

## **SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE STRONGSVILLE CITY COUNCIL ORGANIZATIONAL AND REGULAR MEETING HELD ON JANUARY 05, 2015.**

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, January 05, 2015 at 7:30 p.m.***

Present: Council Members: Michael J. Daymut, Joseph C. DeMio, Matthew A. Schonhut, J. Scott Maloney, Kenneth M. Dooner and Duke Southworth. Also Present: Clerk of Council Aimee Pientka. 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.

Absent: Council Member: James E. Carbone,

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 Ordinance No. 214-197 is set for a public hearing tonight and will then be placed on third reading. This ordinance is to rezone property located at Royalton Rd. and W. 130<sup>th</sup> Street (PPN 392-30-006) from local business classification to motorist service classification. Information came in today from the Cleveland Metroparks advising of deed restrictions associated with that property. Suspension and adoption was recommended for Ordinance No. 2015-001. This pertains to the levying of special assessments to the property owners for the sanitary improvements located at West 130<sup>th</sup>, Webster Rd. and Royalton Rd. (Webster Rd. /W. 130<sup>th</sup> Sanitary Sewer Project). Suspension and adoption was also recommended for Ordinance No. 2015-002. This pertains to the connection charges associated with the special assessment ordinance listed above. Mr. DeMio asked if the owners have been notified of these final assessments. The Clerk of Council advised after passage of these ordinances, letters will go out to the residents showing their final assessment amount.

Building and Utilities Committee: Mr. Schonhut recommended suspension and adoption for Resolution No. 2015-003; a resolution directing the Director of Finance to certify to the Auditor and the County Fiscal Officer unpaid costs and expenses incurred by the city to abate a nuisance at 19633 Glenmar Way. The house has been taken down.

Public Service and Conservation Committee: Mr. Daymut recommended suspension and adoption for Ordinance No. 2015-004; an ordinance authorizing the sale at public auction obsolete vehicles no longer needed. Suspension and adoption was also recommended for Resolution No. 2015-005. This is to authorize the Mayor to advertise for bids for the purchase of general pavement services for 2015 for use by the Service Department. There will also be four motions on the floor to note and approve the burials and owner's designation of wishes for interments in the Strongsville Municipal Cemetery. In Mr. Carbone's absence, Mr. Dooner will make the motions.

Economic Development Committee: Mr. Daymut advised the next economic development meeting will be scheduled for Monday, January 26, 2015 at 7:00 p.m. in the council chambers.

Committee of the Whole: Mr. Daymut recommended suspension and adoption for Resolution No. 2015-006, a resolution authorizing the Mayor and the City of Strongsville to withdraw from the Council to Protect Ohio's Communities, an Ohio Council of Governments. Mr. DeMio advised the residents on Pearlview are concerned about the lighting in the back of the new daycare building located near CVS. Mr. Biondillo stated there are lights on the building, but they shine upward, illuminating the masonry on the building. Mayor Perciak stated the owner of that building has worked diligently with the city and has done everything the city has asked, including redesigning the front of their building. Mr. DeMio passed out photos he received from a resident with their concerns about the zip line going in the Cleveland Metroparks.

Mr. Daymut stated their will also be a motion under "Communication, Petition and Claims" to reconsider the TREX Economic Development transfer of Class D permits from Warren, Ohio to 14395 Pearl Road for Sandra K. Enterprizes, LLC.

***\*Mr. Daymut noted the necessity for an executive session for the purpose of discussing the sale of property no longer needed for public purpose and personnel matters pertaining to the appointment of public officials. It was so moved by Mr. DeMio and seconded by Mr. Dooner to adjourn from open session into executive session [Article XI, Section 9, City Charter]. All members present voted aye and the motion carried. Council adjourned into executive session at 7:40 p.m. Present were Councilman Daymut, Councilman Maloney, Councilman Southworth, Councilman DeMio, Councilman Dooner and Councilman Schonhut, Mayor Perciak, Acting Law Director Dan Kolick and Economic Development Director Brent Painter. The executive session concluded at 7:59 p.m. and reconvened back into open session.\****

## **MINUTES OF THE STRONGSVILLE CITY COUNCIL ORGANIZATIONAL AND REGULAR MEETING HELD ON JANUARY 05, 2015 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.**

### **CALL TO ORDER:**

Council President Daymut called the meeting to order at 8:01 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: Clerk of Council Aimee Pientka. **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 Branick.

**Absent:** Councilman James E. Carbone.

***\*Motion was made by Mr. DeMio, seconded by Mr. Dooner to excuse Councilman James E. Carbone from tonight's meeting for just cause. All members present voted aye and the motion carried.\****

**ORGANIZATION:**

**Election of Council President:**

Mr. Daymut – We do have our organizational portion of our meeting every first of the year; the first item is the election of Council President. I will open nominations for Council President.

Mr. DeMio nominated Michael J. Daymut for Council President. There were no further nominations and Mr. Daymut then closed nominations for Council President without objection.

**Motion was made by Mr. DeMio, seconded by Mr. Maloney, to elect Michael J. Daymut for Council President.**

**Roll Call: Ayes: DeMio, Southworth, Daymut, Dooner, Maloney, Schonhut.**

**Nays: None.**

**Motion carries. *Michael J. Daymut elected Council President.***

*At this time, Mayor Perciak administered the Oath of Office of President of Council to Michael J. Daymut. President Daymut was accompanied by his wife, June.*

**Election of Council President Pro Tem:**

Mr. Daymut – Now I will open nominations for Council President Pro Tem.

Mr. DeMio nominated Ken Dooner for Council President Pro Tem. There being no further nominations, President Daymut closed nominations for Council President Pro Tem without objection.

**Motion was made by Mr. DeMio, second by Mr. Dooner, to elect Kenneth M. Dooner for Council President Pro Tem.**

**Roll Call: Ayes: Southworth, Daymut, Dooner, Maloney, Schonhut, DeMio.**

**Nays: None.**

**Motion carries. *Kenneth M. Dooner elected Council President Pro Tem.***

*The Mayor then administered the Oath of Office of President of Council Pro Tem to Kenneth M. Dooner.*

**APPOINTMENT OF COUNCIL REPRESENTATIVE TO PLANNING COMMISSION:**

Mr. Daymut – Continuing with our Organizational meeting, I will make the appointment this evening for the representative to the Planning Commission of Scott Maloney.

***Scott Maloney appointed as Council representative to Planning Commission for the year 2015.***

**APPOINTMENT OF COUNCIL REPRESENTATIVE TO SOUTHWEST GENERAL HEALTH CENTER BOARD OF TRUSTEES:**

***Duke Southworth appointed as Council Representative to Southwest General Health Center Board of Trustees for the year 2015.***

**ORGANIZATION (cont'd):**

**APPOINTMENT OF COUNCIL REPRESENTATIVE TO STRONGSVILLE SCHOOL BOARD:**

***Jim Carbone appointed as Council Representative to Strongsville School Board for the year 2015.***

*Mr. Daymut - I would ask Matt Schonhut, if possible, if Mr. Carbone is not able to make the meeting if you would attend in his place.*

*Mr. Schonhut - Yes*

Mr. Daymut – We would appreciate it.

**APPOINTMENT OF STANDING COUNCIL COMMITTEES:**

Mr. Daymut – As far as appointments to Standing Committees of Council, if you would just maintain your positions on the committees today and over the next week or so, and contact me with any changes you would like to make for your committee assignments. I will have those for us before the next meeting.

**COMMENTS ON MINUTES:**

The Minutes of the Regular Council Meeting held on December 15, 2014 were approved as submitted.

**APPOINTMENTS AND CONFIRMATIONS:**

***Motion pursuant to Article II Section 5(g) of the City Charter, confirming the appointment by the Mayor of John D. Draves as Chief of the Strongsville Fire Department, effective February 7, 2015.***

Mayor Perciak – Yes, good evening again everybody and thank you Mr. President. First of all, I would like to take this time, and I'm sure we will at a later date, thank Chief Jeff Branick for all his many years of service here in our fire department. Jeff, we want to thank you, but I'm sure we'll do it in a more formal way in the days to come.

As most of you know, Mr. Branick, Chief Branick, will be retiring on February 6, 2014. As a result of Chief Branick's retirement, we had to go through the search for a new Fire Chief. I'm happy to say at this time we have a very successful candidate, our own Jack Draves. Jack is well qualified for the job. He has come up through the ranks and has tested well. He scored No. 1 on our test, which I would like to congratulate him.

***Motion was made by Mr. Dooner, seconded by Mr. DeMio, pursuant to Article II Section 5(g) of the City Charter, to confirm the appointment by the Mayor of John D. Draves as Chief of the Strongsville Fire Department, effective February 7, 2015. All members presented voted aye and the motion carried.***

Mr. Draves – I just wanted to say thank you to Mayor Perciak and City Council for your vote of confidence and I look forward to serving the citizens of the City of Strongsville. It's been my pleasure to work here for the last twenty-two years. I have a few more years left in me so I'm looking forward to the challenges of the position of Fire Chief, thank you very much.

**APPOINTMENTS AND CONFIRMATIONS (cont'd):**

Mayor Perciak – Thank you

(Applause)

Mayor Perciak – I will privately swear Assistant Chief Jack Draves into office on February 6<sup>th</sup> at 5:01 p.m. Then I will await word from our new Fire Chief as to when he would like his public swearing-in, so that it can be done here at Council and for all to see. As soon as the Chief advises to me as to when that date will be we'll host it so that everyone will know and then we can have the proper swearing-in and also the proper celebration which you so richly deserve. I have nothing else at the moment Mr. President.

Mr. Daymut – Thank you Mayor.

**PUBLIC HEARING:**

**Ordinance No. 2014-197** 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 REAL ESTATE LOCATED AT ROYALTON ROAD AND WEST 130TH STREET, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 399-01-005). First reading and referred to Planning Commission on 10-20-14. Favorable recommendation by Planning Commission 11-07-14. Second reading 11-17-14.

Council President Daymut opened the Public Hearing on Ordinance No. 2014-197 and invited anyone wishing to speak ***IN FAVOR*** of the Ordinance to approach the podium and address Council at this time.

Alex Frazier, 2800 South 11<sup>th</sup> Street, Kalamazoo, MI 49009 – My name is Alex Frazier and I'm with Hurley and Stewart, 2800 South 11<sup>th</sup> Street, Kalamazoo, MI. I'm representing the applicant at W. 130<sup>th</sup> and Royalton Rd. I'm here to answer any questions and to speak in favor of the rezoning.

Mr. Daymut – Thank you, any questions from Council? I do have some comments for you. We will provide you with some information; we have received a letter from Daniel Ponstingle on Royalton Road, and also from the Cleveland Metroparks that there are some deed restrictions involved. We'll get a copy of that to you...you already have the letter (from the Cleveland Metroparks) is my understanding?

Mr. Frazier – Yes

Mr. Daymut – The other letter, Aimee, from Dan Ponstingle-if you could please enter that into the record I would appreciate it. *(A copy of letter is attached to the back of these minutes)* Are there any questions for Alex this evening? Thank you very much. Is there anybody else in the audience that would like to speak in favor of this particular ordinance?

(No comments)

Mr. Daymut then invited anyone wishing to speak ***IN OPPOSITION*** of the Ordinance to approach the podium and address Council.

**PUBLIC HEARING (cont'd):**

Lisa Nicholson, 36140 Capel Road, Grafton, OH 44044 – My name is Lisa Nicholson, I live at 36140 Capel Road, Grafton, OH. I would like to take this opportunity to address some concerns that I have regarding the rezoning of the property at W. 130<sup>th</sup> and Royalton Road. The first concern is that this property adjoining the property to the west, the Nicholson property, has been uninterruptedly used and maintained residentially for over sixty years. The property should be sheltered from the everyday hustle and bustle from a motorist service business, including but not limited to lighting; lighting which would include signs, illumination of parking areas, headlights, bulletin boards, and/or glare and brightness lights. It should also be sheltered from noise, sound, vibrations, fumes, odorous matter, smoke, blowing papers or blowing dust, as well as fire and explosive hazards. This property...I respectfully request that this property get the appropriate and full extent of the yard screening and landscaping to meet and exceed the standards set forth in the Strongsville Zoning Code; that would be in zoning code 1258.11 "Yard Regulations, Business District No. 4" which states "A lot which is developed with a residential use shall be shielded with a masonry wall not less than six feet in height above the grade".

My second concern is also the Metroparks. It is directly across the street to the east and one lot south. We should be very protective of this land from any potential environmental harm. This proposal is not harmonious with the adjacent property such as the residential uses and the Metroparks systems as proposed in the petition for the rezoning change.

My third concern is the traffic conditions. They are very challenging in that area. Royalton Road, W. 130<sup>th</sup> Street and Edgerton Road are there. The left hand turns are particularly difficult, especially during rush hour mornings and evenings. Motor vehicle service businesses will further complicate the congestion in this area.

To recap, my first concern is the property to the west which has been uninterruptedly used and maintained residentially. It should be sheltered from any objectionable business encroachments with yard screening and landscaping. Number two is the Metroparks which should be protected from any potential environmental harm. My third concern is traffic conditions which are currently congested and any type of business, especially a motorist service business, would complicate the issues further, thank you.

Mr. Daymut – Thank you. Is there anybody in the audience that would like to speak against this particular rezoning? Please step to the microphone and state your name and address for the record.

Joe Nicholoso, 36140 Capel Road, Grafton, OH 44044 – Hi, my name is Joe Nicholson. I live at 36140 Capel Road in Grafton Ohio. Pretty much I think Lisa did a very good job at wrapping that up. First of all, I want to start by thanking you giving the time City Council and Mayor. Basically, my first order was to mention the letter from Dan Ponstingle, but Mr. Daymut already addressed that. Number two was about the traffic, it is a busy intersection. We have the five points coming together there, and we have a really hard time getting in and out of that property at 13133 Royalton Road.

**PUBLIC HEARING (cont'd):**

Mr. Nicholson (cont'd) - We just think that is going to make it a little bit worse. I was also going to bring up the Metroparks deed restrictions. You have already brought that to order so I'm not going to go through that, I'll save a little time. The other thing is that it is already set up to be a property for a local business. I did go around Strongsville this weekend and took a map of the zoning and marked it up. From what I can tell, there are thirteen gas stations within Strongsville right now. In fact, with this one and the one at Drake Road/Pearl Road, that would propose two more, then there would be fifteen. There's also another three that are adjacent/right across from our border. It just makes me wonder how many gas stations are enough within the small city boundary that we do have, and what effects that will have on the current businesses that have already spent time within this community.

The next thing is that I don't know if you guys are familiar with the property, but I did go on Google Maps and downloaded a picture of the property with the proposed area, so you guys understand that is a residence that is next door. I just wanted to make that point in case you guys didn't see that. Next, I wanted to bring up a newspaper, The Sun News, dated Thursday, December 25<sup>th</sup> where it quotes Mayor Perciak. If I will let me read it says "In September, instead of considering a rezoning, City Council approved an ordinance that will allow automotive repair shops in general business districts. Mayor Thomas Perciak said the city took that route because it had received requests from other property owners to rezone land to motorist service districts. That would increase the number of properties where gas stations might build, and the city wanted to limit that number". So I just wanted to cite something that the Mayor had said and was put into print.

Mayor Perciak – I did say that.

Mr. Nicholson – Yes you did. Last but not least, I think Lisa did a good job in bringing it to your light, but just to reiterate I wanted to talk about the Codified Ordinances. I won't read you all the numbers, but basically we are talking about the yard regulations. Of course for something like that they're talking about residential that needs to be fifty feet away from a residential property. We also have the lighting and light pollution, illumination of parking areas, illumination of signs, and also the performance standards for fire, explosives, hazards, dust, smoke, odorous material, etc. Also, vibration issues if there might be a car wash. With that said, I pretty much conclude what I wanted to bring to you this evening. I thank you all for your considerations and listening to my concerns for the rezoning of the property next to my mother's house. I'd also like to thank Jeff Branich for his service in the fire department.

Mr. Daymut – Thank you Joe, is there anyone else in the audience that would like to speak against this?

Margaret Nicholson, 13133 Royalton Road, Strongsville, OH 44136 – My name is Margaret Nicholson and I own the property adjacent to right here changing to a gas station. I am very concerned that Dan Kolick says his- that I second the motions (unintelligible). I'm worried about the Metroparks and I'm also worried about the sledding hill that will kind of put the kids off from going over there. Thank you very much.

Mr. Daymut – Thank you Margaret, I appreciate it. Is there anyone else in the audience that would like to speak against this particular rezoning?

**PUBLIC HEARING (cont'd):**

Donald Zalewski, 14134 W. 130<sup>th</sup> Street, Strongsville, OH 44136 – My name is Don Zalewski, I own the property adjacent to the corner, 14134 W. 130<sup>th</sup>. Most of this has been pretty much covered. Unfortunately, I didn't have much time to put my plan of action together. Basically, if you stand on W. 130<sup>th</sup> and Royalton Rd. a mile in each direction you got gas stations and convenient stores. I tried to call a few people; nobody can tell me what convenient store/gas station is going in there. It seems to be a big hidden factor in this. Does the Council know who is going in there, what gas company is going in there?

Mr. Kolick – Mr. Chairman, I don't think we have received any formal plans at Planning Commission that wouldn't come until after this Council would consider the rezoning. The rezoning would allow any type of station that would fit on the parcel. Normally, we don't get that type of information in until or unless the Council first rezones it.

Mr. Zalewski – Okay, basically the first thing they are going to do is level the trees and haul out many yards of topsoil and dirt. My property sits right behind it. It would probably take a ten-twelve foot retaining wall to keep my property from washing down. Also there is a gas easement there someplace, with a metal building back there. Does anybody know about that? There's got to be some easements going through that property.

Mr. Kolick – Again, Mr. Chairman, at the time they would come in with any type of development plans, that's all something our engineering department would review to see if they are affecting any current utilities, easements or whatever are through the properties. Those are issues we would look at the time they would come in with the development plans.

Mr. Zalewski – All right, so basically everything has been pretty much covered. If it is going to be a convenient store; that brings beer, wine and cigarettes. There is the Metroparks right next to it; you're looking for more trouble. If you follow the newspapers, what happens? Convenient stores hit, robbed, shootings, drive-away gas, etc.; something to think about, thank you for your time.

Mr. Daymut – Thank you very much. Is there anybody else in the audience that would like to address Council on this zoning issue?

(No comments)

Mr. Daymut – For those in the audience who are here for this hearing, before I close it, I would just like to inform you that during the Committee reports we will not be voting on this this evening. It will be placed on third reading. I know it is a rather chilly evening out so we more than invite you to stay for the rest of our meeting, but since we are going to take no action on I just want to let you know.

Hearing no further comments in regard to Ordinance No. 2014-197, Council President Daymut closed the Public Hearing on said Ordinance.



**REPORTS OF COUNCIL COMMITTEES:**

**SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth:** Thank you Mr. Daymut; there was not a board meeting for December. I just got the calendar for this year and there is no board meeting for January; so I will have a full report in February. If I get any news updates from Tom Sullivan, I will be sure to pass them along.

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

(None)

**SCHOOL BOARD – Mr. Carbone:**

Mr. Schonhut - Thank you Mr. Daymut, on Thursday, January 15<sup>th</sup> at 7:00 p.m. Dr. Jason Jerry with the Cleveland Clinic Alcohol and Drug Recovery Center in collaboration with our schools will be hosting an opiate and heroin epidemic seminar at Strongsville High School's auditorium. It's free for everyone to come; he welcomes questions from the audience members. No RSVP is required. You can call (216) 312-5640 with any questions. Again, that's Thursday, January 15<sup>th</sup> at 7:00 p.m. at Strongsville High School's auditorium, that's it.

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

(None)

**BUILDING AND UTILITIES – Mr. Schonhut:** Thank you Mr. Daymut, Building and Utilities has Resolution No. 2015-003. This is in regards to the demolition of the house at 19633 Glenmar Way. This is for levy and collection of the expenses of that to be sent to the Auditor and Fiscal Officer of the county. I would ask that we suspend and adopt that tonight. For Communications and Technology we have no ordinances or resolutions, but I will happily take any questions for that or Building and Utilities Committee.

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

(None)

**COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:**

\* See Building and Utilities Committee Above\*

**ECONOMIC DEVELOPMENT – Mr. Daymut:** There are no ordinances or resolutions on this evening's agenda. Our next meeting will be Monday, January 26<sup>th</sup> at 7:00 p.m. here at council chambers. Are there any questions for myself under Economic Development?

(None)

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

**FINANCE – Mr. Dooner:** Thank you Mr. Daymut, we have no ordinances or resolutions before this committee this evening.

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 three items this evening. The first one is Ordinance No. 2014-197. We just had the public hearing for that item this evening. We're going to place that on third reading to make sure we get the property owner time to digest what was presented tonight and the information related to the Metroparks deed restrictions. We'll address this again at our next meeting. The second item is Ordinance No. 2015-001. This is to go through the formal process of levying special assessments for the improvements that we've known about at some of our meetings earlier in 2014. This is related to improvements at W. 130<sup>th</sup> Street, Webster Rd. and Royalton Rd.-related to sanitary sewers. This is a step we have to go through to formerly get the documentation in place for the property owners along the streets that were affected. The recommendation is to suspend and adopt on this item. Likewise, Ordinance No. 2015-002 is also related to the work that was done there, establishes charges for the connections to those sanitary sewers that were run through that area. The recommendation is to suspend and adopt on that item as well. Those were the three items I had, I'll be happy to take any questions.

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

Mr. DeMio – Michael real quick.

Mr. Daymut – Pertaining to the public hearing with that new setback information from the Metroparks, can you or Mr. Maloney, with the Mayor's approval, have our engineer or someone tell us where that setback actually will apply based on the photo that we have; so when we vote on it we get an idea? That may answer a lot of the questions that were right at the podium today.

Mr. Maloney – Mr. Daymut, I did talk with Lori Daley in the engineering department today. You can see on the picture that was provided to all of us that it does in fact take over forty feet on the one edge of that property at the corner.

Mr. DeMio – Where the red line is?

Mr. Maloney – Where the red line is, so that property owner will have-they'll be looking at that to evaluate...

Mr. DeMio – So that is there setback?

Mr. Maloney – Right

Mayor Perciak – Mr. Mikula

Mr. Mikula – Yes, thank you Mayor. The photo that was given to Council tonight-there's the property in between the Metroparks and this property that's approximately 160 feet which will leave 40 feet of an impact on this parcel. Within that 40 feet, according to the Metroparks letter, they would not be allowed to build a building or put a sign up, those would be the impacts.

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

**PLANNING, ZONING AND ENGINEERING – Mr. Maloney (cont'd):**

Mr. DeMio – Okay, Michael, can we make sure that the residents that came to the podium get a copy of this?

Mr. Daymut – Yes we can, we just received it today.

Mr. DeMio – I get their point, but I thought the red line, you know with the gas line box and everything there...

Mr. Daymut – Right, we'll take care it.

Mr. DeMio – Thank you both.

Mr. Daymut – Are there any other questions for Mr. Maloney this evening?

(None)

**PUBLIC SAFETY AND HEALTH – Mr. DeMio:** We have nothing in the Committee today, but I would be remiss if I don't share my favorite Jeff Branic story since he is leaving us soon, but I know he is not leaving our community. He knows this story. I know you do because my son Jake before when he was in my wife's belly you were the first responder when we had a little setback. Mayor, I got to tell you story. I'm not a councilman, Jane Ludwig; my favorite school board member was across the street from me. She may or may not remember them coming to my house. It was our first child and we didn't know; whatever, Marie had a little issue. Jeff comes to the house; he was the lead on the squad. We're talking and I said could we please take here where our specialist is, which happened to be Fairview Hospital, not Southwest General Hospital. He said "No promises but let me make a call and I'll let you know before we leave; we want to make sure your wife is okay". Sure enough, he goes meet us at Fairview Hospital. From that moment on I had a great bond with him. Little did I know my son would follow in his footsteps and be a wrestler, which was not my forte. I have very fond memories of Jeff. He came to my house many times, my parents lived with me. Both, as you know, were sick and had health issues. It seemed to me Jeff was always the man at the call; so I love you dearly. Most of us who know you have very special memories and especially how great your wife is. Make sure, and everybody knows his wife in this room, she is awesome and a very strong lady. Share from myself, I'm sure Council of course will join me, but you're terrific. You've done a great job, you're great with kids. You were great with my kids when they were little; just coming up to the old restaurant on the square, Frans, and introducing yourself. You may not remember those things, but I do, and thank you very much. That's all; I'm going to close the meeting.

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

Mr. Southworth – You know what...

Mayor Perciak – This is just the beginning Jeff.

Mr. Southworth – I'd like to for the Police Chief, Shamus Kelley is great. He and Ackel went into my son's school. He was just outstanding; the kids really enjoyed it and learned a lot about police officers and K-9 units. I just wanted to thank you and thank Shamus for being willing and able to do that.

Mr. Daymut – Is there anything else under Public Safety this evening?

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

**PUBLIC SERVICE AND CONSERVATION – Mr. Carbone:**

Mr. Daymut – I will give Mr. Carbone's report. We have Ordinance No. 2015-004. This is a public auction of obsolete vehicles. That did receive favorable recommendation. Also, Resolution No. 2015-005, advertises for bids for general pavement services for 2015. That also did receive favorable recommendation. Under this Committee we have some motions, Mr. Dooner would you be kind enough?

***\*\*Motion was made by Mr. Dooner, seconded by Mr. DeMio to ratify, note and approve the burial of Bonita Allison in Section F, Lot #400, Grave F-2 based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery. All members present voted aye and the motion carried.\*\****

***\*\*Motion was made by Mr. Dooner, seconded by Mr. DeMio to ratify, note and approve the burial of Ronald Jackson in Section C, Lot #50, Graves F, based on the owner's designation of wishes for interments in the Strongsville Municipal Cemetery. All members present voted aye and the motion carried.\*\****

***\*\*Motion was made by Mr. Dooner, seconded by Mr. DeMio to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section C, Lot #50, Grave H, pursuant to owner's letter request of December 7, 2014. All members present voted aye and the motion carried.\*\****

***\*\*Motion was made by Mr. Dooner, seconded by Mr. DeMio to note and approve the owner's designation of wishes for interments in the Strongsville Municipal Cemetery, Section F, Lot #128, Graves A & G, pursuant to owner's letter request of December 17, 2014. All members present voted aye and the motion carried.\*\****

Mr. Daymut – Are there any questions under this Committee for myself?

(None)

**RECREATION AND COMMUNITY SERVICES – Mr. Southworth:** Thank you Mr. Daymut, we do not have any resolutions or ordinances on this evening's agenda. Although, I've been getting some emails; there's an open house coming up.

Mayor Perciak – I have the information.

Mr. Southworth – You have the information...the 11<sup>th</sup> I believe?

Mayor Perciak – We have an open house January 10<sup>th</sup> from 1:00 p.m. to 3:00 p.m. in the afternoon. Just a little background for everybody here- this is our second annual open house. We're asking everybody to come in and see what we have to offer at our recreation center and our senior center. Most people forget that we have extra exercise classes, youth programming, massages, all-inclusive birthday parties and so many other amenities that are offered here at our own Ehrnfelt Recreation and Senior Center. Stop in between 1:00 p.m. and 3:00 p.m. We're going to have giveaways, demonstrations and all kinds of things for you to see and all kinds of little goodies to nibble on. We ask you to come in and take some time and get to know everything that goes on here in the center of town at your own senior and recreation center.

*\*Mayor Perciak made some brief comments about the playoff games held this weekend\**

**REPORTS OF COUNCIL COMMITTEES (cont'd):**

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

Mr. Daymut – Is there anything else under Recreation and Community Services?

Mr. Southworth – That about covers it.

Mr. Daymut – Thank you Mr. Southworth, we appreciate it.

**COMMITTEE OF THE WHOLE – Mr. Daymut:** We have Resolution No. 2015-006. It did receive a favorable recommendation this evening. This is to withdraw from the Council to Protect Ohio's Communities an Ohio Council of Governments. 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:** Since I'm done with the football playoffs, we can get down to some more serious business here. As I mentioned earlier, please remember the open house as Councilman Southworth and Bryan Bogre have brought to your attention. I'd appreciate you being there, I plan on being there. We do have some sad news here to report. Chief Jim Kobak has informed me that Cash, our German Shepard, who has been with us and born on November 17, 2002, had to leave this world for a variety of reasons. He was one of our three K-9 dogs and was involved in so many of our narcotic busts, searches, building searches and everything else. I just want everybody to kind of remember and Patrolmen Derek Feirabend...he's been with him since 2004 so ten years later that is a long time those guys spent together. He will be missed. That ends my report.

Mr. Daymut – Thank you Mayor, are there any other questions for Mayor Perciak this evening?

(None)

**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. Chairman, just a couple of items. One, Mr. Kraus is continuing to progress and hopes to be rejoining us sometime in the future here. The second item I have is just to alert you on Council as well as the residents that the county typically goes through and removes voters who they don't believe are correctly on our voter registration forms, or are properly registered. They check them against the Bureau of Motor Vehicles and they check them against social security records. If you go on the County Board of Elections website which is [www.443vote.com](http://www.443vote.com) please check to make sure your name has not been improperly removed from those voting registration. I just bring that up to Council and to our citizens' attention. The last thing I have is all your ordinances and resolutions are in proper legal form this evening, thank you.

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

**LAW DEPARTMENT – Mr. Kolick (cont'd):**

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

(None)

**AUDIENCE PARTICIPATION:**

Mr. Daymut – We've now come to that portion of our agenda for audience participation. Anyone who like to address Council at this particular time, please step to the microphone and state your name and address for the record. Your comments will be limited to five minutes.

(No Comments)

**ORDINANCES AND RESOLUTIONS:**

**Ordinance No. 2014-197** 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 REAL ESTATE LOCATED AT ROYALTON ROAD AND WEST 130TH STREET, IN THE CITY OF STRONGSVILLE FROM LB (LOCAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION (PART OF PPN 399-01-005). First reading and referred to Planning Commission on 10-20-14. Favorable recommendation by Planning Commission 11-07-14. Second reading 11-17-14.

***Placed on third reading and referred back to the committee.***

**Ordinance No. 2015-001** by Mayor Perciak and All Members of Council. AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF WEST 130TH STREET, WEBSTER ROAD AND ROYALTON ROAD BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS, PUMPS, CATCH BASINS AND MANHOLES, INSTALLING SANITARY SEWER SERVICE CONNECTIONS, AND REPLACING, WHERE NECESSARY, PAVEMENT, DRIVEWAY APRONS, STORM SEWERS AND CULVERTS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, 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. 2015-001 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont'd):**

**Ordinance No. 2015-002** by Mayor Perciak and All members of Council. AN ORDINANCE TO ENACT SECTION 1046.245 OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH CHARGES FOR ANY CONNECTIONS DIRECTLY OR INDIRECTLY TO THE WEBSTER ROAD/WEST 130TH STREET SANITARY SEWER EXTENSION PROJECT FOR THOSE LOTS AND LANDS FOR WHICH AN ADDITIONAL CONNECTION OR CONNECTIONS IS REQUIRED OR WHICH WERE NOT ASSESSED FOR SUCH PROJECT, 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. 2015-002 ADOPTED.**

**Resolution No. 2015-003** by Mr. Schonhut. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE AUDITOR AND THE COUNTY FISCAL OFFICER OF CUYAHOGA COUNTY UNPAID COSTS AND EXPENSES INCURRED BY THE CITY TO ABATE A NUISANCE AT 19633 GLENMAR WAY PER OHIO REVISED CODE SECTION 715.261, STRONGSVILLE CODIFIED ORDINANCE SECTION 1472.09, AND PER COURT ORDER, FOR LEVY AND COLLECTION ACCORDING TO LAW, 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. Resolution No. 2015-003 ADOPTED.**

**Ordinance No. 2015-004** by Mr. Carbone. AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF CERTAIN OBSOLETE AND SURPLUS VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, 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. 2015-004 ADOPTED.**

**ORDINANCES AND RESOLUTIONS (cont'd):**

**Resolution No. 2015-005** by Mr. Carbone. A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GENERAL PAVEMENT SERVICES FOR 2015 FOR USE BY THE SERVICE DEPARTMENT 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. 2015-005 ADOPTED.**

**Resolution No. 2015-006** by Mayor Perciak and All Members of Council. A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY OF STRONGSVILLE TO WITHDRAW FROM THE COUNCIL TO PROTECT OHIO'S COMMUNITIES, AN OHIO COUNCIL OF GOVERNMENTS.

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. 2015-006 ADOPTED.**

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

***Motion by Mr. Dooner, seconded by Mr. DeMio to reconsider the action of Council at its meeting of December 15, 2014 denying the TREX Economic Development transfer of Class D permits from Warren, Ohio to 14395 Pearl Road for Sandra K. Enterprizes, LLC.***

***All members present voted aye and the motion carried.***

Mr. Cameron – Attorney John Cameron on behalf of Sandra Cipriani. I think that...I'm not really sure why this was not approved last time. I think that Sandra naively thought it would just be kind of granted. It seems it's a real win-win situation, potentially for Strongsville because Sandra wants to open up a gyro/beer, family pub basically. She has invested about \$35,000.00. She signed a lease with the premise for five years. She's purchased the liquor permit from the former facility. It would bring in revenue. It would be a retail establishment. There's nothing about it that wouldn't be fitting with the character and what the city wants to promote. I think that with all the retail business going, certainly having another restaurant in the area could do nothing but improve the economic situation, thank you.

Mr. DeMio – Mike, if I may?

Mr. Daymut – Yes, Mr. DeMio.

Mr. DeMio – One of the reasons we didn't have answers was because the sheet that is now filled out was not filled out.



**COMMUNICATIONS, PETITIONS AND CLAIMS (cont'd):**

Mr. Cameron – Thank you.

Mr. DeMio – Do you need a copy of that?

Mr. Cameron – I think I've seen it.

Mr. DeMio – You have, okay, that's one of the reasons. I do want to say this for the record. Aimee went out of the way with the Cipriani family with me present to call down to Columbus to make sure everything is clear and convincing...in front of the family. The only reason I'm saying this is that is not a normal thing a Councilman and the Clerk does. I want to really thank her, because she did not need to take her time, and I know Mr. Kolick got involved as well. I just want to let Michael and Sandra know that she went out of the way at least to get this thing in order. With the Mayor, allowing his Law Director to do some extra work, and I just want to put that on the record that is not a normal everyday happenstance.

Mr. Cameron – We appreciate that.

Mr. Daymut – Is there anything else from the Council?

Mr. Southworth – The one...on the estimated tax revenue-the one item not on here (referring to the TREX form) is expected income tax; which as you probably know goes to the city. Sales tax goes to the county. Employment tax goes down to Columbus. Real estate tax largely goes to the schools. Although, if it is a lease, is she actually paying real estate tax?

Mr. Cameron – What my assumption is, is that is her prorated share of the real estate tax.

Mr. Southworth – Isn't that combined with her lease payment?

Mr. Cameron – Correct, the general assumption I believe why income tax wasn't filled in is that any start-up you don't plan on making money the first year. Eventually, certainly it is a goal to produce revenue and to make money or else she wouldn't be doing it. This would produce income tax for the city.

Mr. Southworth – But there are seven employees on the sheet...

Mr. Cameron – Correct

Mr. Southworth – So you have to pay those people.

Mr. Cameron – Yes, absolutely, I understand. I'm assuming that...

Mr. Southworth – Unless they are family members...

Mr. Cameron – I'm assuming that there might be some of that going in.

Mr. Daymut – I do have one quick question.

Mr. Cameron – Sure

**COMMUNICATIONS, PETITIONS AND CLAIMS (cont'd):**

Mr. Daymut – It is my understanding I believe that there's a liquor permit there now.

Mr. Cameron – No

Mr. Daymut – Where is it? We approved that at Council sometime back.

Mr. Cipriani – That was supposedly sold.

Mr. Daymut – What?

Mr. Cipriani – That was sold and send out to another area.

Mr. Cameron – The lease did not come with a liquor permit; as Michael is under the impression that the liquor permit that was there actually got TREX'd out someplace else. I don't know. Obviously if there is a liquor permit we wouldn't be standing here. That wouldn't be necessary.

Mr. Kolick – Mr. Chairman, we haven't received a notice that it was either TREX'd out, or it could just be in safekeeping. Typically if they would close it, they would keep it in safekeeping till they could transfer it somewhere; but they can't have more than one liquor permit registered here, so they've either transferred it elsewhere or they've gotten it in safekeeping and moving it do a different address. The Board of Liquor Control will not allow them to have two different licenses at the same address.

Mr. Cipriani – It was in safekeeping and he was in the process of selling it to TREX it out.

Mr. Daymut – Any other questions?

Mr. DeMio – I think he had some photos that he was going to show us, he can pass them around if he wants to.

*\*\*Photos given to Clerk of Council and were passed around at this time to Council. Copies of the photos are attached to the back of these minutes.\*\**

Mr. Maloney – Mr. Daymut

Mr. Daymut – Yes Mr. Maloney

Mr. Maloney – I was just interested, I know you're pursuing a process to try to transfer the additional permit into Strongsville. Were there efforts made to try to secure one of these existing liquor permits that we have within Strongsville that are in safekeeping in lieu of trying to transfer another one in?

Mr. Cipriani – There were no license at the premises at the time.

Mr. Maloney – Correct, we know that, but there are other permits within Strongsville that are in safekeeping that you could have pursued that aren't associated with this establishment.

Mr. Cipriani – We weren't aware of any other ones in safekeeping because I was told the last one went to Giant Eagle that was from Tomos. That was the only one and that was purchased for about \$50,000.00.

**COMMUNICATIONS, PETITIONS AND CLAIMS (cont'd):**

Mr. Maloney - Okay, so you have looked into that?

Mr. Cipriani – Correct

Mr. Donner – Wouldn't Giant Eagle have had their own, the transfer of...

Mr. Cipriani – No, Giant Eagle bought Tomos for \$50,000.00... (Unintelligible)

Mr. Southworth – Maybe this is a question for Dan (Kolick). Are there available liquor permits in Strongsville, to the best of your knowledge?

Mr. Kolick – I don't know if there's any that are held safekeeping. We didn't do a record search to see. There are always ones available if you're willing to pay for them.

Mr. Southworth – Like the Bier Haus just closed down.

Mr. Daymut – I did some research on that and it is my understanding that Mad Cactus out there, Bier Haus...

Mr. Kolick – Mad Cactus we haven't transferred yet, so that one certainly...

Mr. Daymut – I thought I was told Tomos...you said it was transferred to Giant Eagle. From what I understand that is in the process of being put in safekeeping. That's my understanding.

Mr. Cipriani – I don't think it went in, I think it went from...depends if they closed. (Unintelligible) sold it.

Mr. Kolick – Mr. Chairman, I don't think it was Tomos because I think Giant Eagle moved their permit from their old place.

Mr. Daymut – They did

(Multiple conversations)

Mr. Kolick – They could have picked up an additional permit.

Mr. Cipriani – Excuse me, her situation is she is tied into a lease-five years with a couple of five year options. She made a large investment, a \$10,000.00 point of sales. (Unintelligible) She has purchased all of the equipment. She has paid the painting company in full. We were just under the understanding that as long as there was no felony and the license was clean that she would be able to get this license transferred.

Mr. Southworth – This would be just the first step right?

Mr. Cameron – Yes, that is correct. The Board of Liquor Control has to approve this.

Mr. Southworth – Not only that, but our building department has to get in there...

Mr. Cameron – Absolutely

**COMMUNICATIONS, PETITIONS AND CLAIMS (cont'd):**

Mr. Southworth – and I don't believe that they have.

Mr. Cameron – Absolutely

Mr. Cipriani – The building is in good shape. (Unintelligible)

Mr. Daymut – Is there anything else? Thank you very much; we appreciate you taking the time this evening.

Mr. Cameron – Thank you very much.

***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.***

**Roll Call: Ayes: Schonhut, DeMio.**

**Nays: Daymut, Dooner, Maloney, Southworth.**

**Motion fails. The approval under TREX Economic Development the transfer of Class D permits from Warren, Ohio to 14395 Pearl Road for Sandra K. Enterprizes, LLC was **defeated**.**

**MISCELLANEOUS BUSINESS:**

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 9:05 p.m.

Signature on File  
Aimee Pientka, CMC  
Clerk of Council

January 20, 2015  
Date of Approval

cc: Mayor Perciak  
Ken Knaus, Law Director  
Lesi D.  
Ken M.  
Carol O.

December 28, 2014

City of Strongsville  
Council Office  
16099 Foltz Parkway  
Strongsville OH 44149-5598

RECEIVED  
DEC 29 2014  
CITY OF STRONGSVILLE  
CITY COUNCIL

Re: Proposed Change-Per Ordinance 2014-197-Attached

Dear Council Members:

We do object to the proposed change of the described parcel from local business to motorist service classification (PPN 399-01-005). However, we are also aware that you need to take all viewpoints into consideration including those of neighbors, owners, and developers. Accordingly, before you vote, we'd ask that you note some of our present and future concerns:

1. Even without a formal traffic study, traffic appears to be on the increase as we observe on a daily basis. Left hand turns into Edgerton Road from southbound W.130<sup>th</sup> St. are already problematic. We believe that that any left hand turn onto W.130<sup>th</sup> St. out of the new proposed gas/convenience store might make things worse.

2. We believe that another MS site in the general area is not needed. A casual drive along the eastern edge of our City shows an MS facility at W.130<sup>th</sup> and Sprague Road., at W.130<sup>th</sup> and Albion Rd. (even though in the City of North Royalton), and a facility at the intersection of W.130<sup>th</sup> and Boston Road. Let also not forgot about MS facilities just up the street near the Mall. In addition to our concern here, I've attached a copy of the "Goodyear" facility discussion from the 12/25/14 Sun News. Within the article, it appears that Mayor Perciak had concerns about a proliferation of MS facilities.

3. Relatedly, we still have longtime concerns about any MS/convenience store with the a license to sell any alcoholic beverages, even though we realize such sales are now legal despite efforts by the late Mayor Ernfeldt to prohibit same years ago.

4. Finally, we'd like to think that Council members would like to keep Strongsville as "green" as possible for present and future generations while continuing to superintend useful business and industrial development? Perhaps best use of the parcel would be its donation by the owner to the City of Strongsville. This might be the best route toward continuation of a "green theme".

Thank you for your consideration in this matter. It appears that our schedule on 1/05/15 will preclude our attendance at the meeting. Should that change, we hope to be in attendance. Thus, we felt the need to compose and mail this advanced letter.

Sincerely,



Daniel and Linda Ponstingle

13337 Royalton Rd.

Strongsville OH 44136

440-238-5462



Strongsville

SCW-57MA-CULIATE-SUN NEWS-12-25-14

# Goodyear planning auto service center

Jan. 8 hearing set  
on proposal for  
Pearl Road site

BOB SANDRICK  
bsandricks@cleveland.com

Goodyear Auto Service Center wants to build a 6,300-square-foot tire and car-repair shop on Pearl Road just south of Knowlton Parkway.

However, the proposal first

needs Planning Commission approval. That can't happen until the city has a public hearing, scheduled for Jan. 8, about the plan.

Construction of the service center would culminate an effort by property owners and city officials to change zoning rules so that Goodyear's project could move forward.

The effort started in May when Eyesman Properties LLC and Milor Knowlton LLC — which own two parcels on the west

side of Pearl at Knowlton, where Goodyear would build the new shop — asked the city to rezone the parcels.

Eyesman and Milor wanted the land rezoned from general business to motorist service, which permits, among other uses, auto-service centers. Tim Dean, representing Eyesman and Milor, said the property owners were negotiating with a specific automotive business but at the time were not ready to reveal the name.

In September, instead of con-

sidering a rezoning, City Council approved an ordinance that will allow automotive repair shops in general business districts.

Mayor Thomas Perciasepe said the city took that route because it had received requests from other property owners to rezone land to motorist-service districts. That would increase the number of properties where gas stations might build, and the city wanted to limit that number, he said.

The ordinance allows car-repair shops in general business districts

only as a "conditional use." That means each car-repair shop proposal needs Planning Commission approval, and a public hearing — where residents can provide input — is required.

The proposed Goodyear center would employ 10 to 12 people and would be open 7 a.m.-7 p.m. daily, according to an application submitted to the city.

According to the Goodyear Auto Service Center website, the closest Goodyear center is now at Summit Mall in Fairlawn.



# CLEVELAND METROPARKS

established 1917

clevelandmetroparks.com

Administrative Offices | 4101 Fulton Parkway | Cleveland, OH | 44144  
Phone 216-635-3200 | Fax 216-635-3286

## BOARD OF PARK COMMISSIONERS

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Brian M. Zimmerman



January 5, 2015

Ms. Aimee Pientka  
Clerk of Council  
City of Strongsville  
16099 Foltz Parkway  
Strongsville, Ohio 44149

### RE: Ordinance No. 2014-197 – Amendment of Zoning Map

Dear Ms. Pientka,

Thank you for providing Cleveland Metroparks with the notice of public hearing for the property located at the intersection of Royalton Road and West 130<sup>th</sup> Street, which is just north of Cleveland Metroparks Mill Stream Run Reservation. Cleveland Metroparks has reviewed the request to amend the zoning map from local business to motorist service. Cleveland Metroparks has also researched the deed restrictions related to the parcel (PPN 399-01-005). The restrictions are summarized below and listed in a 1932 Certificate of Appropriation from Blanche M. Tilby, et. al. to the Board of Park Commissioners of the Cleveland Metropolitan Park District and recorded in the Cuyahoga County, Court of Common Pleas No. 360, 635 (Journal 267, Page 3495):

1. 200-foot setback from Cleveland Metroparks property (approximately  $\pm$  40' north from the southern boundary line of the parcel listed above) for purposes other than residential, agricultural, or gardening, prohibiting any building or structure used for commercial, mechanical, or manufacturing purposes, or for a stable or garage (except for a stable or garage for private use.)
2. 200-foot setback from Cleveland Metroparks property (approximately  $\pm$  40' north from the southern boundary line of the parcel listed above) for any billboard, signboard, or other advertising device.

The proposed zoning amendment is in conflict with the recorded deed restrictions. Deed restrictions are legal property rights under Ohio law and Cleveland Metroparks considers deed restrictions such as these to be a critical mechanism to maintaining the integrity of the natural and cultural resources of the Park.

In addition the volume of the stormwater draining from the site to the park shall not be greater than it is currently. Cleveland Metroparks is requesting review of future plans as they become available, as there is potential concern regarding runoff to the Park. Cleveland Metroparks appreciates the opportunity to review this request and values the continued notification of such proposals. If you have questions or concerns, please do not hesitate to call (216) 635-3240.

Sincerely,

Stephanie Kutsko  
Land Protection Coordinator

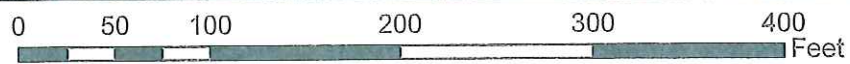
CC: Lori Daley, Design Engineer, City of Strongsville  
Brian Zimmerman, Chief Executive Officer  
Donna Studniarz, Chief of Strategic Initiatives

cc: Mayor Perciasepe  
Carol Oprea  
Dan Kolick  
Lori Daley

DISCOVER | ENJOY | PROTECT











\*\* 01/05/15 – Photos given to Council pertaining to the TREX (Transfer of Liquor Permit). \*\*



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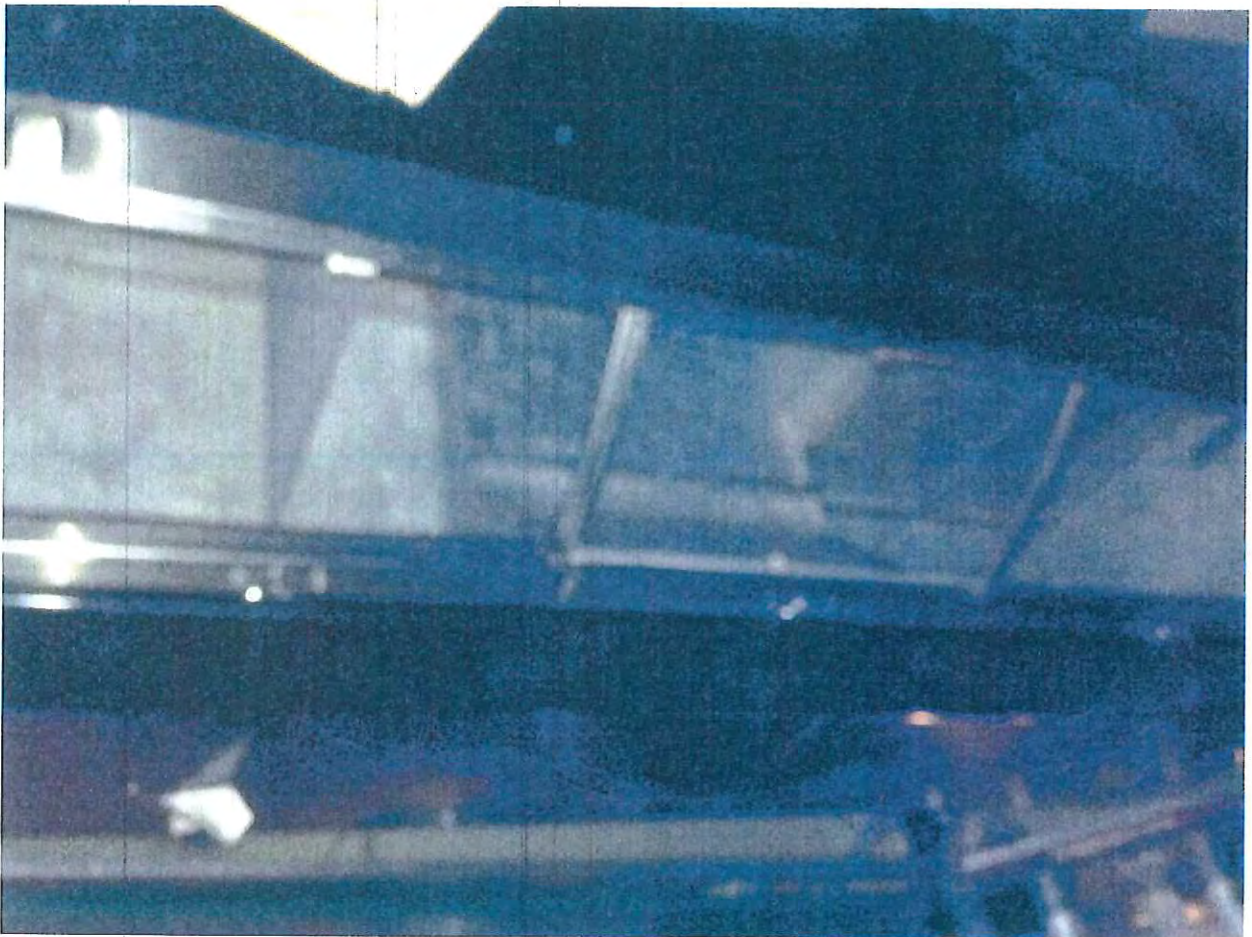
\*\* 01/05/15 – Photos given to Council pertaining to the TREX (Transfer of Liquor Permit). \*\*



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