

**SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE STRONGSVILLE CITY COUNCIL
REGULAR MEETING HELD ON MONDAY, December 19, 2016.**

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 19, 2016 at 7:30 p.m.**

Present: Council Members: Michael J. Daymut, Joseph C. DeMio, Matthew A. Schonhut, Duke Southworth, Kenneth M. Dooner, Gordon C. Short and James E. Carbone. Also Present: Assistant Clerk of Council Tiffany Mekeel. Administration: Mayor Thomas P. Perciak, Law Director Neal M. Jamison, Finance Director Joseph K. Dubovec, Economic Development Director Brent Painter, Communications and Technology Director David Sems, Service Director Joe Walker, Recreation and Senior Services Director Bryan Bogre, Building Commissioner Tony Biondillo, Human Resource Director Steve Kilo, City Engineer Ken Mikula, Public Safety Director Charles Goss, Police Chief James Kobak and Assistant Fire Chief Neil Rozman.

Council President Southworth called the caucus to order at 7:30 p.m.

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

Planning, Zoning and Engineering Committee: Chairman Daymut advised Ordinance No. 2016-178 is to amend Sections 1242.07(b), 1258.02, 1258.03 and 1258.04 of the Planning and Zoning Code of the Codified Ordinances to establish regulations for certain large retail businesses. This ordinance will have a public hearing this evening. The recommendation is to adopt. Suspension and adoption was recommended for Ordinance No. 2016-231. This is an ordinance authorizing and directing the Mayor to issue and approve change order no. 1 for an increase in the contract price between the City and Mark Haynes Construction, Inc. in connection with the 2016 Courtland Culvert Replacement Project. The change order was for the amount of \$21,238.50 for a new contract price of \$684,873.50. Ordinance No. 2016-232 is authorizing the Mayor to accept grants of easement for sidewalk improvements from Siedel Land Holdings, LLC. in connection with Siedel Farms Subdivision No. 3. The recommendation was to suspend and adopt. Suspension and adoption was recommended for Resolution No. 2016-233; confirming Planning Commission approval of the final site plan for the addition of three new antennas and ancillary antenna equipment on city-owned property located 16099 Foltz Parkway.

Finance Committee: Chairman Dooner advised Resolution No. 2016-229 will be to establish a fund known as the Health Insurance Reserve Fund, No. 661. The recommendation was to suspend and adopt. Suspension and adoption was recommended for Ordinance No. 2016-230; authorizing the Mayor to enter into a contract for a comprehensive health benefits plan for City employees for the year 2017. This ordinance is without public bidding; therefore, all seven votes of Council are required to pass. Mr. Dooner recommended suspension and adoption for Ordinance No. 2016-234, an appropriations ordinance for the annual expenses and other expenditures of the City of Strongsville for the year 2016. Suspension and adoption was recommended for Ordinance No. 2016-235; an appropriations ordinance for the annual expenses and other expenditures of the City of Strongsville for the year 2017. Ordinance No. 2016-236 will be discussed in executive session later this evening.

Public Service and Conservation Committee: Chairman Carbone advised Ordinance No. 2016-237 is amending Section 2 of Ordinance No. 2016-109 to increase the appropriated contract amount and amend the contract with Crossroads Asphalt Recycling, Inc. for the purchase of General Pavement Services for use by the Service Department. The increase is \$267,548.00 for a new contract price of \$1,115,230.50. Mr. Carbone advised the additional work was done on Lorraine Drive, the entry of Bent Tree, crack sealing on Marks Road, Shurmer Road, Bent Tree, Lorraine Drive, Howe Road and Boston Road. A portion of the crack sealing will be covered by the County. The City will be reimbursed \$96,000.00. This ordinance is without public bidding; therefore, all seven votes of Council are required to pass. The recommendation is to suspend and adopt.

Public Safety and Health Committee: Chairman DeMio recommended suspension and adoption for Ordinance No. 2016-238; an ordinance authorizing the Mayor to enter into a side bar agreement for part-time radio dispatchers between the City of Strongsville and the Fraternal Order of the Police, Parma Lodge 15. Ordinance No. 2016-240 is approving multiple change orders for an increase in the contract amount with Seitz Builders, Inc. in connection with the renovation and mechanical upgrades at Fire Station No. 3. Suspension and adoption was recommended for this ordinance. Suspension and adoption was also recommended for Ordinance No. 2016-239; an ordinance approving and authorizing the City of Strongsville Fire Department to participate in the Ohio Turnpike and Infrastructure Commission Fire Department Reimbursement Program. Assistant Chief of Fire Rozman explained the program would provide reimbursement to the Fire Department for responding outside of their jurisdiction for incidents involving commercial and passenger vehicles on the Ohio Turnpike; east of West 130th Street, towards Broadview Heights or west of Prospect Road, towards Berea and Olmsted Falls. Mr. DeMio asked how many calls the City has responded to over the past four to five years. Assistant Chief of Fire Rozman stated the Fire Department is averaging two calls per month. Mr. Short asked if the City receives any reimbursement. Mr. DeMio stated the City receives nothing. Assistant Chief of Fire Rozman stated the City will start receiving some reimbursement for incidents involving vehicle fires or accidents requiring more than an ambulance. Mr. DeMio added funds are collected for use of the Ohio Turnpike and the City should be reimbursed for responding to calls outside of the City's jurisdiction. Ordinance No. 2016-241; an ordinance amending Sections 450.03 and 450.07 of Title Eight of Part Four, Traffic Code of the Codified Ordinances of the City of Strongsville in connection with the parking violations bureau. Mr. Jamison stated this ordinance is in effort to clean up the Chapter. It will remove the City's responsibility for collecting parking violations from other jurisdictions. Language was added providing flexibility for the hearing examiner by eliminating a formal hearing for parking violations and allow the review and resolution of violations accordingly. Additional language included in the update is the hearing examiner will be the Magistrate of the Strongsville Mayor's Court and the Violations Clerk will be an employee of the City of Strongsville assigned by the Police Chief. No additional position will be created for either position, saving the City money. Mr. DeMio asked if the hearing examiner position required a law degree. Mr. Jamison confirmed a law degree was required. Any parking violations are handled by the Magistrate. This ordinance is formalize the process. Mr. DeMio stated parking violations would be handled by Ken Kraus. Mayor Perciak added the City collects roughly \$20,000.00 a year from parking violation fines. The City has this section primarily to prevent people from parking on the street during inclement weather conditions during the months from November to March. Mayor Perciak stated he would prefer to abolish this section. Mr. Short asked if the Violations Clerk would be an employee of the Police Department who will be assigned the duties. Mr. Jamison confirmed it would and is currently held by Jeff Branic. The hearing examiner is Ken Kraus. Mr. Goss stated this is a low work load and only two to three parking violations are issued per week. Mr. Schonhut stated with the modification to this section, the City was relinquishing some of its power in approving the appointment.

Recreation and Community Services: Chairman Short recommended suspension and adoption for Ordinance No. 2016-242; an ordinance amending Section 1 of Ordinance No. 2016-063 authorizing the Mayor to enter into a State of Ohio Administrative Services contract for the purchase and installation of various fitness equipment for use by the Recreation Department of the City, in order to purchase additional equipment to replace obsolete fitness machines. The additional equipment and will be purchased from Technogym USA Corp for \$3,355.33. Ordinance No. 2016-243 is an ordinance repealing Ordinance No. 2016-207, amending Ordinance No. 2016-208 and the contract with Blue Ribbon Meats, Inc. for the purchase of meat, fish and poultry for use at the Walter F. Ehrnfelt Recreation and Senior Center. The contract was sent to the supplier and the supplier refused to sign the contract. This ordinance is without public bidding; therefore, all seven votes of Council are required to pass. The recommendation is to suspend and adopt.

Economic Development Committee: Mr. Daymut advised there will be no committee meeting in December.

Committee of the Whole: Chairman Southworth recommended suspension and adoption for Ordinance No. 2016-244; an ordinance amending Chapter 618 of Part Six, General Offenses Code of the Codified Ordinances of the City of Strongsville to establish a new Section 618.23 concerning regulation of poultry in the City of Strongsville. Mr. Jamison stated the new section adds additional regulation requirements in line with the City of Strongsville Building and House Code and Planning, Zoning and Engineering Code. Poultry can be kept or harbored on property that is at least 20,000 square feet in area. Such areas need to be kept in a sanitary manor which the Animal Warden will monitor. Poultry will be kept within an enclosure or exercise area. No roaming or free range will be permitted. No roosters will be allowed under this ordinance. A new schedule was added, reducing the quantity of poultry allowed depending on the lot size. Mr. Short stated this allows the Animal Warden to fine residents who do not comply with the new section. Mr. Short asked how long residents have to comply with the "no rooster" section. Mr. Jamison stated a grace period would be allowed for the resident to comply with the new section.

Mr. DeMio played a video clip he received from a resident of a goat calling. A picture from the resident exhibited a goat on the resident's back patio. Mr. DeMio thanked Building Commissioner, Tony Biondillo, for his outstanding job with this "goat" situation.

President Southworth noted the necessity for an executive session for the purpose to discuss personnel matters. Also present from the Administration: Mayor Perciak, Steve Kilo and Neal Jamison. It was so moved by Mr. DeMio and seconded by Mr. Schonhut 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 7:49 p.m. The executive session concluded at 8:25 p.m. and reconvened into open session.

MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON MONDAY, DECEMBER 19, 2016 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.

CALL TO ORDER:

Council President Southworth called the meeting to order at 8:25 p.m. All joined in the Pledge of Allegiance to the Flag.

CERTIFICATION OF POSTING:

The Assistant 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, Michael J. Daymut, Duke Southworth, Kenneth M. Dooner, Gordon C. Short, and James E. Carbone. **Also Present:** Assistant Clerk of Council Tiffany Mekeel. **Administration:** Mayor Thomas P. Perciak, Law Director Neal M. Jamison, Finance Director Joseph K. Dubovec, Communications and Technology Director David Sems, Economic Development Director Brent Painter, Service Director Joe Walker, Recreation and Senior Services Director Bryan Bogre, Building Commissioner Tony Biondillo, City Engineer Ken Mikula, Human Resource Director Steve Kilo, Public Safety Director Charles Goss, Police Chief James Kobak and Assistant Fire Chief Neil Rozman.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on December 5, 2016 were approved as submitted.

APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:

(None)

PUBLIC HEARING:

Ordinance No. 2016-178 by Mr. Carbone and Mr. Schonhut. AN ORDINANCE AMENDING SECTIONS 1242.07(b), 1258.02, 1258.03 AND 1258.04, OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR CERTAIN LARGE RETAIL BUSINESSES, AND DECLARING AN EMERGENCY. *First reading 09-19-16. Second reading and referred to Planning Commission 10-17-16. Unfavorable recommendation by Planning Commission 11-3-16. Third reading 11-07-16. Public hearing 12-19-16.*

*Council President Southworth opened the Public Hearing on this matter and invited anyone wishing to speak **IN FAVOR** of the Ordinance to approach the podium and address Council at this time.*

(No Comments)

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

Nadeem Koussa, 18871 Saratoga Trail, Strongsville, OH: My name is Nadeem Koussa. I live at 18871 Saratoga Trail, Strongsville Ohio. I will be talking the next few minutes about proposed Ordinance 178 as well as 179. Both proposed ordinances are targeting the same area, which is the undeveloped land left in the business section of Strongsville. In fact, proposed Ordinance 179 was brought up for discussion sometime earlier than 178 but it was put on the back burner. According to Mr. Dan Kolick and Mr. Brent Painter, during their meeting with some property owner, six to seven weeks ago... Ordinance 179 was put on the side when it seems there was an urgency to pass 178 first because there was a large reputable business that had contracted to push this. Our 22 ½ acres of land located on the east side of Pearl Road, across the street from Tony Sheiban Square. A few months earlier...if both ordinances pass, there will be a major road block in developing both sides of the section of Pearl Road between Shurmer Road and Drake Road. Both ordinances will have a negative domino effect to the City. It will decrease the land value tremendously and slow down the development of the land. Guess who is losing big, every year, if our land has not been developed. Of course, it is the City's budget. For example, the City's undeveloped 22 ½ acres loses \$500,000.00 in property taxes alone. If you add the capital gain taxes, plus the sales taxes from the businesses and the income taxes from the employees that work in these businesses, it may reach a million dollars. I want everyone to think about it. \$1 million lost for every 22 acres of undeveloped land and if anyone is interested in knowing how much the City budget will lose every year in total, it is simple math. Just multiply 1 million by five. This is for the section only between Shurmer Road...the undeveloped land between Shurmer Road and Drake Road. It would be \$5 million per year for the City. I don't know if it's pocket change or what. And now we are here, for a public hearing, on an ordinance putting a road block to develop our land. If Ordinance 178 and 179 is not good for property owners and not good for business owners or for the City budget, it is not good for all the residents in Strongsville. Thank you very much.

Mr. Southworth – Thank you. Is there anybody else who would like to address Council?

Deebey Koussa, 18871 Saratoga Trail, Strongsville, OH: Good evening. I'm Deebey Koussa, 18871 Saratoga Trail, in Strongsville. I am here to voice my opposition to the proposed Ordinance 2016-178. The ordinance is targeting a section of undeveloped land located in the general business sector, specifically the five jointed properties consisting of 22 ½ acres of land on Pearl Road across the street from Sheiban Square. There are two different sides to this ordinance.

PUBLIC HEARING (cont'd):

Mrs. Koussa (cont'd) – The side that has introduced it and is voting on it and the side that is being effected directly. If this ordinance is voted to go through, I am asking all the members present today to consider the other side of this ordinance before voting. In order to make a fully informed decision. Thank you.

Mr. Southworth – Thank you very much. Is there anybody else who would like to address Council regarding this ordinance?

Rebekah Watson, 19610 Westwood Drive, Strongsville, OH: Hi, my name is Rebekah Watson. I live at 19610 Westwood Drive here in Strongsville. I'm a citizen of Strongsville and I learned about Ordinance 178 and 179 which limits the size for every single retail business to 75,000 square feet per 10 acres. That would have eliminated large stores like Home Depot or Giant Eagle Market District, Macys or Sears from coming and competing in our City. Everyone knows when businesses compete, the consumers, like me, win. Please vote against Ordinances 178 and 179 and let the residents of Strongsville benefit from this competition. Thank you.

Mr. Southworth – Thank you very much.

Walter Lucas, 18118 North Inlet Drive, Strongsville, OH: Good evening. My name is Walter Lucas and I reside at 18118 North Inlet. I'm here to talk about...against the proposal 2016-178. I've always felt a sense of gratitude for our City. As a resident and medical business owner. Practicing for 27 years. Our City has progressed in development and is moving forward with quantity. With that, I think the proposed ordinance, in my humble opinion is unconscionable. We could learn from other cities development but we cannot exactly duplicate what they have accomplished. Our City has a different topography than...again, I'd like to emphasize what Dr. Koussa said. The opportunity that we lose from commercial business, income tax and prospected residential tax. As a lifelong resident, I think we should work together and help each other for the progress of the great City of Strongsville. Thank you.

Mr. Southworth – Thank you very much. Is there anybody else who would like to address Council on this ordinance, either in favor or against?

(No Comments)

Hearing no further comments in regard to this matter, Council President Southworth closed the Public Hearing on said Ordinance.

REPORTS OF COUNCIL COMMITTEES:

SCHOOL BOARD – Mr. Carbone: Yes, at the last school board meeting, the Assistant Superintendent, Jenny Pelko, recognized the Strongsville Civic Team; accompanied by the Chamber, the Optimist, the Rotary and the Women's League. This is a \$5,000.00 commitment from the Civic Team for anti-bullying and suicide prevention in our schools and because of their generous contributions; and Mr. Dooner was onboard with that too, on the committee, they were able to expand the program from kindergarten to 12th grade. It's unfortunate that we have to deal with these issues in our schools, but it is what it is. We're not burying our heads in the sand. We're taking a very proactive approach. Whitney School was chosen as Fox 8 News Cool School. That was exciting for them. Also, the cross-country team went to States. They were recognized at the meeting. Our own Duke Southworth was at the meeting...

Mr. Southworth – It was a joint presentation.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. Carbone – Yes and we presented the school with the City flag. They will have it at their board meetings. Lastly, because of the lacrosse teams and the commitment...with a lot of our students...there is a number of kids...we had to expand our lacrosse program so now we...the board approved to have a coach and an assistant coach for the JV, which is a good thing. Get more kids involved and that ends my report.

Southworth – Thank you very much Mr. Carbone, are there any questions for Mr. Carbone?

(None)

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Southworth: We haven't had a board meeting. If there are any questions, I'd be more than happy to answer.

(None)

BUILDING AND UTILITIES – Mr. Schonhut: Thank you Mr. Southworth, I have nothing to report for either committee, but I will happily take any questions.

Mr. Southworth – Thank you very much Mr. Schonhut, are there any questions for Mr. Schonhut?

(None)

COMMUNICATIONS AND TECHNOLOGY – Mr. Schonhut:

* See Building and Utilities above *

ECONOMIC DEVELOPMENT – Mr. Daymut: Thank you Mr. Southworth, we have no ordinances or resolutions on this evening's agenda. There is no meeting in the month December; we do recess. That's all I have, thank you very much.

Mr. Southworth – Thank you very much Mr. Daymut, are there any questions for Mr. Daymut?

(None)

FINANCE – Mr. Dooner: Thank you Mr. Southworth. We have Resolution No. 2016-229. This is a resolution establishing a fund to be known as the Health Insurance Reserve Fund. The recommendation is to suspend and adopt. Ordinance No. 2016-230; this is an ordinance authorizing the Mayor to enter into a contract for comprehensive health benefits plan for City employees for the year 2017. The recommendation is to suspend and adopt and we need all seven on this one. We also have Ordinance No. 2016-234; this is an ordinance making appropriations for the annual expenses for the year 2016. The recommendation is to suspend and adopt. Ordinance No. 2016-235; this is an ordinance making appropriations for the annual expenses for the year 2017. The recommendation is to suspend and adopt. I do believe that is all, Mr. Southworth.

Mr. Southworth – Thank you very much Mr. Dooner, are there any questions for Mr. Dooner?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

PLANNING, ZONING AND ENGINEERING – Mr. Daymut: Thank you Mr. Southworth. Planning, Zoning and Engineering met this evening. As you know, we had the public hearing on Ordinance No. 2016-178 this evening and it is also on the agenda. It is amending Section 1242 and 1258 to establish regulations for certain large retail businesses. I ask that you vote you're conscious on this particular ordinance. We have Ordinance No. 2016-231; change order number 1 for an increase in contract price with Mark Haynes Construction for the Courtland Culvert Replacement. I ask that we give that favorable recommendation. We have Ordinance No. 2016-232; a grant of easement for sidewalk improvements for Siedel Farms Subdivision No. 3. I ask that we give that favorable recommendation. Finally Resolution No. 2016-233; confirming Planning Commission approval of three new antennas on existing telecommunication tower at 16099 Foltz for Sprint. I ask that we give that favorable recommendation. That is all I have Mr. Southworth, thank you.

Mr. Southworth – Thank you very Mr. Daymut, are there any questions for Mr. Daymut?

(None)

PUBLIC SAFETY AND HEALTH – Mr. DeMio: Thank you. We have several ordinances before us today. 238, 237, 239, 240 and 241. I know there are some folks here that would like to hear our vote; so basically I'm just going to say, we're suspending and adopting all those on the docket today. The other thing we'd like to say, Mayor, I hope you don't mind. We are very happy to say that our Finance Director is healthy and safe and he's back with us. The Safety Committee really wants you not to play basketball anymore.

Mr. DeMio – If that's okay?

Mr. Southworth – Are there any questions for Mr. DeMio...

Mr. DeMio – I had to do it. I mean, guys, the animal, the elephant in the room, I should say...he's been very quiet Mayor. Very quiet.

Mayor Perciak – You should see him hustling around on his scooter in the City Hall Offices.

Mr. DeMio – It isn't the pain pills, is it?

Mayor Perciak – Absolutely not.

Mr. DeMio – Okay, good. Good. I just want to make sure, for the record...

Mayor Perciak – The real cruxes of this story is...why don't you ask him what his wife had to say about the whole thing?

Mr. DeMio – Hey, the Mayor has spoken Joe. Alright, I'll close it.

Mr. Southworth – Are there any questions for Joe?

(None)

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION – Mr. Carbone: Yes, one ordinance this evening. Ordinance No. 2016-237; this is amending Section 2 of Ordinance No. 2016-109. We expanded our asphalt program to the entrance of Bent Tree and Lorraine in Ward 3. We did some crack sealing and there is a reimbursement from the County. The recommendation is to suspend and adopt and we need all seven.

Motion by Mr. Carbone, seconded by Mr. DeMio to note and approve the owner's designation of wishes for interments in Strongsville Municipal Cemetery, Section B, Lot# 51, Grave A. All members present voted aye and the motion carried.

Mr. Southworth – Are there any other questions for Mr. Carbone?

(None)

RECREATION AND COMMUNITY SERVICES – Mr. Short: Thank you Mr. Southworth, we have two Ordinances tonight on the agenda. Ordinance No. 2016-242 is for the purchase of the final piece of fitness equipment in the fitness replacement program at the recreation center. The recommendation is to suspend and adopt. Also, 2016-243, which is to amend Ordinance No. 2016-208 for the contract at the rec/senior center for meat, fish and poultry. I ask that we suspend and adopt and we need all seven for that. Thank you.

Mr. Southworth – Thank you very much Mr. Short, are there any questions for Mr. Short?

(None)

COMMITTEE OF THE WHOLE – Mr. Southworth: We have two pieces of legislation. Ordinance No. 2016-244; this deals with a few residents in Strongsville that keep chickens on their property. The recommendation is to suspend and adopt. The second piece is 2016-236; this is a salary ordinance for 2017. The recommendation is to suspend and adopt. If there are no questions for me, then we will move on.

(None)

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

MAYOR PERCIAK: Thank you Mr. President. Good evening everyone. On behalf of my Administration and my entire executive team, we want to take the time to wish everyone a very Merry Christmas and a very happy, healthy New Year. We look forward to the challenges and to everything that lies ahead in 2017. Thankfully we have a strong balance sheet that we can move forward in this community and continue to provide the services that our residents have become accustomed to. Moving along those line, there has been much discussion about the Bowman Drive, Fetzer Drive and Drake Road sanitary project, the sanitary sewer project funding. Our City Engineer, Ken Mikula and our Assistant City Engineer, Lori Daley, along with our Ward 4 Councilman, Gordon Short worked together with the Administration to obtain a grant. Here are the actually findings and here's a breakdown as to what we except. The preliminary rankings were released for funding from the Ohio Public Works Commission. The City was awarded \$1,604,630.00 which is 65% of the estimated total project cost. Of the \$1,604,630.00, \$614,165.00 is in the form of a grant. Another \$987,465.00 is in the form of a zero interest loan for 20 years. Grant money spread out equally will lower the assessment amount to all of the residents on Bowman Drive, Fetzer Drive and Drake Road effected by the sanitary sewer project.

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

(Static interference)

Mayor Perciak – So there we go. We get all this grant money and we can't...

Mr. Short – All this good news and we can't hear it, can you repeat...

Mayor Perciak – I think it came across, did it not? Okay. The grant money will be spread out equally and will lower the assessment amount to the residents. The estimated construction cost will be reduced from \$2,185,146.00 to \$1,638,859.00. Now what does this mean to the residents? The estimated assessments are reduced from \$12,803.00 to \$9,790.00 on the short tie-ins and from \$17,803.00 to \$13,540.00 on the long connections. This is a substantial savings. Now, mind you, what everybody needs to understand, we tried this, to obtain this grant one time before, and we were denied. It was because of the expertise of our City Engineer and our Assistant Engineer in putting together this package that the Ohio Public Works Commission readdressed this entire situation. So, the estimated cost for the City of Strongsville, in this deal, because this was not all being paid for by the residents; the cost are reduced from \$1,168,000.00 to \$885,550.00. This is just the rankings, but usually this is how it works out. The funding is unofficial until the notices are sent in February; however, historically, the final recommendations do not vary from the preliminary rankings. We're happy to report that the people on Bowman Drive, Fetzer Drive and Drake Road...the sanitary sewer project funding, this is a very Merry Christmas for everybody involved. I want to thank everybody who help prepare for this grant, who were involved in this grant. Who met with the residents. The Councilmen and everybody from the Administration. Thank you. Gordon, I think you have a strong message to take back to your residents.

Mr. Short – Yes, and I...

Mayor Perciak – Kenny, thank you.

Mr. Short – Yes, Kenny, thank you. Mayor, thank you and your staff and the Engineering Department. Obviously, the cost were a big concern to the residents. We told them we went back for grant money. I'm happy we can deliver this message to them. Thank you and your team. This is a great Christmas gift for those residents. I know they will be happy to hear that news. Thank you and your team. Thanks Ken. Let Lori know as well, we said a very thank you to her.

Mayor Perciak – I am sorry I had to go on so long, but it was a very detailed breakdown and I'd rather we have the correct and accurate numbers to reflect what is actually being paid for by whom. Thank you.

Mr. Southworth – That is fantastic.

FINANCE DEPARTMENT – Mr. Dubovec: Thank you Mr. President. Funds will be made available for all ordinances and resolutions on this evening's agenda requiring certification of funding. That ends my report. Thank you.

Mr. Southworth – Thank you Mr. Dubovec.

LAW DEPARTMENT – Mr. Jamison: All ordinances and resolutions are in proper legal form.

Mr. Southworth – Thank you Mr. Jamison.

AUDIENCE PARTICIPATION:

Mr. Southworth – We have reached that portion of our meeting for audience participation. We do have a sign-in sheet. All those people that signed in have spoken previously at the public hearing, if there is anybody who wants to address Council, please come to the podium. State your name and address and you have five minutes.

(No Comments)

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2016-178 by Mr. Carbone and Mr. Schonhut. AN ORDINANCE AMENDING SECTIONS 1242.07(b), 1258.02, 1258.03 AND 1258.04, OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR CERTAIN LARGE RETAIL BUSINESSES, AND DECLARING AN EMERGENCY. *First reading 09-19-16. Second reading and referred to Planning Commission 10-17-16. Unfavorable recommendation by Planning Commission 11-3-16. Third reading 11-07-16. Public hearing 12-19-16.*

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

Roll Call: All nays. Motion fails. Ordinance No. 2016-178 DEFEATED.

Mr. Carbone – Before I vote on the ordinance, I'd like to make a statement.

Mr. Southworth – Please do.

Mr. Carbone – Pardon me?

Mr. Southworth – Please do.

Mr. Carbone – The expectation when we put in this legislation was for it to be a working piece of legislation. We submit something in and from there we gain information from the public. Seeing it was in the newspaper, a lot of people reached out, as far as via e-mail or phone calls. We also, I think several of us, met with the property owners. What we wanted to do was come up with something that we could put together, that everybody would be in agreeance with. We asked to amend this, but that wasn't the wish of Council. So, because of that, and because I'm not satisfied at our starting point...I would have been more satisfied where we would have ended up with everybody's input, I'm going to vote no.

Mr. Southworth – Thank you, Mr. Carbone. Continue the roll, please.

Mr. DeMio – I also want to put in this letter, I believe everyone got it. I don't believe I am not the only one, from Mr. Palmer. Make sure that is part of the record. My vote is no as well.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2016-229 by Mayor Perciak and Mr. Dooner. A RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS THE HEALTH INSURANCE RESERVE FUND, NO. 661. *First reading 12-05-16.*

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. 2016-229 ADOPTED.

Ordinance No. 2016-230 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR A COMPREHENSIVE HEALTH BENEFITS PLAN FOR CITY EMPLOYEES FOR THE YEAR 2017, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY. *First reading 12-05-16.*

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. 2016-230 ADOPTED.

Ordinance No. 2016-231 by Mr. Daymut. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MARK HAYNES CONSTRUCTION, INC. IN CONNECTION WITH THE 2016 COURTLAND CULVERT REPLACEMENT 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. 2016-231 ADOPTED.

Ordinance No. 2016-232 by Mayor Perciak and Mr. Daymut. AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT GRANTS OF EASEMENT FOR SIDEWALK IMPROVEMENTS FROM SIEDEL LAND HOLDINGS, LLC, IN CONNECTION WITH SIEDEL FARMS SUBDIVISION NO. 3, 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. 2016-232 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2016-233 by Mr. Daymut. A RESOLUTION CONFIRMING PLANNING COMMISSION APPROVAL OF THE FINAL SITE PLAN FOR THE ADDITION OF THREE (3) NEW ANTENNAS AND ANCILLARY ANTENNA EQUIPMENT FOR THE CO-LOCATION ON AN EXISTING TELECOMMUNICATIONS TOWER, ON CITY-OWNED PROPERTY LOCATED AT 16099 FOLTZ PARKWAY (PPN 393-12-002 AND 393-10-001), IN 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. 2016-233 ADOPTED.

Ordinance No. 2016-234 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2016 AND REPEALING ORDINANCE NUMBER 2016-203.

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. 2016-234 ADOPTED.

Ordinance No. 2016-235 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2017.

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. 2016-235 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2016-236 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING THE GENERAL SALARY ORDINANCE TO AMEND SECTIONS 5-143, 6-003, 9-004, 9-007, 9-009 AND 9-010, IN ORDER TO ADJUST CERTAIN PROVISIONS CONCERNING SALARY AND HOURLY PAY RANGE SCHEDULES; TO FIX THE COMPENSATION OF CERTAIN SALARIED AND HOURLY EMPLOYEES; AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; 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 as amended by Mr. Dooner, second by Mr. DeMio.

Roll Call: All ayes. Motion carries. Ordinance No. 2016-236 ADOPTED. AS AMENDED.

Mr. Schonhut noted the necessity for an executive session for the purpose to discuss personnel matters. Also present from the Administration: Mayor Perciak, Steve Kilo and Neal Jamison. It was so moved by Mr. Schonhut and seconded by Mr. DeMio 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 8:59 p.m. The executive session concluded at 9:02 p.m. and reconvened into open session.

Ordinance No. 2016-237 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2016-109 TO INCREASE THE APPROPRIATED CONTRACT AMOUNT AND AMEND THE CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC. FOR PURCHASE OF GENERAL PAVEMENT SERVICES FOR USE BY THE SERVICE 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. 2016-237 ADOPTED.

Ordinance No. 2016-238 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SIDE BAR AGREEMENT FOR PART-TIME RADIO DISPATCHERS BETWEEN THE CITY OF STRONGSVILLE AND THE FRATERNAL ORDER OF THE POLICE PARMA LODGE 15 (RADIO DISPATCHERS UNIT) IN CONNECTION WITH THE CURRENT COLLECTIVE BARGAINING AGREEMENT, 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. 2016-238 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2016-239 by Mayor Perciak and Mr. DeMio. AN ORDINANCE APPROVING AND AUTHORIZING THE CITY OF STRONGSVILLE FIRE DEPARTMENT TO PARTICIPATE IN THE OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION FIRE DEPARTMENT REIMBURSEMENT PROGRAM, 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. 2016-239 ADOPTED.

Ordinance No. 2016-240 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NOS. 12 AND 13 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND SEITZ BUILDERS, INC., IN CONNECTION WITH THE RENOVATION AND MECHANICAL UPGRADES AT FIRE STATION NO. 3, 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. 2016-240 ADOPTED.

Ordinance No. 2016-241 by Mayor Perciak and Mr. DeMio. AN ORDINANCE AMENDING SECTIONS 450.03 AND 450.07 OF TITLE EIGHT OF PART FOUR-TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN CONNECTION WITH THE PARKING VIOLATIONS BUREAU, 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. Ayes: Mr. DeMio, Mr. Daymut, Mr. Southworth, Mr. Dooner, Mr. Short. Nays: Mr. Carbone and Mr. Schonhut. The motion carried.

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

**Roll Call: Ayes: Mr. Daymut, Mr. Southworth, Mr. Dooner, Mr. Short, Mr. DeMio.
Nays: Mr. Carbone and Mr. Schonhut.**

Motion carries. Ordinance No. 2016-241 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2016-242 by Mayor Perciak and Mr. Short. AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2016-063 AUTHORIZING THE MAYOR TO ENTER INTO A STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACT FOR THE PURCHASE AND INSTALLATION OF VARIOUS FITNESS EQUIPMENT FOR USE BY THE RECREATION DEPARTMENT OF THE CITY, IN ORDER TO PURCHASE ADDITIONAL EQUIPMENT TO REPLACE OBSOLETE FITNESS MACHINES, AND DECLARING AN EMERGENCY. [Technogym]

Motion by Mr. Dooner to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. Ayes: Mr. Southworth, Mr. Dooner, Mr. Short, Mr. Carbone, Mr. DeMio, Mr. Daymut. Nays: Mr. Schonhut. The motion carried.

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

**Roll Call: Ayes: Mr. Dooner, Mr. Short, Mr. Carbone, Mr. DeMio, Mr. Daymut, Mr. Southworth.
Nays: Mr. Schonhut.**

Motion carries.

Ordinance No. 2016-242 ADOPTED.

Ordinance No. 2016-243 by Mayor Perciak and Mr. Short. AN ORDINANCE REPEALING ORDINANCE NO. 2016-207; AMENDING ORDINANCE NO. 2016-208 AND THE CONTRACT WITH BLUE RIBBON MEATS, INC. FOR THE PURCHASE OF MEAT, FISH AND POULTRY FOR USE AT THE WALTER F. EHRNFELT RECREATION & SENIOR CENTER, WITHOUT 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. 2016-243 ADOPTED.

Ordinance No. 2016-244 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING CHAPTER 618 OF PART SIX-GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO ESTABLISH A NEW SECTION 618.23 CONCERNING REGULATION OF POULTRY IN THE CITY OF STRONGSVILLE, 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. 2016-244 ADOPTED.

COMMUNICATIONS, PETITIONS AND CLAIMS:

(None)

MISCELLANEOUS BUSINESS:

Mr. Southworth – Is there any other miscellaneous business?

(No comment)

ADJOURNMENT:

There being no further business to come before this Council, President Southworth adjourned the meeting at 9:13 p.m.



Tiffany Mekeel, CMC
Assistant Clerk of Council

January 3, 2016

Date of Approval

December 13, 2016

John and Val Palmer
5008 Jetty Ct.
Southport, NC 28461

City of Strongsville
16099 Foltz Parkway
Strongsville, OH 44149-5598

Mayor Thomas P. Perciak

Mr. Michael J. Daymut, Ward 1 Councilman
Mr. Matt Schonhut, Ward 2 Councilman
Mr. Jim Carbone, Ward 3 Councilman
Mr. Gordon Short, Ward 4 Councilman
Mr. Joseph C. DeMio, Councilman at Large
Mr. Ken Dooner, Councilman at Large
Mr. Duke Southworth, Councilman at Large

Public Hearing on Proposed Ordinance 2016-178

Dear Strongsville City Councilmen:

I am again writing on behalf of and at the request of the 5 property owners of collectively approximately 22 acres of adjoining real estate on the East side of Pearl Rd. across from Michaud's and going South toward the GetGo Station at Drake and Pearl who are directly impacted by the proposed legislation. It is of our opinion that proposed Strongsville Ordinance 2016-178 is written specifically to prevent the sale of our property to a developer of a retail store. It is generally recognized that property owners are entitled to the best and highest use of their property. Absent this new legislation, the property owners would be entitled to propose the sale to a developer of a large retail or similar business. The legislation would restrict the type of buyer who would be interested in the property. The legislation would therefore significantly reduce the value of the property. The City of Strongsville has permitted this type of retail development multiple times in the past and it would have been allowed, under current ordinance and proper city guidance and the will of the citizens of Strongsville, but for the impact of this proposed legislation. The legislation is essentially a take away of the value of our land.

The properties affected represent approximately 22 acres of developable land. This is prime commercial land in a currently zoned commercial district. The development would provide a valuable income stream to the City of Strongsville and Strongsville City Schools, employment of hundreds, as well as providing another new shopping opportunity to the community. Now that

Pearl Rd. has been widened it is ready to support the traffic generated in both residential and commercial use. The property represents a significant investment that the property owners made many decades ago. The property owners call into question the motivations of this legislation at this particular time after they had come forward with a potential buyer who made an acceptable offer. Other retail interests have had the opportunity to present to Strongsville as a whole and in our ward in particular the opportunity to change the zoning, if required, permitting the project to go forward. Home Depot, Walmart, Lowes, Target, Giant Eagle, and the larger strip centers have all been welcomed additions to the commercial offerings to Strongsville. A 75,000 sq. ft. building on our property would hardly utilize the available land and would essentially make the rest of the available land unusable and worthless.

While one potential buyer decided not to come to Strongsville after meeting with the City, who knows when and what desirable project the citizens would want and which requires a building much larger than 75,000 sq. ft. would come along next. Is it in the interest of Strongsville to prevent positive commercial growth in an area planned and ready for it but not yet developed?

In summary, we strongly believe proposed Ordinance 2016-178 materially and to a very significant degree lowers the value of our property. We feel that the ordinance was directly written to target our properties. We believe the ordinance is contrary to maintaining the orderly development of undeveloped land. We further feel the ordinance is contrary to the best interest of Strongsville and its residents. We believe the ordinance is arbitrary in that it is inconsistent with established encouragement of new business and in particular that of large retailers. We believe the ordinance deprives Strongsville residents of new retail opportunities. We believe the ordinance bares waste to economic opportunities available to Strongsville. We believes it shows bad faith to land owners who have for decades been upstanding contributors to the well being of Strongsville both in business and in private life and have invested their time and fortune for the betterment of Strongsville. Please defeat this bill's passage. It is not necessary and it's wrong.

Sincerely,

John and Val Palmer



Dr. and Mrs. Lucas, MD

Dr. and Mrs. Koussa, DDS

Donald Kinat

Edward and Roberta Tarris