; in order to make the ballot for May, February 4, 2015 is the deadline. We are going to have to consider it that evening and we will vote; whatever way we are going to vote. If it is affirmative and we chose to put it on the ballot, we are going to have to have our Clerks drive it down to the Board of Elections to make sure that it meets the deadline. Mr. Southworth stated for the record that he most likely will not be in attendance at the January 20, 2015 meeting and already down one vote. Mr. Kolick advised it would need four votes to pass. Planning Commission gave a favorable recommendation. It would need five votes to turn over the Planning Commission's decision if it received an unfavorable recommendation. Ordinance No. 2014-238 is to waive certain retainage payment requirements tied to the Pearl Road widening project and all the work that Fabrizi Trucking and Paving Co., Inc. completed months ahead of schedule. Fabrizi asked for the release of 50% of the money while they continue working their way through a punch list to finish up the project. It was reviewed by the City and by a third party to make sure it was acceptable. The amount is \$359,963.21. Mayor Perciak advised this is the same procedure we followed with Phase 1. We will hold back 10% of their monies. Mr. DeMio asked what 10% is. Mr. Mikula stated it is \$705,000.00. Suspension and adoption was recommended for that ordinance. Suspension and adoption was recommended for Ordinance No. 2014-239; an ordinance authorizing and directing the Mayor to approve a change order with Konstruction King, Inc. for the Pavement Reconstruction Program for 2014-Phase II. The increase cost will be \$29,938.19 for a new total of \$7,486,761.00. Ordinance No. 2014-240 is authorizing the Mayor to accept a grant of easement from Edgebrook, LLC for the installation and maintenance of a water main for water circulation purposes in connection with Edgebrook Subdivision Phase 2. Suspension and adoption was recommended for that ordinance. Suspension and adoption was recommended for Ordinance No. 2014-241. This is an ordinance accepting for dedication to public use certain lands located within Avery Walden Reserve Subdivision, Phase 3. Suspension and adoption was recommended for Ordinance No. 2014-242 and Ordinance No. 2014-243. These ordinances are authorizing the Mayor to enter into an agreement to accept an easement for construction, reconstruction, maintenance, operation and repair of a sanitary sewer with intent to vacate an existing easement in connection with property located off Howe Road (PPN: 396-25-003, 399-04-004 and 399-04-009). This is related to the new senior living facility.

Planning, Zoning and Engineering (cont'd): This was discussed at the November 7, 2014 Planning Commission meeting and received favorable recommendation.

Finance Committee: Mr. Dooner recommended suspension and adoption for Ordinance No. 2014-244; an ordinance making appropriations for the annual expenses and other expenditures for the year 2015.

Public Safety and Health Committee: Mr. DeMio recommended suspension and adoption for Ordinance No. 2014-245; an ordinance authorizing the sale by internet auction of certain obsolete property no longer needed for any municipal purpose by the City's Fire Department. Suspension and adoption was also recommended for Ordinance No. 2104-246. This is an ordinance ratifying and authorizing the Mayor's application for FY2014 Assistance to Firefighters Grant Program for the purchase of fire equipment. The purchase amount is \$174,208.00. The total grant amount awarded to the City is \$158,371.00.

Recreation and Community Services Committee: Mr. Southworth recommended suspension and adoption for Ordinance No. 2014-247, an ordinance amending section 2 of Ordinance No. 2014-024 to increase the appropriated contract amount and amend the contract with Adler Team Sports. The increase is \$438.03 for a new total of \$32,029.58.

Public Service and Conservation Committee: Mr. Carbone recommended suspension and adoption for Resolution No. 2014-248 and Resolution No. 2014-249. These resolutions are authorizing the Mayor to advertise for bids for sweeping of the streets and for heating, ventilating and air conditioning and plumbing maintenance general services for certain municipal building. Resolution No. 2014-250 pertains to the transfer of certificates for burial rights in the Strongsville Municipal Cemetery. Suspension and adoption was recommended for that resolution.

Economic Development Committee: Mr. Daymut recommended suspension and adoption for Ordinance No. 2014-251; an ordinance concerning job/payroll creation incentive grant for Vita-Mix Corporation. Vita-Mix is restructuring and they are forming two new corporations January 1st. To have this incentive grant in place, Council needs to approve the amendment to Ordinance No. 2013-270. Mr. Daymut announced there will be no committee meeting in the month of December.

Committee of the Whole: Mr. Daymut stated the City received a liquor permit transfer, Class D for a TREX and requested that Mr. Kolick explain a little on what this program is that the State has passed and then discuss the location. Mr. Kolick stated this is the first one we have seen in our City. A year ago the State legislator amended the law to...right now you are allowed so many permits. One D permit for every 2,000 residents within the City and that is throughout State. About a year ago, the State legislator amended the law to allow individuals with the approval of legislative authority of the City, to move a permit from another City to our City. This is what the applicant is asking to do. Move a Class D permit from Warren, Ohio over to our City-setup for the legislator for economic development purposes. Understand once they move it here, it is here. They can transfer it to another area in the City. It means you have added one more permit than you normally would have given our population here in the City. All you would be doing tonight is voting to allow them to move it. They would have to come back a second time with the actual applicant and we would do the same check that we do for any other permit; moving it around intercity, we would be doing the same thing. The applicant would have a criminal background check; look at the building issue(s), if any, etc. The first question is do we even want to allow another one in here at this point. Mr. Dooner asked the exact location of the permit. Mr. Kolick stated that it is located in the shopping center behind Taco Bell where Boston Market is. Mayor Perciak added that it is near the Hertz location. Mr. Dooner asked if it was going into another bar that is already there. Mr. Kolick stated that there was a bar there previously. Mayor Perciak requested Mr. Painter to explain more about the location.

Committee of the Whole (cont'd): Mr. Painter stated that it is going into a location where there was a previous bar. Mr. Dooner asked what happened to that liquor permit. Mr. Kolick stated that it is still listed there; but most likely moved it to safe keeping or sold it to another area. Mr. Dooner asked if we know what the applicant wants to do. Mr. Kolick stated the applicant wants to open a bar. Mr. Daymut stated that he has some concern. The application is not very informative. It is the minimum of just an address and a LLC. We have no information whatsoever on this applicant. Mayor Perciak stated that is true and you will not, not until they actually complete an application. If you have a license there already, I would recommend that you go ahead and allow them to move that. That does not mean that we are going to approve them, once we put them through our process. If you already have something there, it is pretty difficult to deny what is already there. It is my understanding that the people who currently own that one are taking the license with them. The people that are buying the business have to find a license. Mr. Daymut stated it is a concern. There are other business partners here in town that we have had to accommodate, who have been very good partners. They have expanded their businesses and moved to different locations. We are getting someone outside the community that is not part of our infrastructure at the moment. Mayor Perciak stated that the license is coming from another community, but the person is here in the community who wants to open a business. The applicant will be here tonight at Council. Mr. Kolick stated the applicant may be speaking during the public participation portion of Council. Mr. DeMio asked when a decision needed to be made. Mr. Kolick stated this evening at Council. Mr. DeMio asked why. Mr. Kolick stated they are getting a permit in safe keeping down in Warren and you can only hold it in safe keeping for a year. They have already exceeded their year. The State only agreed to keep it open so that you can act on it tonight. Mr. Dooner asked if they have an operating business that they are using this liquor license in and are transferring it. Mr. Kolick stated they are certainly not in our community where they have something outside...they will be talking tonight. You can get answer from them. Mr. DeMio stated what concerns him is the one sentence says, section A-stated to be completed by the applicant. Section A is for you, the applicant I would assume, to provide information to the local legislative authority, City, Village, Township in which this Economic Development Project (TRES) will be located. There is nothing below it. I agree with Mr. Daymut, it does not say shall do it, but pretty much tells them to do it. I am a guy who loves to have different places come to town and do different things. It concerns me that it is not completely filled out. Mr. Kolick stated that the City did ask the applicant to give us more information and they did not. Mr. Carbone stated this is extending the number of permits that we will have in the City. If this is allowed how do we...does it open the flood gates? How do we say yes, if we say yes and other people...there is more value here in our town then probably a lot of other communities. Do we have a leg to stand on to say no? Mr. Kolick stated you do. These are not considered set; but this is not something were you are discriminating by permitting it. You are allowing one more than the law allows us. It does not mean you have to approve every one either. Mr. Daymut asked what the economic benefit? Mayor Perciak stated that it allows them to move it. It does not mean that you, as a Council group, after the police do their investigations, are going to approve it. Mr. Schonhut asked if this will come before Council again. Mr. Daymut asked what the economics? Mr. Dooner stated the applicant wants to open up a bar here. Mr. DeMio added the applicant will pay taxes, if they have one employee or...they are going to have one employee, so there is the economic impact. The applicant does not provide an amount on the application which is a little bewildering. Not that would be...how to you assume. Mr. Schonhut clarified that this is voting on if we want to allow it or not. Not the people...we are going to have another opportunity at that again. Do we want this to happen or not? Irrelative of who they are. Or what they are doing. Mr. Carbone added that once we allow it and they are clear of everything and the Police Department okay's this...Mr. DeMio asked if the Lost and Found bar, which is the location that they are planning on, decided not to lease there. Can they go anywhere in the City then? Mr. Kolick stated if we allow the transfer, yes. Mr. DeMio stated they can attempt to. Mr. Kolick stated they can attempt and we will follow the...things we always do when there is an oversaturation. As Mayor Perciak stated, you can judge the individual but the permit will be here.

Committee of the Whole (cont'd): Mr. Daymut asked if...so we are...I understand the process here, this is just for the Councilmen, we have the reality-if the applicant decides to locate here, they are holding the permit, I am assuming they have already been checked out by the Police Department. Mr. Kolick stated no-they just have the rights to buy the permit from someone in Warren, Ohio. Mr. DeMio asked do they not own the liquor permit, right now in Warren. Mr. Kolick stated he is not sure what they have with that, but they do not have any rights to transfer here without Council's approval. I do not know if they have been checked out by anyone in Warren or not. Mr. DeMio requested that Council to listen to the applicant and possibly take a two minute recess; it is already at the end of the meeting. As a whole see what we think. Talk about it and then go back out. Mr. Daymut added, we could get some more information, I agree. Mr. DeMio stated just in case. Are they out there right now? I did not see anybody, but there is a gentleman by the Police Department. Mr. Kolick stated that the applicant did say they were coming this evening to speak during public participation. Mr. Dooner asked if Council would be able to ask the applicant questions. Mr. Daymut stated that he knows of several permits being held here in town in safe keeping. It is not like we are without permits here in town that you would be able to have a facility here. We are not 100% without. Mr. DeMio stated it is probably less expense in Warren to purchase then it is here, right now. Mr. Dooner asked if the people that own Sandra K. Enterprizes, if they live here in Strongsville. Mr. Kolick stated he does not know and that is something that we can find out this evening. Mr. Schonhut asked if there are any questions that Council would be over stepping our boundaries; that we can or cannot ask them. Mr. Kolick advised that if there was any he would bring it to their attention.

Mr. Kolick advised that the Republic trash pickup and transfer station ordinance that was passed, their contract time is up. We have another year that we are under contract with them until the end of 2015. The contract provided that we would have the ability to negotiate one more additional five year opinion. In order to do that the contract provided that it needed to be completed by December 31, 2014. We have not been able to get with them to complete that. They have asked that we extend the time to negotiate another five year opinion to March 31, 2015 instead of the January 1, 2015 date that we have. We are going to ask for Council's consideration by motion during my report to extend that time period to give us some time to talk with them to see if we want to extend that contract with them or not. Mr. Schonhut asked if it was for pickup or just the transfer station. Mr. Kolick stated it was for both-pickup and the transfer station. I will give the motion on the floor. We would like to get that extended so we talk with them and see if we are going to renew with them.

MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON DECEMBER 15, 2014 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.

CALL TO ORDER:

Council President Daymut called the meeting to order at 8:00 p.m. All joined in the Pledge of Allegiance to the Flag.

CERTIFICATION OF POSTING:

The Clerk of Council certified that the meeting had been posted in accordance with Ordinance No. 2004-273.

ROLL CALL:

Present: Council Members: Matthew A. Schonhut, Joseph C. DeMio, Duke Southworth, Michael J. Daymut, J. Scott Maloney, Kenneth M. Dooner and James E. Carbone. Also Present: Assistant Clerk of Council Tiffany Mekeel. **Administration:** Mayor Thomas P. Perciak, Assistant Law Director Daniel J. Kolick, Finance Director Joseph Dubovec, Economic Development Director Brent Painter, Service Director Joseph M. Walker, Communications and Technology Director John Bedford, Building Commissioner Tony Biondillo, City Engineer Ken Mikula, Human Resource Director Steve Kilo, Public Safety Director Charles Goss, Police Chief James Kobak, and Fire Chief Jeff Branic.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on December 1, 2014 were approved as submitted.

APPOINTMENTS AND CONFIRMATIONS:

(None)

REPORTS OF COUNCIL COMMITTEES:

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth: Thank you Mr. Daymut; I have not had a trustee meeting since our last meeting and the January meeting has not happened. It will be a whole month before I have a Southwest update. Once I do, I will be happy to provide it; probably in the first week in February. If there are any questions, I'd be happy to field them.

Mr. Daymut – Thank you Mr. Southworth, any questions for Mr. Southworth this evening?

(None)

SCHOOL BOARD – Mr. Carbone: Yes thank you Mr. Daymut, at the last school board meeting it was a light agenda. They did talk about how all fees must be paid before December 18, 2014, which is coming up this week. If not all online grades will be terminated on January 5, 2015. Make sure you get those fees in there. One of the board members, Duke Evans, had a list of things that the board had accomplished. I will name a couple. They improved and implemented full day kindergarten. They selected and appointed a replacement school board member. They improved boys and girls Lacrosse. Food service study turned out to be quite beneficial. Went in about the bond issue, a saving, renovation savings and they did add, because there is a \$1.8 million savings, at just the high school. There are extra projects that they are going to be able to do-to be able to fit in within budget. More importantly, significantly improved the districts Ohio State Report cards from F to A. Obviously that was not just the board but our parents, our teachers, our administration. All in all it was a great year. The great thing, I think, all the moving pieces with our school system is heading in the right direction. I am pleased to be able to announce that.

Mr. Daymut – Thank you Mr. Carbone, any questions for Mr. Carbone this evening?

(None)

BUILDING AND UTILITIES – Mr. Schonhut:

See Communications and Technology Below

REPORTS OF COUNCIL COMMITTEES (cont'd):

COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut: Thank you Mr. Daymut, Building and Utilities as well as Communications and Technology do not have any items on the agenda tonight, but I will happily take any questions for either committee.

Mr. Daymut – Thank you Mr. Schonhut, any questions for Mr. Schonhut concerning Building and Utilities or Communications and Technology?

(None)

ECONOMIC DEVELOPMENT – Mr. Daymut: We do have Ordinance No. 2014-251 on this evening's agenda. This has to do with Vita-Mix Corporation and the job/payroll creation incentive grant. They are changing the name of the company as of January 1, 2015. It will be Vita-Mix Manufacturing Corporation and Vita-Mix...

Mr. Painter – Management. Vita-Mix Management.

Mr. Daymut – Vita-Mix Manufacturing and Management Corporation. It did receive favorable recommendation this evening. There will be no meeting in the month of December. We do recess for December. That's all I have under Economic Development, any questions for myself?

(None)

FINANCE – Mr. Dooner: Thank you Mr. Daymut, We have Ordinance No. 2014-244. This is our monthly ordinance making appropriations for annual expenses and other expenditures for the City of Strongsville. Recommendation is to suspend and adopt.

Mr. Daymut – Thank you Mr. Dooner, any questions for Mr. Dooner this evening?

(None)

PLANNING, ZONING AND ENGINEERING – Mr. Maloney: Thank you Mr. Daymut, we have several items this evening appearing before Council. The first ordinance is Ordinance No. 2014-229. This is to amend the zoning map related to parcels that are associated with the school district's middle school construction project off of Westwood Drive and Olympus Way. This has been through first reading and referred to Planning Commission. It received a favorable recommendation from the Planning Commission on December 4, 2014. We now need to place it on second reading and schedule a public hearing for January 20, 2015. As we discussed in caucus, this is understandably on a very tight schedule in order for them to ultimately make their February 4, 2015 deadline to get this information to the Board of Elections to make the May ballot-keep it moving and the next step will be the public hearing. Ordinance No. 2014-238 is to waive application of certain retainage payment requirements related to the Pearl Road Widening Project Phase II. Ultimately, largely completed months ahead of schedule, Fabrizi Trucking and Paving Co., Inc. has come forward and asked if we would free up some of those funds that have been on retainage. The recommendation is to release half of those in the amount of \$359,963.21. The recommendation is to suspend and adopt on that. Ordinance No. 2014-239 is to authorize and direct the Mayor to issue and approve Change Order No. 1 (Final) for an increase in the contract price with Konstruktion King, Inc. This is related to the Pavement Reconstruction Program for 2014-Phase II. It is a small increase of \$29,938.19 for a new total of \$1,086,499.69. We learned in caucus that all the work has been completed and we have a number of streets that have been taken care. The recommendation is to suspend and adopt on that item.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PLANNING, ZONING AND ENGINEERING – Mr. Maloney (cont'd): Ordinance No. 2014-240 to authorize the Mayor to accept a grant of easement from Edgebrook LLC. This is for the installation of a water main tied to their Edgebrook Subdivision Phase 2. The recommendation is to suspend and adopt on this item. Ordinance No. 2014-241 is to accept for dedication to public use certain land within Avery Walden Reserve Subdivision, Phase 3. These come through as a regular course of business. The recommendation is to suspend and adopt on this item. Ordinance No. 2014-242 is to authorize the Mayor to enter into an agreement to accept an easement for the construction of sanitary sewer and to vacate an existing easement. Both this ordinance and the next, Ordinance No. 2014-243 are tied to a project. They have to move a sanitary sewer line for the senior housing project over on Howe Road, across from the mall. The plans were reviewed by Planning Commission on the November 7, 2014 meeting. The recommendation is to suspend and adopt on both Ordinance No. 2014-242 and Ordinance No. 2014-243 so the project can continue to move forward. That concludes my report, I'll be happy to take any questions.

Mr. Daymut – Thank you Mr. Maloney, any questions for Mr. Maloney this evening?

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you Mr. Daymut, we have two ordinances on the agenda tonight. Ordinance No. 2014-245 and Ordinance No. 2014-246. Ordinance No. 2014-245 is selling some obsolete property that the City owes and it is no longer need. Ordinance No. 2014-246 is a grant program for the purchase of firefighter personal protective equipment. Total project amount is \$174,208.00. \$158,371.00 is the grant portion. The City's 10% share is \$17,420.00. Once again, as I tease the Mayor, it is part of the rollups of all the grants and extra money we get that does not come from general income tax. This is a broad, large plan that is continuing to go forward in Strongsville for safety forces. Tip the hat again to your administration, Mayor and whoever wrote the grant. It is pretty awesome, the amount of money. It really is. Working downtown, close to the administration building, I know for sure that it is difficult to get money in the volume that you have gotten over the years. With that said Mr. Daymut, I have nothing more through public safety, unless one of our colleagues would like to ask questions or make a statement.

Mr. Daymut – Thank you Mr. DeMio, are there any questions for Mr. DeMio this evening?

(None)

PUBLIC SERVICE AND CONSERVATION – Mr. Carbone: Yes Mr. Daymut, first I'd like to make a motion.

*****Motion was made by Mr. Carbone, seconded by Mr. DeMio to ratify, approve and note the burial of Stanley Hamm in Section F, Lot #27, Grave E based on the owner's expressed designation of wishes stated prior to her passing for interments in the Strongsville Municipal Cemetery. All members present voted aye and the motion carried. *****

Mr. Carbone – I also have three resolutions this evening. The first two resolutions, Resolution No. 2014-248 and Resolution No. 2014-249 authorize the Mayor to advertise for bids. Resolution No. 2014-248 for sweeping of our streets and Resolution No. 2014-249 for heating, ventilating and air conditioning and plumbing maintenance general services in our municipal buildings. Both recommendations are to suspend and adopt. Lastly, Resolution No. 2014-250 is granting permission to transfer certain certificates for burial rights in the Strongsville municipal cemetery. The recommendation is to suspend and adopt. That ends my resolutions.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION – Mr. Carbone (cont'd):

Mr. Daymut – Thank you Mr. Carbone, any questions for Mr. Carbone this evening?

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Southworth: Thank you Mr. Daymut, we have one ordinance on this evening's agenda. Ordinance No. 2014-247 adjusting the contract we currently have with Adler Team Sports for uniforms for basketball players and baseball players. It is just a small adjustment. We have had, thankfully, a larger turn out than expected. Kids are getting involved; staying active through the spring, winter, summer and fall. It is good to see. The recommendation is to suspend and adopt. If there are any questions, I'd be more than happy to answer them.

Mr. Daymut – Thank you Mr. Southworth. Are there any questions for Mr. Southworth this evening?

Mr. DeMio – I do...

Mr. Daymut – Yes, Mr. DeMio.

Mr. DeMio – Mr. Daymut, it is kind of Recreation related, because there is a lot of running going on. I think someone is playing a little trick here, Mr. Walker. I think Mr. Carbone and Mr. Maloney are switched over there. Their name tags.

Mr. Daymut – Oh my goodness.

Mr. DeMio – Is that a Mr. Walker joke?

Mr. Daymut – Everybody check.

Mr. Walker – No, but I will take credit.

(Laughter)

Mr. DeMio – I think it is the green shirt for the Irish (inaudible)...

Mr. Carbone – My tan is wearing off so I look more Irish.

(Inaudible)

Mr. Daymut – Would you look at the rest of them since we do not want to get up.

Mr. Walker – Who put Santa Claus (referring to Mr. Dooner)...

(Laughter)

Mr. Southworth – Dancing Santa.

Mr. Dooner – There will be coal in your stocking, don't worry.

(Laughter)

REPORTS OF COUNCIL COMMITTEES (cont'd):

RECREATION AND COMMUNITY SERVICES – Mr. Southworth (cont'd):

Mr. Carbone – I was going to do it Joe. I couldn't reach.

Mr. DeMio – I understand.

Mr. Dooner – Standing up you mean?

(Laughter)

Mr. Daymut – Thank you, Mr. DeMio.

Mr. DeMio – Our colleague, Mr. Schonhut is the sharp man that can still read.

Mr. Schonhut – I cannot take credit for that Mr. DeMio; can't take credit.

Mr. Daymut – Okay, thank you, Mr. DeMio.

COMMITTEE OF THE WHOLE – Mr. Daymut: We did discuss an application we received for a TREX liquor permit. That is all that I have under Committee of the Whole. Are there any questions for myself under Committee of the Whole?

(None)

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

Mayor Perciak: Yes, thank you Mr. President, just a very quick note to everybody listening and to everyone here this evening and at home, a very Merry Christmas to each and every one of you, to your families. A very happy, healthy, prosperous, blessed News Year. That ends my report.

Mr. Daymut – Thank you, Mayor. Are there any questions for the Mayor this evening? I do not have a question but I do have a comment. I had the privilege to attend an event we had at our Recreation Center this afternoon for Building One Ohio. It is an organization that was put together to address transportation and other infrastructure needs. Mayor Perciak was named Mayor of the Year at that particular event.

Mayor Perciak – Thank you.

Mr. Daymut – We appreciate all you do for us.

(Applause)

Mr. Daymut – I have attended a couple meetings and they all have been held here in Strongsville, where they belong. Thank you for all that you do as far as that goes. Obviously, you have been recognized by other Mayors and in the particular areas in other organizations. Many people of note were in attendance. Are there any other questions for the Mayor this evening?

(None)

**REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS
AND OTHER OFFICERS (cont'd):**

FINANCE DEPARTMENT – Mr. Dubovec: Thank you Mr. President, I will merely state that funds are available for all ordinances and resolutions on this evening's agenda requiring certification of funding. That ends my report, thank you.

Mr. Daymut – Thank you Mr. Dubovec, any questions for Mr. Dubovec this evening?

(None)

LAW DEPARTMENT – Mr. Kolick: Thank you Mr. President, a couple items. Council conditionally objected to liquor permits for Red Lobster at SouthPark and the Paddy Wagon Pub on West 130th. We have worked out all the building code issues; we have now withdrawn those objections since those have been taken care of. The second item I have is Republic Services' soil waste contract is up for renewal, starting January 1, 2016. Pursuant to section 23 of that contract, it calls for us to negotiate up to a one, one five year extension by mutual agreement by December 31, 2014. Republic Services has requested this administration an extension from Council until March 31, 2015 to reach a mutual agreement to see if we're going to extend with them. It will give us more time to negotiate that. I would request a motion.

*****Motion was made by Mr. Dooner, seconded by Mr. DeMio to approve an extension with Republic Services until March 31, 2015. To reach a mutual agreement on a contract extension for solid waste collection and the transfer station operation. All members present voted aye and the motion carried. *****

Mr. Kolick – Thank you Mr. President, just two other items. All ordinances and resolutions tonight are in proper legal form. The last item, I am pleased to report that Mr. Kraus's surgery went fine and he is progressing well and he is recovering. Thank you.

Mr. Daymut – Thank you Mr. Kolick, any questions for Mr. Kolick this evening?

Mr. DeMio – Yes. I worked with Mr. Kraus and you sir are close to...as good as Mr. Kraus. I could not do it. I will withdraw my statement.

(Laughter)

Mayor Perciak – He was BK, before Kraus and he is now AK, after Kraus. He is still here.

(Laughter)

Mr. DeMio – We have, Mayor, we have many, many fond memories of Mr. Kolick.

Mr. Daymut – Oh trust me and many late nights with Mr. Kolick. We appreciate all you did Mr. Kolick during that trying time.

Mr. DeMio – That is true.

Mr. Daymut – Especially all you do for the Planning Commission which is very near and dear to my heart.

Mr. Kolick – Thank you.

AUDIENCE PARTICIPATION:

Mr. Daymut – We've reached our portion of the agenda for audience participation. Comments from members of the audience shall be limited to five minutes. We do have a sign-in sheet. When you come to the podium, please state your name and address for the record.

Sandra Cipriani, 20765 White Bark Drive, Strongsville, OH – Sandra Cipriani, 20765 White Bark Drive, Strongsville. I am here for a transfer for a liquor license for a bar on Pearl Road in Strongsville, here. Its right behind...located right behind Taco Bell.

Mr. DeMio – Mr. Daymut, if you will allow me, maybe we can move, if it's okay with the Assistant Law Director and administration, to move it to the miscellaneous business portion since she has signed up now. We can, if it's okay with Mr. Kolick, move to change the agenda so we can hear from her, ask a couple questions and save some time, if that is okay?

Mr. Kolick – We can do that under item number twelve Mr. President, if that is the desire of Council. We can do that and run through everything else.

Mr. Daymut – Okay if we can do that; alright...

Ms. Cipriani – Okay.

Mr. DeMio – So we cannot...

Mr. Daymut – Okay Sandra, we will just delay you until the end of the agenda. When you come up for it, you can answer our questions, okay?

Ms. Cipriani – Sure, thank you.

Mr. Daymut – Thank you. Is there anybody else in the audience that would like to address Council?

(No comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2014-229 by Mr. Maloney. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF STRONGSVILLE ADOPTED BY SECTION 1250.03 OF TITLE SIX, PART TWELVE OF THE CODIFIED ORDINANCES OF STRONGSVILLE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN VACANT REAL ESTATE LOCATED NEAR WESTWOOD DRIVE AND OLYMPUS WAY (PART OF PPN 392-30-006) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO PF (PUBLIC FACILITIES) CLASSIFICATION, AND DECLARING AN EMERGENCY. First reading and referred to Planning Commission 12-01-14. Favorable recommendation by Planning Commission 12-04-14.

Placed on second reading and set for a public hearing on January 20, 2015.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2014-238 by Mr. Maloney. 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 FABRIZI TRUCKING AND PAVING CO., INC., IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT PHASE II (CUY-42-0.00); AUTHORIZING THE MAYOR, CITY ENGINEER AND DIRECTOR OF FINANCE TO RELEASE 50% OF THE CURRENT RETAINAGE, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-238 ADOPTED.

Ordinance No. 2014-239 by Mr. Maloney. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND KONSTRUCTION KING, INC., IN CONNECTION WITH THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2014-PHASE II, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-239 ADOPTED.

Ordinance No. 2014-240 by Mr. Maloney. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF EASEMENT FROM EDGEBROOK, LLC FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN FOR WATER CIRCULATION PURPOSES ONLY IN THE CITY OF STRONGSVILLE IN CONNECTION WITH EDGEBROOK SUBDIVISION PHASE 2, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-240 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2014-241 by Mr. Maloney. AN ORDINANCE ACCEPTING FOR DEDICATION TO PUBLIC USE CERTAIN LANDS WITHIN AVERY WALDEN RESERVE SUBDIVISION, PHASE 3; ACCEPTING CERTAIN PUBLIC UTILITIES CONSTRUCTED THEREIN AND AUTHORIZING AND DIRECTING THE ACTS REQUIRED IN FURTHERANCE THEREOF, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-241 ADOPTED.

Ordinance No. 2014-242 by Mayor Perciak and Mr. Maloney. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ACCEPT AN EASEMENT FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF A SANITARY SEWER WITH INTENT TO VACATE AN EXISTING EASEMENT IN CONNECTION WITH PROPERTY LOCATED OFF OF HOWE ROAD AND KNOWN AS PERMANENT PARCEL NO. 396-25-003, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-242 ADOPTED.

Ordinance No. 2014-243 by Mayor Perciak and Mr. Maloney. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE ASSIGNMENT OF AN EASEMENT FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, OPERATION AND REPAIR OF A SANITARY SEWER WITH INTENT TO VACATE IN PART AN EXISTING EASEMENT IN CONNECTION WITH PROPERTY LOCATED OFF OF HOWE ROAD AND KNOWN AS PERMANENT PARCEL NOS. 399-04-004 AND 009, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-243 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2014-244 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO FOR THE YEAR 2015.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-244 ADOPTED.

Ordinance No. 2014-245 by Mr. DeMio. AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION, OF CERTAIN OBSOLETE PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY'S FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-245 ADOPTED.

Ordinance No. 2014-246 by Mayor Perciak and Mr. DeMio. AN ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR'S APPLICATION ON BEHALF OF THE CITY OF STRONGSVILLE FOR FY2014 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FUNDS FOR THE PURCHASE OF FIREFIGHTER PERSONAL PROTECTIVE EQUIPMENT, SPECIFICALLY SELF-CONTAINED BREATHING APPARATUS, AIR CYLINDERS AND FACE PIECES, FOR USE BY THE CITY'S FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-246 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2014-247 by Mayor Perciak and Mr. Southworth. AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2014-024 TO INCREASE THE APPROPRIATED CONTRACT AMOUNT AND AMEND THE CONTRACT WITH ADLER TEAM SPORTS FOR PURCHASE OF YOUTH SPORTS WEARING APPAREL FOR USE BY THE RECREATION DEPARTMENT OF THE CITY, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-247 ADOPTED.

Resolution No. 2014-248 by Mayor Perciak and Mr. Carbone. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR SWEEPING OF STREETS WITHIN THE CITY OF STRONGSVILLE.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2014-248 ADOPTED.

Resolution No. 2014-249 by Mayor Perciak and Mr. Carbone. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR HEATING, VENTILATING AND AIR CONDITIONING AND PLUMBING MAINTENANCE GENERAL SERVICES FOR CERTAIN MUNICIPAL BUILDINGS OF THE CITY OF STRONGSVILLE.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2014-249 ADOPTED.

Resolution No. 2014-250 by Mr. Carbone. A RESOLUTION GRANTING PERMISSION TO TRANSFER CERTAIN CERTIFICATES FOR BURIAL RIGHTS IN THE STRONGSVILLE MUNICIPAL CEMETERY [Schaller/Ferry].

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Resolution No. 2014-250 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2014-251 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING ORDINANCE NO. 2013-270 IN ORDER TO ADD A RESTRUCTURED VITA-MIX CORPORATION AND TWO AFFILIATES TO THE DESIGNATION OF VITA-MIX CORPORATION IN CONNECTION WITH THE JOB/PAYROLL CREATION INCENTIVE GRANT THAT HAD BEEN AUTHORIZED, AND DECLARING AN EMERGENCY.

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

Motion to adopt by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2014-251 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

(None)

MISCELLANEOUS BUSINESS:

Mr. Daymut – Before I do read the motion and take action on it, Sandra Cipriani can we have you back up here at the mic so you can answer some of our questions. Explain a little more of what this is all about.

Ms. Cipriani – Okay, I purchased a bar and it needs to be cleaned up, remodel. It's a good bar. It doesn't have...hasn't had any problem. I think it's been around for about 30 years. That's it.

Mr. Daymut – Okay, at least, I think I am going to open it up now for questions, if that's alright.

Ms. Cipriani – Sure.

Mr. Daymut – This is the first time we have ever gone through this. This is a new program through the State. We have never been involved with. My first to you would be-we do have an application that you did submit. Section A was not filled out, whatsoever. This has to do with the economic development with the City of Strongsville. Why was this not filled out on your part?

Ms. Cipriani – I'm not sure.

Mr. DeMio – You want to show it to her?

Ms. Cipriani – I don't...I don't...I think...I don't know.

Mr. Daymut – See (refers to application), this has a section A that should be filled out and it is not filled out. It has to do with the economic development that benefits the City of Strongsville. Since we do have liquor permits here. We have some in holding. I have no idea why, and I think...were you contacted by anybody here? This is an LLC. Are you the LLC, am I correct? Are you the sole proprietor, the sole owner?

Ms. Cipriani was instructed by several council members to return to the podium and the microphone.

MISCELLANEOUS BUSINESS (cont'd):

Mr. Kolick – If you can go back to the microphone, yes please. We have to record all this.

Ms. Cipriani – Okay.

Mr. Daymut – Are you the sole proprietor of the LLC?

Ms. Cipriani – Yes.

Mr. Daymut – Is there any particular reason that you didn't fill out Section A?

Ms. Cipriani – I...you know I don't have my glasses. I don't even know...I don't know. When I made the purchase, he basically guided me on what to fill out.

Mr. Kolick – Who's he?

Ms. Cipriani – The person that I purchased the liquor license from. So...I...I don't have my glasses. I don't know...

Mr. Kolick – Alright.

Mr. Dooner – You said you purchased the bar that exists there now?

Ms. Cipriani – Yes. Yes.

Mr. Dooner – The bar had a liquor license. What happened to that liquor license?

Ms. Cipriani – No, he took it with him.

Mr. Dooner – Where did he go?

Ms. Cipriani – I don't know. He's not there anymore.

Mr. Daymut – Is the bar open or closed?

Ms. Cipriani – It's closed. It needs to be cleaned up. It needs to be remodeled. Somebody tried...he tried opening it. It was dirty. The place was a wreck. So...you know...it didn't do very well.

Mr. Dooner – You said that it was there for 30 years.

Ms. Cipriani – Yes. They haven't had problems with that bar. It's a quiet bar. That's what I am saying.

Mr. Dooner – But he didn't make a go of it, you just said.

Ms. Cipriani – He...he owned the...he didn't have it for 30 years. That was the recent owner.

Mr. Dooner – How long did the recent owner have it?

Ms. Cipriani – Not very long...I'm not exactly sure.

Mr. Dooner – A week? Two weeks? Six months? A year?

MISCELLANEOUS BUSINESS (cont'd):

Ms. Cipriani – I think...what was it...a couple months? I don't know. I don't think very long. I think a couple months. I'm not sure.

Mr. Kolick – Mr. President, I might be able to help here. We approved a transfer of that liquor permit in December, 2013. Somewhere over the last year would have been the longest they could have been running that business. I'm not sure when it closed up. That's when we approved the transfer of a permit from 13339 Pearl Road to 14395 Pearl Road. That would have been the longest he could have been in business.

Mr. DeMio – It closed, Saturday night, the day of Homecoming. That I know for a fact.

Mr. Kolick – About eight months...seven or eight months.

Mr. DeMio – He wasn't there long.

Ms. Cipriani – Yes, right. I know it just closed recently.

Mr. DeMio – Right.

Mr. Daymut – Can you fill us in on what the economic impacts going to be for the City of Strongsville?

Ms. Cipriani – Well...I just...

Mr. Daymut – To the best of my understanding...that...this transfer is predicated on economic development.

Mr. Kolick – Sandra can you tell us what type of investment you are going to put into this bar?

Ms. Cipriani – Well I have...

Mr. Kolick – What type of dollars...

Mr. Cipriani – Yes.

Mr. Kolick – Do you need to put into this bar?

Ms. Cipriani – I have \$35,000.00 invested.

Mr. Kolick – Okay. Is that just for the liquor permit or what you are going to be putting up by way of improvements into the bar itself?

Ms. Cipriani – Well...that's just for the purchase.

Mr. Kolick – Okay. How about the bar itself? I know you are saying...

Ms. Cipriani – The bar...

Mr. Kolick – It's not in good condition.

Ms. Cipriani – The bar itself, yes, it needs to be gutted, remodeled, cleaned up.

MISCELLANEOUS BUSINESS (cont'd):

Mr. Kolick – Okay. If...they are trying to get some idea. Would you tell us what it is you are going to do with it? Putting in new bar? Are you bringing in new tables? What are you going to do?

Ms. Cipriani – I mean...oh yes. Everything...everything will be brand new-everything.

Mr. Dooner – You must have an estimate on what it is going to cost to do all this.

Ms. Cipriani – Not really...not yet. I can only tell you it's going to be great.

Mr. Dooner – Okay. That's...

Ms. Cipriani – That's about it.

Mr. Dooner – Are you going to go to a bank and say this is going to be great...so...this is how I am going to get the money or what? I mean...

Ms. Cipriani – No. I just happen to have the money for it.

Mayor Perciak – Now, truly Ms. Cipriani, what I think everybody is trying to determine up here is what will the economic impact be to the City of Strongsville by you opening up this business here? Meaning, what type of sales to expect to have? How many employees do you expect?

Ms. Cipriani – Well I expect to do...

Mayor Perciak – How many employees to you plan on employing? There has to be a reason for you, of course, investing that kind of money. I think the gentlemen up here are just trying to understand...

Ms. Cipriani – Well my objective is...

Mayor Perciak – Your business plan.

Ms. Cipriani – Right. There is a bar location called Two Bucks, in Middleburg Heights, where everything you purchase is \$2.00. So...it's affordable. I'm pretty sure that would do real well here in Strongsville.

Mr. Dooner – Have you been in the Strongsville Café?

Ms. Cipriani – Yes, I have.

Mr. Dooner – That is about the same thing.

Ms. Cipriani – Well...I have a little kitchen, you know...great food. I have a great pizza I'm going to offer.

Mr. Dooner – Have you run a bar before?

Ms. Cipriani – Actually yes in Brunswick...

Mr. Dooner – You owned it or...you were a manager.

Ms. Cipriani – ...In Brunswick. I was not the owner but I ran the bar. I do have experience with it.

MISCELLANEOUS BUSINESS (cont'd):

Mr. Daymut – Alright Sandra, just so you understand this is one phase of another phase. It would have to happen before you could actually...we have to approve this to begin with before you have to come in front of us. For research...as far as the building goes and as far as the Police Department goes, there is two phases to this. This is not approving the liquor permit for that particular location. It's just approving the liquor permit for the City of Strongsville. We are at saturation. Am I saying that correctly Mr. Kolick?

Mr. Kolick – Basically you are Mr. President. There is a second phase and we would look at the applicant. They would need to give us their history. We do our normal check through our departments. We would also have to look at the premises for any possible building code violations, electrical, plumbing, as we normally do with any type of liquor permit. That would be the second phase if you would approve this first-this phase. That's correct.

Mr. Daymut – Okay is there any other questions from any Council members?

Mr. DeMio – I just want her to understand that if we approve this tonight...I don't know what we are going to do, because I am going to ask to do a brief recess. Go in back and then come back out. That does not mean that you get to have a liquor permit in the City. There is phase two...I think that's the part that confused all of us. We have done this...this Council has approved many liquor permits over the years. The first one like this ever were you are taking from Warrensville, or Warren, Ohio and bringing it here.

Ms. Cipriani – Well this is a clean liquor license.

Mr. DeMio – No, no...we don't...

Ms. Cipriani – There is not anything unclear about it. Okay.

Mr. Daymut – No. Good. Continue Joe.

Mr. DeMio – Correct. Let's say we say yes tonight. Our Building Director will go, walk with you and go through the premises and see the items that need to be updated to 2014 standards. There is a background check on you and whoever else is involved with that, I am sure you knew that already. There is a chance that it could be approved and there is no objection or it could be objected. I just want to make sure you understand...

Ms. Cipriani – Yes. This is my first time doing this so I'm trying to understand...

Mr. DeMio – First time? You know what's funny; it is our first time too on this...

Ms. Cipriani – Yes.

Mr. DeMio – On an economic impact, right now there is zero dollars coming in from there. No one is there. No one is...I happened to be at that...

Ms. Cipriani – I know a lot of people...

Mr. DeMio – Facility the night it closed.

Ms. Cipriani – Yes.

MISCELLANEOUS BUSINESS (cont'd):

Mr. DeMio – That's what was so funny that it...the Lost and Found bar, right. That's what it's called now. That is the location correct?

Ms. Cipriani – I am aware of that, yes.

Mr. DeMio – Yes.

Mr. Daymut – Okay is there any other discussion or questions for the applicant?

Motion was made by Mr. DeMio, seconded by Mr. Dooner to take a brief recess for Council purposes.

Mr. Daymut – Motion made by Mr. DeMio, second by Mr. Dooner. Call the roll.

Roll Call: All ayes. Motion carried.

Mr. Daymut – We will meet in the caucus room at 8:47 p.m. and as soon as we concluded we will return back to session.

(The Council adjourned from open session into a recess at 8:45 p.m. to discuss TREX Economic Development the transfer of Class D permit with the Assistant Law Director. All Council Members were present. Also present was Assistant Law Director Daniel J. Kolick. Motion made by Mr. DeMio and seconded by Mr. Dooner to conclude the recess and reconvene in open session. All members present votes ayes and the motion carried. The Council reconvened in open session at 8:57 p.m.)

Summary of open session recess held in caucus room:

Mr. Dooner stated obviously, she is not going through a bank. Mr. DeMio added that the family does not need to go to the bank. I just don't think we can turn this phase down. I think it's the second phase we are going to have a problem with, fixing that place up. Mr. Kolick asked do you really want to, on the other side; encourage her to go with this approved? If truly we're looking at the next phase, being denied a...I do not want to see her invest more money into this thing, if truly we are not looking at approving it a second time around. Mr. Schonhut asked if they can look at it that way, towards phase two. If phase two works out in their favor, it works out in their favor. Look at what they are bringing, according to this, zero. Mr. Kolick commented that you would think they would come in with a business plan. Mr. Schonhut added that it is not the individual; it's not whatever background might be, it is what it says here; which is nothing. Mr. Carbone asked if we want another liquor permit in the City. Mr. Schonhut commented that he doesn't mind another liquor permit, as long as I know it is successful. Mr. Southworth asked how much does a liquor permit cost. Mr. Maloney stated that the price is negotiated right, on a permit to permit basis. Mr. Kolick stated that for a D permit, anywhere \$35,000.00 - \$75,000.00, depending on how badly you want and who has it and what they are willing to sell it for. Mr. Southworth questioned if there is a limit for the City as far as how many you can take. Mr. Kolick stated that the City was at their limit and Council determines how much over the maximum number of permits you want to permit into this City. You can't do a TREX permit until you are maxed out. We are maxed out by total number permits issued to the City. You can always transfer within the City. We're maxed out as to the number the State will issue. Mr. Daymut added that there are several in the City of Strongsville that are in safe keeping and can be kept there for one year. Mr. Southworth stated he is not comfortable making the decision here this evening.

Summary of open session recess held in caucus room (cont'd):

Mr. Schonhut requested that we speak to her one more time and see if Council can get to the economic impact to the City. Mr. Maloney stated that he is not sure he will support this because as we keep adding them, we are stealing business away from the other existing establishments. Even if she does give us figures, she has done no planning. The figures would be false. Proper planning takes months. I'm not going to support that. Mr. Kolick stated that he has no problem asking her questions again; how many jobs will be created, the amount of sales she anticipates, etc.?

MISCELLANEOUS BUSINESS (cont'd):

Mr. Daymut – We're going to reconvene Council at this time. Sandra would you come back up to the mick, please?

Mr. Kolick – Mr. President, if I may, Sandra, how many jobs do you feel that you'd be adding to community with this?

Ms. Cipriani – Well...I'm not exactly sure yet. Obviously...

Mr. Kolick – Well using your best business judgment...

Ms. Cipriani – I would say...you know...you would have kitchen help...you have bartender/barmaids...

Mr. Kolick – So we're talking ten people? We talking eight people? What do you estimate?

Ms. Cipriani – Well I'm use to a really big place, so...I don't...I don't...I'm not sure. I'm sure it would probably...closer to ten.

Mr. Kolick – Okay, ten possible jobs.

Ms. Cipriani – If I had to guess then...yes.

Mr. Kolick – How about as far as, you said you have \$35,000.00 for the liquor permit that you paid now. Is that the amount you paid for the permit that you are transferring here?

Ms. Cipriani – No. That is for my investment on everything.

Mr. Kolick – Okay. Would that include the total investment you would have in the bar itself or do you have other investors in addition to yourself?

Ms. Cipriani – No. That would be it. It's...everything.

Mr. Kolick – Okay. You feel for \$35,000.00 you could outfit the bar with the kitchen, new electrical, new plumbing, whatever you would need. That would be your \$35,000.00. Okay. Have you done any business plan to show what type of dollar volume you expected to do out of here? How much per week? How much a month? Anything like that? You had some work in Brunswick, you must've known what they did there, have some idea what type of dollar...

MISCELLANEOUS BUSINESS (cont'd):

Ms. Cipriani – Well...I just...basically...you know...that I'm not sure of. I just basically...that was a bigger bar, so I am not exactly sure...it was like a big club. I'm sure it will do nice numbers. I'm not exactly sure of them. I mean...like I said, I am going to have food. Whenever you have food, you have customers.

Mr. Kolick – Okay. What are your hours of operation would you anticipate?

Ms. Cipriani – Pardon?

Mr. Kolick – What would the hours of operation be that you would anticipate?

Ms. Cipriani – Well that would be bar hours.

Mr. Kolick – Okay. From what late afternoon to...

Ms. Cipriani – Right.

Mr. Kolick – 2:30.

Ms. Cipriani – Right, closing time.

Mr. Kolick – How many days a week?

Ms. Cipriani – I mean...probably six.

Mr. Kolick – Okay.

Ms. Cipriani – I would say...yes.

Mr. Kolick – I think I have gotten what I can get from section A, Mr. President.

Mr. Daymut – Thank you Mr. Kolick. Is there anything else gentlemen? Okay thank you Sandra. We appreciate you coming up to the mic...

Ms. Cipriani – Ten years ago that bar did real well. It was a nice clean place. I was in there ten years ago and they did real well. They just let it run down, you know. That's what happened. Okay...

Mr. Daymut – Okay, thank you. Okay gentlemen, under miscellaneous business I have a motion to approve under TREX Economic Development the transfer of Class D permits from Warren, Ohio to 14395 Pearl Road for Sandra K. Enterprizes, LLC.

*****Motion by Mr. Dooner, seconded by Mr. DeMio to approve under TREX Economic Development the transfer of Class D permits from Warren, Ohio to 14395 Pearl Road for Sandra K. Enterprizes, LLC.*****

All members present voted nay and the motion was defeated.

Mr. Daymut – Is there any other miscellaneous business this evening?

(No comments)

ADJOURNMENT:

There being no further business to come before this Council, President Daymut adjourned the meeting at 9:02 p.m.

Signature on File
Tiffany Mekeel, CMC
Assistant Clerk of Council

January 5, 2014
Date of Approval