

**SUMMARY OF CAUCUS DISCUSSION AND MINUTES OF THE STRONGSVILLE CITY COUNCIL
REGULAR MEETING HELD ON, TUESDAY SEPTEMBER 4, 2018.**

The Council of the City of Strongsville met in the Caucus Room at the Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road, on **Tuesday, September 4, 2018 at 7:15 p.m.**

Present: Council Members: Matthew A. Schonhut, Annmarie P. Roff, Joseph C. DeMio, James E. Carbone, Kelly A. Kosek and Gordon C. Short. Also Present: Assistant Clerk of Council Tiffany Mekeel. **Administration:** Mayor Thomas P. Perciak, Law Director Neal M. Jamison, Service Director Joe Walker, Building Commissioner Tony Biondillo, City Engineer Ken Mikula, Human Resource Director Steve Kilo, Public Safety and Health Director Charles Goss, Recreation and Senior Services Director Bryan Bogre, Police Chief Mark Fender and Fire Chief Jack Draves.

Absent: Councilman Michael J. Daymut and Economic Development Director Brent Painter.

Council President DeMio called the caucus to order at 7:15 p.m.

Motion made by Mr. Carbone, seconded by Mr. Schonhut, to approve the Committee of the Whole meeting minutes of July 9, 2018 and July 23, 2018. Mr. Short abstained from the vote due to not being present at the meetings. All other members voted aye and the motion carried.

Council President DeMio announced he received, only moments earlier from the Mayor, a list of streets repaired and/or repaved. A copy of the list is attached to the back of these minutes. Mayor Perciak stated the departments are currently still working on the streets.

Council President DeMio reminded Council there are two public hearings on this evening's agenda.

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

Planning, Zoning and Engineering Committee: Chairman Schonhut advised Ordinance No. 2018-103 is to amend Section 1252.16 of the Codified Ordinances concerning projections into yards. Planning Commission gave this a favorable recommendation. There will be a public hearing on this tonight. The recommendation was to adopt this legislation. Mr. Schonhut advised Ordinance No. 2018-104; an ordinance amending Section 1253.11 of the Codified Ordinances concerning requirements associated with single family detached and cluster developments. Planning Commission gave this a favorable recommendation. This will be placed on second reading and set for a public hearing on October 15, 2018. Ordinance No. 2018-105 is to rezone property located at Royalton Road and West. 130th Street from LB (Local Business) classification to MS (Motorist Service) classification. Planning Commission gave this a favorable recommendation. There will be a public hearing on this tonight. Mr. Schonhut advised Ordinance No. 2018-113; amending Section 1252.20 and enact a new section, Section 1253.14, of the Codified Ordinances concerning requirements associated with single-family detached and cluster developments. Planning Commission gave this an unfavorable recommendation. This will be placed on second reading and set for a public hearing on October 15, 2018. Suspension and adoption was recommended for Ordinance No. 2018-125. An ordinance authorizing the Mayor and the City Engineer to prepare and submit an application for State of Ohio Issue 1 Funding for improvements to the municipal sanitary sewer system in connection with the Howe Road South Sanitary Sewer System Project. The overall estimated cost of the project is \$1,348,287.00. The City is applying for \$540,000.00. Mayor Perciak stated between the first grant and the second grant, the City's going to have \$900,000.00 plus. Reducing the total overall estimated project cost. Ms. Roff asked how the City distributes the grant funds. Mayor Perciak stated everything is different with engineering and advised Ms. Roff setup a meeting with the City Engineer, Ken Mikula. Mr. Mikula added the City has already received \$430,000.00 in grant money. Mayor Perciak added between the previous awarded grant money and the current application, the City is looking at receiving

up to \$970,000.00 in grant funds; which will reduce the estimated cost substantially. Ms. Roff asked if the cost being assessed to the residents include the grant dollars. Mayor Perciak stated the residents will be assessed the lower amount. Ms. Roff asked if the cost savings from the original grant will be passed over to the residents. Mayor Perciak advised the City has to wait and see what portion of the grant the City will be awarded. Ms. Roff asked what the formula is on how the reduction is passed along to the residents. Mayor Perciak asked if the City has bid this project. Mr. Mikula advised this project has not gone out to bid. He suggested Ms. Roff schedule a meeting with himself and Assistant City Engineer, Lori Daley to discuss how the funds are distributed. There are percentages involved and it's not straight forward calculation. Ms. Roff requested Mr. Mikula send her a list of available dates to discuss this. Ordinance No. 2018-126 is amending Ordinance No. 2017-182 and authorizing the Mayor to enter into an amendment to the LPA Federal Local-Let Project Agreement (No. 31394) with the Ohio Department of Transportation (ODOT PID No. 106723) in connection with the Cuy.-Strongsville TLCI Project at Pearl Road and Royalton Road within the Town Center District. This is an additional \$100,000.00 on top of the \$141,000.00 already obtained. Mr. Schonhut thanked Mr. Mikula and Ms. Daley for their hard work in obtaining additional funds. The recommendation is to suspend and adopt. Suspension and adoption was recommended for Ordinance No. 2018-127. This is an ordinance accepting for recording purposes only the plat of Edgebrook Re-Subdivision No. 1A for the lot split and consolidation of PPNs: 392-24-007 (Common Area) and 3921-24-015 (Sublot No 4-A), within the Edgebrook Subdivision. Ordinance No. 2018-128 is authorizing and directing the Mayor to issue and approve change order no. 1 (final) for an increase in the contract price with Woodford Excavating, LLC. in connection with the Park Point Storm Outlet Project for an additional amount of \$5,010.92. Increasing the total contract cost to \$112,832.92. The recommendation is to suspend and adopt. Suspension and adoption was recommended for Resolution No. 2018-129. This is a resolution appointing an Assessment Equalization Board to hear objects relative to the improvement of Howe Road sanitary sewers. The three disinterested freeholders of the City are Robert R. Lucarelli, John W. Rady and Nick Stepanovich. Finally, Resolution No. 2018-130 is rejecting the bid submitted for the Strongsville TLCI Implementation Project. Mayor Perciak advised the bid came in at \$800,000.00 and the City had to reject the bid. Mr. Schonhut stated the City received one bid which was substantially more than the ten percent of the total estimate cost. Mayor Perciak stated the City will go back out to bid; however, the project will not be started this year. The City needs to redefine the specs and be precise to attract more bidders. Mr. Schonhut added this year for construction has been hard. Mr. Mikula added most of the contractors have full schedules for the year. The City will bid it through the winter and get the area ready for construction next year. Mayor Perciak added it is the second busiest intersection in Cuyahoga County and every contractor knows this. The bids have to include traffic control. Mr. Schonhut questioned if the City would lose out on the grant money. Mr. Mikula stated the City is fine. The City is amending the LPA agreement with ODOT currently and who is controlling the grant money. Ms. Roff asked if an extension will be placed on the grant money. Mr. Mikula advised the City only has to demonstrate to ODOT moving forward with the project. The recommendation is to suspend and adopt.

Finance Committee: Chairman Carbone advised Resolution No. 2018-108 is to authorize the finance director to certify to the fiscal officer of Cuyahoga County unpaid property maintenance nuisance abatements for levy and collection. The total collection amount is \$34,394.82. The recommendation is adopt as amended. Mr. Jamison clarified a motion needs to be made to amend Exhibit A and then a motion to adopt as amended. Suspension and adoption was recommended for Ordinance No. 2018-131. This is issuance and sale of not to exceed \$1,600,000.00 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of acquiring vehicles and related attachments for the City Service Department. Mr. Short asked if the new vehicles are out on the road. Mayor Perciak advised they have been delivered; but, will not be out on the road until later this year. Mr. Walker stated the leaf program is brutal on the trucks. The old trucks will be run as long as possible. The new trucks are fitted for the leaf program; but, will not be used until it's absolutely necessary. Ordinance No. 2018-132 is making appropriations for the annual expenses and other expenditures of the City of Strongsville, Ohio, for the year 2018 and repealing Ordinance No. 2018-093. The recommendation is

to suspend and adopt. Suspension and adoption was also recommended for Resolution No. 2018-133. This is a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer. Lastly, Resolution No. 2018-134; amending resolution No. 2016-031 to designate an additional depository for active and interim funds of the City of Strongsville. This is the bank used by the Recreation Department's referees and umpires. The recommendation is to suspend and adopt.

Communication and Technology Committee: Chairwoman Kosek recommended suspension and adoption for Ordinance No. 2018-135. This is ratifying and authorizing participation in United States General Services Administration Contracts for the purchase of ongoing information technology software and services; authorizing participation in Ohio Department of Administrative Services Contracts for information technology equipment, all for use by the Finance and Human Resources Departments of the City in connection with the Kronos Workforce Timekeeper System. The total contract amount is \$41,262.00. Resolution No. 2018-136 accepting the donation of iPads from the Brewer-Garrett Company to the City of Strongsville, for use by the City's Planning Commission. The recommendation is to suspend and adopt.

Public Safety and Health Committee: Chairman Short advised Ordinance No. 2018-137 is amending Ordinance No. 2018-109 with regard to the contract with A-Team Public Safety Co., LLC for the purchase and installation of various specialty items, equipment and/or accessories necessary to properly outfit new Police Department vehicles. This is without public bidding so all seven votes of Council are needed. This will be placed on first reading.

Committee of the Whole: Mr. DeMio advised Ordinance No. 2018-138 is approving and adopting mid-year replacement pages to the Codified Ordinances of the City, repealing ordinances and resolutions in conflict therewith. The recommendation is to suspend and adopt. Suspension and adoption was also recommended for Resolution No. 2018-139. This is a resolution declaring the opioid epidemic and its resulting effects to be a public nuisance in the City of Strongsville. Mr. Jamison stated the City of Strongsville filed a lawsuit in Cuyahoga County Court of Common Pleas against various pharmaceutical manufacturers and distributors. This resolution is supporting the ligation. This might be combined with the ligation pending before the Federal Court system. Ms. Roff asked if the City still had a committee forum to help combat the opioid crisis. Mayor Perciak stated it is. Mr. DeMio added the members of the committee include the Chief of Police, the Chief of Fire, the Safety Director and the Mayor. Mr. Jamison stated the program is in place and working well.

Mr. Schonhut advised of an e-mail he received from Chris and Erin Osterland. Their son was struck by vehicle while riding his bicycle in the middle of town this past weekend. Mrs. Osterland advised the way the law is written, it is not legal for somebody to ride their bicycle on either the street or the sidewalk. Certainly with our Town Center growing the way it is and being more of a desired place to be, Mr. Schonhut requested Mr. Jamison to look into this matter. Mr. Schonhut stated Mrs. Osterland spoke highly of the Police and Fire Department who responded to her son.

Mr. Jamison stated there are no objections to either application on this evening's agenda.

President DeMio noted the necessity for an executive session for the purpose to discuss personnel matters.

It was moved by Mr. Carbone, seconded by Mr. Schonhut to go into executive session to prepare for negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Also present from the Administration: Mayor Perciak, Steve Kilo and Neal Jamison. All members present voted aye and the motion carried. Council adjourned into executive session at 7:38 p.m. The executive session concluded at 7:56 p.m. and reconvened into open session.

MINUTES OF THE STRONGSVILLE CITY COUNCIL REGULAR MEETING HELD ON TUESDAY, SEPTEMBER 4, 2018 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.

CALL TO ORDER:

Council President DeMio called the meeting to order at 8:00 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, Annmarie P. Roff, Joseph C. DeMio, James E. Carbone, Kelly A. Kosek and Gordon C. Short. **Also Present:** Clerk of Council Aimee Pientka. **Administration:** Mayor Thomas P. Perciak, Assistant Law Director Daniel Kolick, Service Director Joe Walker, Building Commissioner Tony Biondillo, City Engineer Ken Mikula, Human Resource Director Steve Kilo, Public Safety and Health Director Charles Goss, Recreation and Senior Services Director Bryan Bogre, Police Chief Mark Fender and Fire Chief Jack Draves.

Motion made by Mr. Carbone, second by Mr. Schonhut, to excuse Councilman Michael J. Daymut from this evening's meeting. All members present voted aye and the motion carried.

COMMENTS ON MINUTES:

The Minutes of the Regular Council Meeting held on July 16, 2018 and Special Council Meeting held on July 27, 2018 were approved as submitted.

APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:

Mr. DeMio – Mayor, it is your turn for appointments.

Mayor Perciak – Thank you, Mr. President. This evening it's my honor to administer the Ceremonial Oath of Office to our newly-appointed Firefighter/Paramedic, Kyle Paul. Kyle, I'm going to come down there. Bring your family up.

Chief Draves – Kyle, you're only allow to have two people. I'm kidding.

(Laughter)

Mayor Perciak – You know guys, I'm going to ask all you to come up front and stand behind Kyle here as we administer the Oath. We're going to make this a real solemn event.

Chief Draves – Thank you, Mayor. I did want to give brief bio on Kyle. Kyle Paul has lived in the City of Strongsville for the past 16 years. He attended St. Ignatius High School, "Go Wildcats!" and graduated in 2015. Kyle graduated from the Tri-C Fire Academy in 2016 with his firefighter certification. He graduated from the University of Akron in 2017 with an Associate's Degree and his paramedic certification. Kyle comes to the Strongsville Fire and Emergency Services with experience from Twinsburg, Broadview Height, and Sheffield Village Fire Departments.

APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION (cont'd):

Chief Draves (cont'd) – Kyle is joined tonight by his parents, Michelle and Kevin. Kevin is also the Brooklyn Fire Chief. Kevin and I went to paramedic school many, many years ago. He is also here with his brother, Ryan, his girlfriend, Chrissy, other family members, and friends. Mayor?

Mayor Perciak – Okay, thank you. Who wants to hold the microphone? Somebody? Okay, raise you're right hand. Left hand on the Bible. Are we ready?

At this time, Mayor Perciak administered the Ceremonial Oath of Office to Kyle M. Paul as a Firefighter/Paramedic, effective August 6, 2018.

(Applause)

Mayor Perciak – They get younger and younger and younger.

Mr. DeMio – Well Mayor, he certainly doesn't look like his father, does he?

Mayor Perciak – No. Oh my Lord.

PUBLIC HEARING:

Mr. DeMio – Okay, next we have a public hearing. I just want to share with folks that are here for the public hearing that don't normally come to the podium. I did notice that Joe Stronsick is here and he signed in under audience participation. I'm assuming that Joe would probably prefer to speak at the public hearing on that matter. Rather than waiting for audience participation; which is a totally different matter. So, when we get to the second public hearing that's when I think you'd come up. I just want to make sure that was clear.

Ordinance No. 2018-103 by Mayor Perciak and Mr. Schonhut. AN ORDINANCE AMENDING SECTION 1252.16 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING PROJECTIONS INTO YARDS, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 07-02-18. Favorable recommendation by the Planning Commission 07-12-18. Second reading 07-16-18. Public hearing 09-04-18.*

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

Mr. Schonhut – Hey, Joe? If you don't mind really quick before you do that. Just explaining why my name is on both of these ordinances, if you will.

Mr. DeMio – I will. Just for the record and going back to the years when I was a Ward Councilman. I was always...why is my name listed on an ordinance that I didn't request? Because, it goes through the Committee. Mr. Schonhut or the Mayor; as a matter of fact, they don't request these things. It's the landowners who do that and then it has to go through the proper channels. Whether you love the idea or don't like the idea, don't hold it against them. For writing the ordinance or having their name on the ordinance; but, I want to make that crystal clear. We're working on possibly changing that; but, there is a host of legality things we have to look at.

(No comments)

PUBLIC HEARING (cont'd):

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

(No comments)

Mr. DeMio – No opposed. So, I will close that.

Ordinance No. 2018-105 by Mr. Schonhut. 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 the Planning Commission 07-02-18. Favorable recommendation by the Planning Commission 07-12-18. Favorable recommendation by the Planning Commission 07-12-18. Second reading 07-16-18. Public hearing 09-04-18.*

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

Greg Modic, 10474 Broadview Road, Broadview Heights, OH: Good evening everyone, Greg Modic, 10474 Broadview Road, Broadview Heights; also, 17198 Gold Rush Drive here in Strongsville. Before that, I think I lived at 10003 Forestview Drive in Strongsville over in Ward 1, so a 30+ year now resident of Strongsville. I'm here tonight, as well as the owner of Petros Family Limited Partnership, Sam Petros, our broker, Lidia Richani, who is actively marketed this piece for a long period of time to many users, including those that fit within the local business perspective. Rich Lawrence is here tonight on behalf of Circle if there may be any questions specific to that; and John Slagter, our attorney who we've been working with on this project as well. I want to let you guys know that they're here if questions arise either directly from you or what may come from the residents who speak tonight. We'd be glad to answer any of them to you guys or with them as well. You know, Petros Family Limited Partnership has had this property and paid taxes on it for a very long period of time. Throughout that period, they have constantly marketed it throughout. The only thing that has come back is the gas station or the gas station/carwash combination, regardless of what efforts we have made to market it otherwise. The motor services code within the City of Strongsville speaks to this use being a proximity to major arterial roads and streets; and that's where we're at, at the corner of S.R. 82 and W. 130th. As vehicles exit I-71 and head east, they have one stop for a gas station right there at that congested intersection. So to provide them a relief in a corner where it would be intended to go underneath motorists services if this were to be zoned that, this would be the location for it. We've worked diligently with The Metroparks. I know that they do have a restriction on this property as everyone is aware of. When we first submitted this to the city, we proactively reached out to The Metroparks and said we are aware of your restriction; here's what we believe is in compliance with it, and we sent it off to them. Over the last month that we've worked with them they did have some feedback. We did modify that that drawing. We sent it into the city and The Metroparks has agreed that we're in compliance with that. I believe they would have sent a letter to the city today to that respect. Additionally, at the last council meeting during the caucus, there's some conversation of, you know, the architectural was there. In talking to Mike Daymut, pertaining to that, he had made a suggestion that we have an ARB that can provide us some better feedback pertaining to it. I did submit something off to Carol and asked her informally, because we couldn't go in front of that board to ask for any sort of approval recommendation, to get some feedback of what we've produced for the rendering-is it kind of in line with what's happening in the City of Strongsville with what they're approving. Just as a very general, we did receive positive feedback.

PUBLIC HEARING (cont'd):

Mr. Modic (cont'd) - We did get feedback that maybe we can tone down some of the red colors that came on the initial drawing, especially the bollards. We did tone some of those colors back, got some brick on the canopy up there with it. If there's any questions you guys may have, I'd be glad to answer them now. If I'm able to, I don't know Mr. Jamison if that's allowed, if the residents have anything specific that you would like to have me address as a council, I'd be glad to come back up.

Mr. Jamison – No, you get one shot. This is not really a time for debate. This is really an opportunity for you and whoever is here on behalf of the applicant or whoever is in favor of this to express your opinion or whatever you want the council to know; but this is not like an open debate or an open forum. Certainly, if you want to go with them outside or in the caucus room you could do that; but this is not the time for an open dialog.

Mr. Modic – Why, I would certainly leave it at that as I have to the city administration, the council members, that if there are any questions they may have I'd be glad to answer them. To the residents as well, if you want to reach out to me, if there's something beyond this that you would like to talk about or understand more information as to what we're doing, you can reach me through the city or I could provide you contact information. I can't say that you guys will absolutely agree with me; but if I could provide you with more information you could better understand what we're doing and what we're proposing-as I've offered that to the city as well, I'd be glad to do so.

Mr. DeMio – Today at 12:24 p.m. we did get a letter, that purports with what you said, from The Metroparks from Isaac Smith. So that is part of our internal record and our law director has a copy. I'd ask our Clerk to make sure all council get a copy of that because it did come in late today. We couldn't share that any other way today. Do you have anyone else? Do you have any new renderings? I see you have something in your hand, do you want to show us anything?

Mr. Modic – No, these are copies of renderings that were distributed, I think, about two weeks ago, directed to Aimee to be distributed to all of you guys. That was done in accordance with...

Mr. DeMio – Do you have some for the residents if they want to see them?

Mr. Modic – Yes, I probably do have a couple in here and I'd be glad to hand them to them.

Mr. DeMio – Okay, you can do that at your convenience. Is there anyone else coming up? Again, just state your name for the record and address, thank you.

Mr. Modic – One last thing to touch on, sorry guys, with regards to the traffic associated with that. I know that is certainly going to be a topic of conversation amongst the residents and with the council members as well. A use like this is more of a convenience use. It's not intended as a destination draw, meaning that folks aren't going to leave the other side of town or another city and say let me head out to the Circle K at the corner of W. 130th and S.R. 82. It's a draw of pulling at traffic off the road that's already there passing by. They're going to stop, they're going to pick up their gallon of milk or eggs on the way home, a loaf of bread, and get back and head home-fill up their gas tank and head home. Another thing that I'm sure is a concern of those that have known the area as long as I have too is that the hill as you start to go down W. 130th, I can tell you that my background as an engineer, and I know you've all worked with me over a period of time here throughout the city, I can tell you that we've already done an analysis with regards to the site distance and there is not going to be a concern associated with that. I know that's not necessarily part of what the rezoning is, but I offer you that comfort that we're confident that at the time of engineering the engineers will be happy with what we've done with that. The firm is Donald G. Bohning and Associates whose done that study and they've done quite a bit of work here within the city. On that, I'll step down.

PUBLIC HEARING (cont'd):

John Slagter, 1375 E. 9th Street, Suite 1700, Cleveland, OH: Good evening, it's John Slagter, it's S-L-A-G-T-E-R. I'm an attorney with Bukingham, Doolittle and Burroughs and I'm here tonight on behalf of the property owner, Petros Family Limited Partnership. I want to echo what's already been indicated by Mr. Modic. I had submitted a letter to the city that outlines our legal opinion as it relates to the legal issues that would be appropriate when you're looking at a rezoning. Specifically, many of the items have already been addressed by Mr. Modic, specifically the fact that in our analysis of your existing zoning code, when it talks about the proper location for motor service use, it's at the arterial roadways within the city in the primary intersections of those arterial roadways. That's why you do have located throughout the city at the major intersections these types of uses, motorist service. In fact, directly across the street in Strongsville, which would be the northwest corner, the zoning is motorist service; although to the south, and there's really no legitimate reason that I can see or that's been articulated why to the south you don't have a similar type of zoning. Across the street is actually the city of North Royalton which is zoned local business but they permit, as conditionally permitted uses, motorist service types of uses which would include fueling type of activity. On every other corner at this intersection, even though two of the intersections are in North Royalton and in your own community you're permitted to have a gasoline or a motorist service type of use, and just this corner is singled out and we believe treated differently. That's relevant as it relates to certain legal issues that are there and protection for the property owners. In addition to that, as was articulated by Mr. Modic, Petros Family Limited Partnership has owned and marketed this property actively since 1998. The only interest that they have seen, legitimate interest, is this type of use. That's relevant, not just so there is the most profitable use, but actually a viable use of the property and that's what they're really looking for, to have a viable use and a proper use within the community. The current local business zoning in your community in Strongsville talks about local business should be located in areas around residential neighborhoods or otherwise to provide service to those residential areas. If you look at the area immediately adjacent to this property, you primarily have, as I indicated before, motor service plus public use which is a park in the back area. You really don't have the local business...you wouldn't have an area where residents would necessarily be drawn to as it would relate to local business with flow traffic. So the purpose of your zoning and the purpose behind local business really does not, again, make sense at this corner. Therefore, we believe that the rezoning would be proper in this case. If you...some of the objections that have been discussed, again, we believe this is not going to create a traffic issue or a concern and motorist service by its nature is supposed to be at high traffic, high volume areas. It pulls off of the street, the high volume of traffic that exists there, to provide convenience to the residents. Again, as Mr. Modic testified and indicated, you shouldn't have any type of significant impact as it relates to this use as motorist service. Based on that, we ask that you favorably consider this proposal. Again, it was reviewed by your Planning Commission, recommended by the Planning Commission. We would ask that you would follow that recommendation, thank you.

Mr. DeMio – Is there anyone else here on behalf of the applicant?

Unidentified Voice – Not on behalf of the applicant, but I would like to speak.

Mr. DeMio – You need to just come on up and give your name and spell it for us, even if it's a common name and...

Ken Blum, 13128 Royalton Road, Strongsville, OH: My name is Ken Blum, B-L-U-M. I happen to be the owner of the Dunkin Donuts across the street from the proposed (rezoning). I submitted a letter of support because I was not sure if I could make it tonight. I guess the one thing I wanted to say is ironically, I'm here in support of a competitor moving in across the street. Thankfully, it's not that good of a cup of coffee but I'm sure they are going to want to sell coffee, and thank you for not mentioning that in your list of things that they will be selling. I am also, this is my primary travel path.

PUBLIC HEARING (cont'd):

Mr. Blum (cont'd) - I live in Hinkley, Ohio and I drive this road every day and having a gas station on this corner is about as logical as it gets. To the residents who I can't speak to directly, having worked with the city twice and hopefully somewhere down the line a third time if we can find a spot on Pearl Road, your city does a phenomenal job at working with the developers to ensure harmony between the business and the neighboring residential properties. I take a lot of pride at what we built across the street. We put up screening and masonry walls to block things off. We worked with the city hand in hand to ensure we put a very pretty building up and you folks take a lot of pride in how you work and make that marriage between businesses and the residents. That's all I really wanted to say; I think that this would be a...this makes a lot of sense and it will be a fine addition to the city.

Mr. DeMio – Thank you so much. Anyone else? Did you get his address? That was a question...come on up. We need your address, sorry about that, thank you.

Mr. Blum – My home address or the...

Mr. DeMio – Whatever address you want to give us.

Mr. Blum – I think it's 12128 Royalton Royalton Road (it's 13128 Royalton Road).

Mr. DeMio – Thank you so much. Anyone else in support of?

(No comments)

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

Joe Stronsick, 13465 Royalton Road, Strongsville, OH: It's Joseph Stronsick, S-T-R-O-N-S-I-C-K. I live at 13465 Royalton Road, Strongsville, OH. I just want to comment about him and the gas station. If you start at S.R. 303 and you go north on W. 130th I think there is 4 gas stations; they just built 2. The other thing I have is this land, and we went through this with The Metroparks restrictions. I don't know if anybody knows this but there is a gas well on that property. I don't know if there are any restrictions there. The other thing is that property is elevated about S.R. 82 so it would have to be graded which would affect the Nicholson's and Metroparks; and there are no sewers or anything on W. 130th so all the wastewater is going to go down W. 130th and it is going to go into The Metroparks. The other thing is starting at W. 130th to Howe Road there are 4 gas stations now. They're proposing this one plus a GetGo. That would be 6 gas stations within a mile and a half and he says this is going to improve the gateway to Strongsville? I mean, what city did you ever go into that has 5 gas stations within a mile and a half? Let me see what else I have. The other thing is weren't we supposed to get notified when there is a public hearing, as a resident?

Mr. DeMio – I believe our Clerk will state for the record what the guidelines are that she provided for us.

Ms. Mekeel – The applicants hired a title agency and they are required within 500 feet to send notification. I'm provided the mailing addresses of residents that are affected within 500 feet of the proposed rezoning.

Mr. Stronsick – I guess that's just about it. I said my main concern was not only the traffic but the...I don't know how you would ever get into a gas station that's elevated five feet above the road. You're not going to go up a hill to go into a gas station. So there's a lot of other issues that I don't think you guys looked at. Other than that, that's about it.

PUBLIC HEARING (cont'd):

Mr. DeMio – Okay thank you, next please. I hate to say this again but you probably know the drill.

Joe Nicholson, 36140 Capel Road, Grafton OH: I know the drill. Thank you for all these people for listening to me today and Mr. Mayor. My name is Joe Nicholson, 36140 Capel Road. The last name is N-I-C-H-O-L-S-O-N. First of all, I guess at least me and I think most of the people here...36140 Capel Road, Grafton...we always knew this property would most likely be developed and I think accepted that and go along with it. I guess our biggest issue is the fact that it wants to be changed to motorist service.

Mr. DeMio – And you family's home is the very first home right?

Mr. Nicholson – Very first home, and I want to point out...you guys may not realize, we would be bordered on two sides to the gas station, okay, two sides-not just one. We own the property to the west and we own the property to the south.

Mr. DeMio – I remember.

Mr. Nicholson – Two sides. First of all, I don't know what's changed since the unanimous denial back in 2015. Really, nothing has really changed about this situation of where it is going to be located or the business around there. We just kind of wondered why that...they would even propose that once again when it was unanimously denied. When you talk about a gas station, there are numerous problems when you have residential areas that neighbor that. None of us want to smell the fumes or the litter or the lights or all those things that come along with being next to a gas station. In fact, if you were to go onto Zillow and do a little research and type in things about living next to a gas station, they will tell you that your property values generally decrease because of that. We've own that property for 66 years and maintained a nice residential area there. We like having the parks as our neighbors and everything like that. We would definitely rather see anything but a motorist service station go in that area. There are also health concerns with having gas stations, but I think you probably know. I won't go into the specifics because I know there are other people that want to talk. I just wanted to point some of those things out to you. Traffic, obviously, has been brought up and everything. With that, I just want to make a point that when you guys have an intersection that is co-owned by two neighboring municipalities, you guys may want to improve that side of the intersection, but that does not mean that North Royalton is going to go along with you and improve that site as well. I did call North Royalton and they were like it really has nothing to do with us and there is no financial gain for them with having the service station on their side. I think that becomes a little more difficult to make those improvements when you have a shared intersection with different municipalities. The other thing is that, and Mr. Mayor, the last time I was up here I mentioned there was an article in the local newspaper which quoted you as saying that Strongsville did not need additional gas stations and you said, "I did say that." I just want to point out that you guys all know that Strongsville currently has 12 service stations within their borders. Strongsville is just under a 25 square mile area which gives you about 2 gas stations per...one gas station per every 2 square miles. It's, I think, pretty highly populated with gas stations. Additionally, when you talked about there's this one proposed and then right down the road at Webster Road down to the park, there's a GetGo that's going to be proposed as well. It's going to be on the ballot. Holy Toledo, that's two more gas stations potentially there. The other thing too is that I know that when the Petros family bought that property, I think it was back in 1986, they knew it was zoned general business. I know that they said they can't sell as it is and what not buy it just doesn't seem right to go and change this to something that is different from what he purchased it at because it's going to behoove financially their people and potentially harm my family and their property values. With that said, if council would let me, I would like to provide you with a copy of all the stuff that I have here.

PUBLIC HEARING (cont'd):

This was prepared by my nephew and he is a lawyer that works for a company that does real estate as one of their things. I'd like to drop that off and basically, I would like to thank you guys for your time and I would like for you to please unanimously vote it down and you did in 2015.

*****A copy of the letter is attached to the back of these minutes.*****

Mr. DeMio – You can give it to me, the Clerk will then copy it and give it to everyone else.

Mr. Jamison – And we will give a copy to Mr. Slagter. I'll get that to you tomorrow Mr. Slagter.

Mr. Slagter – Thank you very much.

Mr. DeMio – Thank you so much, I appreciate your time. Would the next person, if there is another next person, come up please? I think everyone knows their name and...go right ahead.

Dr. Richard Mahon, 5164 Duxbury Drive, Copley, OH: Good evening council members. My name is Richard Mahon, Dr. Richard Mahon. I live at 5164 Duxbury Drive in Copley, OH. I live down there because I work at Akron Children's Hospital as a...

Mr. DeMio – Spell your first and last name please.

Dr. Mahon – Sorry, no problem, Richard Mahon, M-A-H-O-N, 5164 Duxbury Drive, Copley, OH. I work down there at Akron Children's Hospital but also the oldest grandson of Marge Nicholson who has lived at that property for 66 years, like my uncle said, that I have enjoyed for the past 36 years. I hope to continue to enjoy for the foreseeable future. I just kind of want to reiterate the fact that with the gas station possibly being on the corner it will drop the property value and there are a number of reasons for that. I just wanted to get into the fact that there's a lot of health hazards that come with living next to a gas station and potentially developing future things on that property if we so choose to do that. I'd like to kind of not get into the whole what a fuel is made of but essentially, it contains benzene. Studies are available that show exposure to benzene causes numerous blood cancers. It's also a known carcinogen that has been shown to effect the central nervous system, respiratory track, immune system, and there are other obviously potentially hazardous chemicals in gasoline that prolonged exposure living next to a gas station can cause significant effects; even like cardiac arrhythmia, liver disease, kidney disease and developmental issues. Environmentally, over the lifespan the gas station concrete pads underneath the pumps can accumulate significant amounts of gasoline which can eventually penetrate the concrete and escape in underlying soil and ground water, potentially impacting the health of the surrounding environment. Conservatively, the researchers estimate roughly 1500 liters of gasoline are spilled at a typical gas station each decade. We understand that many attempts are made to decrease the chances of this problem such as using thicker tanks; but I don't think can guarantee the prevention of ground pollutants just as much as we cannot guarantee some health consequences. It's also hard to avoid the storm run-off that gets contaminated with the harmful chemicals and can infiltrate into adjacent soil patches or go along with the storm water that may end up in (unintelligible) bottom of the hill, especially considering the large hill upon which this gas station will sit. A gas station will not only impact the quality of life but also the quality of life for future residents. The construction of a gas station will impact the landscape for generations. As gas stations are not easily converted to other uses; what happens if the gas station fails? What happens if gasoline for cars becomes obsolete? The pumps, canopies and building you see above ground may seem easy to demolish but again, a bigger challenge is found below the surface in the large underground fuel storage tanks that serve the station. Removal of these tanks including preventing contamination caused by leaks from them is a very involved and expensive process that could possible make the site undesirable for future development.

PUBLIC HEARING (cont'd):

Dr. Mahon (cont'd) - Leaking underground storage tanks is an undesirable consequence, having a gas station next door or even down the street as gasoline or diesel fuel that leaks from these tanks can move great distances below ground and reside there for decades, also have an impact on those adjacent sites. I just kind of want to reiterate the fact that we are concerned about the long-term health consequences of having a gas station next door and also for future development on our properties if you so choose to do that. Thank you for your time. I appreciate it.

Mr. DeMio – Thank you doctor, I appreciate it. Anyone else?

Margaret Nicholson, 13133 Royalton Road, Strongsville, OH: Good evening, my name is Margaret Nicholson. I live at 13133 Royalton Road adjacent to the land that may be rezoned. I have lived there for 66 years. About a year ago, my property changed drastically. The corner lot was cleared of old trees and left barren. This is sad. My house no longer has privacy. The noise from the corner traffic and the local taverns are loud. The streets light up my yard at night. It has been very hard. Do any of you councilmembers want to live next to a gas station? Living next to a noisy, toxic gas station is unhealthy. Produces all types of pollution including: air pollution, light pollution, noise pollution, littering, soil contamination and visual pollution. You wouldn't want to live next to a gas station. Why do you want to approve another gas station? There are 6 gas stations located less than 1.5 miles from this corner. It is not needed. As Mr. Modic, agent for the owners reported in this petition for rezoning, it states, "The rezoning would provide a use that is in great demand and provide an enhanced convenience for the neighborhood." There is a gas station in every direction; north, south, east and west for the neighborhood convenience. All within a mile and a half. Had you taken a traffic survey of the intersection of West 130th and Royalton Road? The intersection is so busy. The only way to exit on Royalton Road and if the gas station is built and exits onto West 130th, is making a right hand turn. This is actually an inconvenience and does not enhance the neighborhood. This is going to cause more accidents and more people making right turns using the Metropark road to return to route 82. Does Council realize that the proposed gas station is open 24 hours a day? People will be using the gas station, all day, every day. The noise and light pollution from the gas station will affect every aspect of my life. Council rezoned the corner of Royalton Road and West 130th, local business to motor service. The petition for the rezoning states, "That there's a demand for services that could occupy this space (unintelligible)." Wrong. There are plenty of gas stations. This would enhance the lives and neighborhoods; it is wrong. It would be an inconvenience, unhealthy, and create every type of pollution. Harmoniously, with the adjacent properties of the neighborhood. Thank you for listening. Do not approve the rezoning of this property.

Mr. DeMio – Thank you so much. Appreciate it.

Mr. Gollini (from the audience) – Here comes a pair.

Mr. DeMio – You can come as a team, just...

Mr. Gollini – Yeah, well you know...

Mr. DeMio – Give both names and...

Mr. Gollini – 31 years of marriage.

Michael & Theresa Gollini, 13345 Royalton Road, Strongsville, OH: Michael Gollini. The last name G-O-L-L-I-N-I.

Mrs. Gollini – Theresa Gollini, G-O-L-L-I-N-I.

PUBLIC HEARING (cont'd):

Mr. Gollini – We live at 13345 Royalton Road, Strongsville. Within the 500 feet.

Mrs. Gollini – We got the notice.

Mr. Gollini – Umm, well obviously we're not going to support this. Seeing as we're not in support of the other gas station across the street. So, essentially, we see this as kind of surprise because you're going to be book ending our properties along with many of our neighbors. I'm in total agreement with everything these folks had said about some of the toxicity issues. Noise issues. Light pollution issues. I want to quickly bring up one other concern I have with putting establishments like this and the GetGo in a residential area. Where people do live. I also own a house in Medina. About a half a mile from the square. It is zoned commercial. It's at 130 West Lafayette Road. I've had that place since the early 2000's and right next door to my property, where I run my business is a convenience store; which, they'll be convenience stores at these gas stations, I'm assuming. An element that does unfortunately come along with a 24-hour establishment and convenience stores is it does bring an unsavory element of folks that just love to hang out. Unfortunately, the people that like to hang out in the convenience store next to my property; which is well within where visibility and it's not like out in the boonies in Medina. It's in the town. They've broken into my office. Since I've moved in. Fortunately, they didn't damage or take too much stuff. I'm concerned about bringing in that element. You know? When you have residents, there's approximately seven of us, I believe. All which we're going to essentially be book ended between two filling stations with convenience stores should this proposal go through and should the other proposal go through. So, you know, it's just going to be a little more of a burden for the police, I believe because you're going to have that possibility of folks doing that. I'm not saying that these guys establishment will bring that element. It's just seems to be that does happen with convenience stores. You're going to need to ramp up some security and when you things that are open 24-hours, I think these things will happen. Fortunately, we're not directly next door, like Marg is; but, we're close enough. Obviously, within 500 feet. So, that's a great concern of mine. So, that's why I am not going to be in support of it. No offense guys. I understand. Trying to do business; but, we've been living there for 28 years and I'd like to someday, be able to sell my property. She can speak too.

Mrs. Gollini – Umm for me it's the logic of the four corners. Besides, I told you last time, we're unable to make lefts. Now, we probably won't be able to make rights either if there's congestion for people that are getting into the gas station. But the logic of the four corners that was brought up. In North Royalton, we've seen so many businesses go in the northeast corner. They can't keep a restaurant. It's always changing. Taddie's doesn't have a lot of stuff going on. The business next to Taddie's; I think it has been an Enterprise. Now, it's a piano store. It's got a whole lot of nothing going on there. Across the street in Strongsville, there is or was a gas station. I don't think there a gas station anymore. I don't think they had sustainable business to keep it as a gas station. Whether by choice or whether by numbers. When you drive into Strongsville that corner, when it was beautiful and had trees said something. It said something kind of nice. Like what a nice place to live. Now, it's just shockingly barren.

Mr. Gollini – Stripped out lot.

Mrs. Gollini – It's like...and to see Marg's house just kind of out there is like a little shocking too. I think we can do better. I truly do. I think that instead of just throwing gas stations out there as a means to generate business isn't the right decision. I think that our community means mores. If we already have enough. Why do we need more? And then that breeds that competition of people aren't going to go there. It's just going to sit there and then sit empty and then invite crime and invite...just...he lived in Chesterland.

PUBLIC HEARING (cont'd):

Mrs. Gollini (cont'd) – Leach beds and water and bad contamination from a gas station that wasn't sustained over time. Again, I'm just going to challenge you. We can do better. I think we really can and of course, I meant no; but, thanks for listening. I appreciate it.

Mr. DeMio – Thank you so much. Appreciate it.

Robin Nicholson Mahon, 1007 Alpine Drive, Mars, PA: Hi. My name is Robin Nicholson Mahon and for about the last six months, I've been living with my mom, Marg Nicholson; but my actual address is 1007 Alpine Drive, Mars, PA. Just north of Pittsburgh; so, don't hold that against me. At any rate, I just...I don't really want to add anything, except I would ask you to resolve a couple of questions in my mind. I was the recipient of two phone calls from Stephane. I believe her last name is Kutsko after my mom purchased that other lot. Just too kind of to give us a little bit of a buffer and control. The lot that faces 130th and she asked us to deed or gift that lot to the Metroparks because she wanted to safeguard the Metroparks from types of developments. She said, "Now, Robin you understand there are very strict deed restrictions on what can be done with that property." I said, I understand and we are on your side. We want that area preserved for wildlife and our family doesn't have any intention of doing anything other than letting it go back to that state; which it has. That is one of my questions is. When I look at this map here, what happened to that additional buffer that goes into the corner lot that's being discussed...?

Mr. DeMio – I think tomorrow, you should call our Clerk and she'll give you a copy of the Metropark's letter.

Ms. Nicholson Mahon – Okay that would be great. The second thing is, I'd just like to point out something that my nephew mentioned that the property...the certain filings with the Cuyahoga County Recorder's Office has the lot for tax purposes at 8/10's of an acre. In other areas, we see that it's listed at 1.5 acres; so, there's a discrepancy of quite a bit and I just wonder what the truth here is. Is the lot even legally large enough for a gas station? Other than that I'll let other folks talk because I'm sure other people want to be heard. Thank you.

Mr. DeMio – Thank you.

Daniel Ponstingle, 13337 Royalton Road, Strongsville, OH: Good evening Mr. President and members of Council. Name is Daniel Ponstingle P-O-N-S-T-I-N-G-L-E, 13337 Royalton Road. My wife Linda and I are the third house from 130th there. Down from Mrs. Nicholson here. Been Strongsville residents over 40 years too. In anticipation of me perhaps not making this meeting, I forward you, each Councilmember my August 20th letter. I presume you got that. Without taking up any more time and repeating anything that has already been said, back in 2015 when I appeared here. I expressed some concerns and one of those of course was, the availability of alcohol for sale near a Metropark entrance. Predominately occupied and by...and visited by families. Of course the traffic problem was another one and our third concern was property values. Then of course the environment; which, Dr. Mahon addressed here too. In regards to property values, might the construction of a gas station or really any property there. Whether it's by Mr. Petros or anyone else. Start a domino effect from east to west. We fear that it might and we've heard that...what might resemble would be another strip center across from the church too. Now, again speculation on my part too. I also commented in my letter to you that overly restricted deed was meant for some reason back in 1932. Maybe they were a lot smarter than we were. Perhaps they saw, foresaw the (unintelligible) possibly of urban and suburban commercial sprawl too. I liked what one said here, perhaps it was Mr. Modic here, about making that parcel a gateway. Well, let's do so. Let's landscape it. Let's donate it. To the City. I think that would truly make an attractive gateway on the eastern edge of our City here too.

PUBLIC HEARING (cont'd):

Mr. Ponstingle (cont'd) – Rather than something else here too. Okay, thank you very much for hearing me again. Again, I oppose the...my wife and I oppose the Ordinance and we would urge you to also vote it down. Thank you.

Mr. DeMio – Thank you so much. I know I've told you this before; but, I think you have a great radio voice.

(Laughter)

Mr. DeMio – So...

Linda Ponstingle, 13337 Royalton Road, Strongsville, OH: Linda Ponstingle. 13337 Royalton and I will certainly not reiterate anything that's been said. Other than the traffic situation. It is almost impossible to turn left out of any of our drives. Frequently, if we want to go left towards the mall, we have to go up to 130th and down through the parkway and come out by Camp Cheerful at that traffic light. The City continues to build and build and build. Are you at the point that you are maxed out? You've got some empty property. You've got empty property for sale. There's empty buildings. Some of those empty buildings on 82 near our house...our homes have been empty for years and years. Case in point, the auto service building next BP, across from the now empty Rockne's. That building has been empty well over 10 years. You've got other property that's empty. To continue to build and you don't have a way to enhance the traffic flow. You've got maximum congestion. All this is going to do is enhance that congestion and certainly not make it attractive to shop, to spend money in Strongsville. I don't know about the rest of our neighbors. I never shop in Strongsville. I take...I do my grocery shopping at Southland. I do my Marc's shopping at Southland. When I get down to the bottom of the driveway and I look to the left, if I see traffic congestion; which, can happen at any time anymore during the day. I will frequently go to the Parmatown area for Target or Kohl's shopping. Do you really want Strongsville people to start taking their shopping and spending their money elsewhere? I think you need to consider all these things before you continue to build this gas station as well as lot of the other property development. You are reaching the point here where you just can't...it can't work anymore and you've got empty properties. Thank you.

Mr. DeMio – Thank you.

John Nicholson, 36140 Capel Road, Grafton, OH: Hello, my name is John Nicholson. I live at 36140 Capel Road, Grafton, Ohio. I'm not going to come here to reiterate all the points everybody's made. They brought up the problem with traffic. The problems that could potentially arise with noxious fumes and gases coming from the gas station and even the fact that's it's just going to be plain ugly. No matter what you're going to do to try and beautify it. To the nature landscape. I'd like to talk as somebody who grew up there. My father grew up there. My family grew up there. My whole family. We stretch coast to coast and really the corner it's an ancestral beckoning place. It's somewhere we return to. Every holiday. Every time that people come together. We all join there and we don't have any plans to really do anything with the property; except for enjoy it and keep with ourselves. I think it means a lot to everyone in my family to try to and keep it like our ancestral grove. Something we can value. I miss being able to stars at night. Even the Dunkin Donuts across the street. While convenient for some; but, the lights are on all night. You can't see anything. The woods that I played in on the corner. They're gone now. They were stripped. I think it would just mean a lot to try and keep things as natural as possible. Thank you.

Mr. DeMio – Thank you so much. Okay, I think this is the point where we'll end it. Anyone else?

PUBLIC HEARING (cont'd):

Samantha Guzowski, 333891 East Royalton Road, Columbia Station, OH: Hi ladies and gentlemen. I'm Samantha Guzowski. G-U-Z-O-W-S-K-I. I live on 333891 East Royalton Road.

Mr. DeMio – And spell you're name Jean...

Mayor Perciak and Miss Guzowski – G-U-Z-O-W-S-K-I.

Mr. DeMio – Mayor, you're good. God bless you.

Miss Guzowski – Thank you. I'm kind of, I guess you would say related to the Nicholson's. I'm dating one of the grandson's...

Mr. Jamison – Can you speak up? I can't even hear you.

Miss Guzowski – I'm dating one of the Nicholson's. The grandsons and I've grown up with this family. I've been there when the land was there. We'd play in there and now, last Christmas, I think it was, just trenching through it was miserable. It wasn't as memorable as it used to be and my question is, it's going to be a Sheetz that's going to be put in this corner lot, is it not?

Unidentified voice (from the audience) – Circle K.

Miss Guzowski – Circle K, okay. On my way to school, I go to school at Brown Aveda; which, is conveniently close to my house; but, on my way there, I pass about four gas stations. Which is kind of ridiculous, depending on which way I come from home to school. It's not logical to keep flooding property with gas stations and stuff like that. I think it's a little overbearing, I guess you would say to have something that is convenient; but, it's really not. If you need gas, you literally can go about a half a mile down the road to go to two gas stations or you can take a right out of Nanny's house and find another gas station. It's...why are you going to put one more? Not even a half a mile away? A lot of it is affecting our Nanny and with many ways. It's not just, oh, the stars, the light, the natural property. It is a lot of just, too much in one area. I don't go over there a lot because I'm not good with cars. I get in a lot of accidents, so when there's a lot of cars over there. It's kind of hard to function and get into the driveway or even get out. There's times where I'm like, okay, I know its rush hour. I can't leave for another hour because, I'm not going to make it out. Putting something there, in that corner when it's already pretty clustered, it's not logical. In my opinion.

Mr. DeMio – Jean, do me a favor. I know the Mayor and I'm joking around a little bit here; but, you're first name?

Miss Guzowski – Samantha.

Mayor Perciak – Samantha.

Mr. DeMio – Okay. Thank you. You good?

Ms. Mekeel – Yep.

Mr. DeMio – You're welcome. Got it. Anyone else?

(No comments)

PUBLIC HEARING (cont'd):

Mr. DeMio – Again, we do offer our caucus room, if you folks want to talk to the developer here at all. It's up to you. With that said, we're going to go on to other business. We're not...let me just make this statement. We are not voting on this tonight. You can see we don't have full complement of Council. When we have a full complement of Council, we'll make a decision of when we're going to vote. I assure you that to the best of our ability, we will get the word out. We're not afraid to have people come and watch us vote on our ordinances. If we could, designate two people to call the Council Clerk tomorrow; so we can at least reach out to you folks. Obviously, the applicants will know; but, want to make sure you know because that's the most important thing we do. Is to make sure you know what we do. I'll give you the phone number now, for those that have a pen. I really appreciate it. Make it easy on Tiffany. Its 440...we have someone who has a pen? Okay, 440-580-3111; we do have a website of strongsville.org and you go right to the Council; but, she starts right around 8 o'clock and unfortunately for Tiffany, she's prompt. You can get here. I thank you all for coming and speak on behalf of all of Council and the Administration, we do appreciate your words. We do take them to heart. Whether you're the applicant or the residents. Thank you all so much. We're on to the boring part of our Council. Our committee meetings. With that said, thank you all so much. Okay, thank you.

REPORTS OF COUNCIL COMMITTEES:

Mr. DeMio – Okay, School Board Mr. Carbone?

SCHOOL BOARD – Mr. Carbone: Yes, during our recess there was a school board meeting and I attended that meeting. At that meeting, they approved to buy five (5) 72-passanger buses. That money of \$414,000.00 from their Permanent Improvement Fund. Also, the school board went on a retreat together on August 10th. The school also started their levy campaign for their upcoming levy this year to get information out to residents. To educate the residents on it so they can make an informed decision and then the next meeting is this Thursday; which, I will be attending and that ends my report.

Mr. DeMio – Where's the meeting at Thursday?

Mr. Carbone – Pardon me?

Mr. DeMio – Where's the meeting at?

Mr. Carbone – It's at the board office.

Mr. DeMio – Okay.

Mr. Carbone – The old Zellers.

Mr. DeMio – At the board office, okay. Any questions for Mr. Carbone?

(No comment)

SOUTHWEST GENERAL HEALTH SYSTEM – Mr. Short: Thank you Mr. DeMio, we did not have a meeting during the recess; but, when we have one next, I'll give an update. Thank you.

Mr. DeMio – Alright.

REPORTS OF COUNCIL COMMITTEES (cont'd):

BUILDING AND UTILITIES – Mr. Daymut:

Mr. DeMio – In his absence, there was no business. I'll do that I apologize. There was no business for Building and Utilities. Our Law Department, we talked about today. There's no outstanding issues at this point; so, we're going to close that committee and go right on to Communications and Technology. Ms. Kelly Kosek.

COMMUNICATIONS AND TECHNOLOGY – Ms. Kosek: Thank you. We have two ordinances, excuse an ordinance and a resolution on the agenda tonight. The first is, Ordinance No. 2018-135; which is an ordinance asking for authorization for participations in the United States General Services Administration contracts for the purchase of Kronos; which, is the timekeeping software and system that we use here in the City. The contract price would ultimately be about \$41,000.00. This is a continuation of what we do every year regarding the timekeeping equipment. So, if there's no questions on that I'll move on to the next. Resolution No. 2018-136. That is a resolution to accept the donation of iPads from Brewer-Garrett Company for use by our Planning Commission. It's a very generous donation that will allow us to eliminate some paper that we currently use; because, there is a lot of paper for the Planning Commission. This will allow us to be a little bit more technologically savvy and I would just asked that we suspend and adopt both of those.

Mr. DeMio – Okay, anything for Ms. Kosek?

(No comment)

ECONOMIC DEVELOPMENT – Mr. Daymut:

Mr. DeMio – Who again, I'll be here instead. Again, I talked with the Law Department, I asked a few of the Mayor's Directors to make sure there wasn't anything missing. There isn't anything for that committee today. Although I'm sure, at our next Council meeting, they'll be some information...

Mayor Perciak – Mr. President, if I may just quickly...

Mr. DeMio – Sure.

Mayor Perciak – We are currently working up, Mr. Painter is also sick today. Better he stayed home than spread all that goodwill here. We're working on the expo, which, this year will be on November 1st. As you well know, Mr. President that is on a first come, first serve basis. We do a lot of advertising. It is truly a small business event. Again, we want everybody to know this. Expo, Business Expo will be November 1st at our rec center. Again, the Economic Development office is already accepting applicants for tabletops. Let us know. We're rolling ahead on that and again, Bill Wills has agreed to mc from WTAMP-1100. We'll be updating everybody through our media purposes as will Mr. Wills on WTAMP. Thank you, Mr. President.

Mr. DeMio – Mayor, I know you already know this and we know this; but, it's always sold out.

Mayor Perciak – Yes.

Mr. DeMio – Absolutely first come, first serve.

Mayor Perciak – Yes and again, I want to stress, it is a small business event and we do this to cater to our small businessmen here in town. Our businessmen here in town, have first priority.

REPORTS OF COUNCIL COMMITTEES (cont'd):

Mr. DeMio – Is there anything else Mayor?

Mayor Perciak – None, sir.

Mr. DeMio – Perfect. Finance, Mr. Carbone?

FINANCE – Mr. Carbone: Yes, a couple resolutions and ordinances this evening. We have Resolution No. 2018-108; this is to certify to the Fiscal Officer of the County unpaid property maintenance nuisance abatements for levy and collection. The recommendation is to adopt. Ordinance No. 2018-131. This is providing for the issuance and sale of not to exceed \$1,600,000.00 of notes. The recommendation is to suspend and adopt. Ordinance No. 2018-132; this is making appropriations for the annual expenses and other expenditures of the City. The recommendation is to suspend and adopt. We have Resolution No. 2018-133. This is verification of levies through the County. The recommendation is to suspend and adopt. Lastly this evening, we have Resolution No. 2018-134 and this is amending Resolution No. 2016-031 to designate additional depository for active, interim funds of the City. Recommendation here is to suspend and adopt. That ends my report.

Mr. DeMio – Is there any questions for Mr. Carbone?

(No comment)

Mr. DeMio – Okay with that said, we'll go right on to Planning, Zoning and Engineering, Mr. Schonhut, you have exactly 10 seconds.

(Laughter)

PLANNING, ZONING AND ENGINEERING – Mr. Schonhut: I don't think that's going to happen; but, I do my best. 2018-103 is an ordinance amending section of Code concerning projections into yards. We had a public hearing on that tonight. No one spoke in favor or against. The recommendation out of committee is to adopt that tonight. Ordinance No. 2018-104 is changing the Code concerning requirements associated with single-family detached and cluster developments. That is going to be a public hearing for October 15th. Ordinance No. 2018-105 amending the zoning at the parcel at 82 and West 130th; which, we also had a public hearing for tonight. Which we're going to put that on 3rd reading or potential table that for the time being until we have a full complement of Council. Resolution No. 2018-113; this is amending a section Code concerning requirements associated with single-family detached and cluster developments. Public hearing for October 15th. 2018-125 is authorizing the Mayor to prepare and submit an application for Issue 1 Funding for the Howe Road Sanitary Sewer Project. Hopefully, we're requesting \$540,000.00 there. Suspend and adopt that tonight, please. Ordinance No. 2018-126 is funding in relation to the project that will be going on in the center of town. Pedestrian refuge islands if would. We've already received a 100...for...already got a grant for \$141,000.00. This will be for an additional \$100,000.00; so, suspend and adopt that tonight, please. Ordinance accepting, or 2018-127. An ordinance accepting for recording purposes a lot split and consolidation for a lot in Edgebrook Subdivision. I ask that we suspend and adopt that tonight, please. Ordinance No. 2018-128; change order with Woodford Excavating in relation to the Park Point Storm Outlet Project. Just over \$5,000.00 on that change order. Suspend and adopt that tonight. Resolution 2018-129; appointing an Assessment Equalization Board to hear objections relative to the Howe Road Sanitary Sewer Project. Suspend and adopt that tonight, please. Lastly, Resolution 2018-130; a resolution rejecting the bids submitted for the TLCI Implementation Project here in the center of town. Given that the cost of that was far and above beyond the 10% of our estimated cost. Suspend and adopt that tonight too please. I will happily take and questions.

REPORTS OF COUNCIL COMMITTEES (cont'd):

PLANNING, ZONING AND ENGINEERING – Mr. Schonhut:

Mayor Perciak – That was good.

Mr. DeMio – Is there any questions for Mr. Schonhut? Okay...

Mr. Schonhut – Oh, I will...one other thing and Jim, if you want to at this point, I think would be appropriate for tomorrow night?

Mr. Carbone – Yes, tomorrow evening, here at the Council Chambers at 6:00 p.m., we will be meeting as a Committee as a Whole to look over and discuss the Master Plan. Before the County has their last Master Plan meeting that will give opportunity for residents to give, to see the...what's being proposed at this point and to give some last minute recommendations. One thing we did not want to do is at the last minute, give any other recommendations to the County. We didn't think that would be fair. So, we thought this would be appropriate in the public setting. Give the public an opportunity to look. Give Council an opportunity to look at it together and to be able to discuss. And that again, tomorrow at 6 o'clock here at the Council Chambers.

Mr. Schonhut – Close my committee please and hope to see everybody tomorrow/

Mr. DeMio – Okay, is there any other questions for Mr. Schonhut?

(No comment)

Mr. DeMio – None, we'll move on to Public Safety, Mr. Short.

PUBLIC SAFETY AND HEALTH – Mr. Short: Thank you Mr. DeMio. We have one ordinance tonight. 2018-137; to approve a contract with A-Team Public Safety for the purchase of the specialty items and equipment needed to equip our Police vehicles that we purchased earlier this year. This is to amend an earlier Resolution 2018-109; because, the vendor of that contract is unable to fulfill the contractual duties of that contract. So, we need a new vendor to fit our Police vehicles. The recommendation there tonight is to place it on first reading and I'll happily take any questions, if not, I will close my committee.

Mr. DeMio – Any questions?

(No comment)

Mr. DeMio – So, we will move on to Public Service. Ms. Roff?

PUBLIC SERVICE AND CONSERVATION – Ms. Roff: I do not have anything for tonight. Thank you though, very much for the road work being done. Lanier Road looks awesome. It's nice to drive down that now. But, the guys are out there doing a lot of work. Be patient with them. Slow down. Move to the side...

Mr. DeMio – And we'll roll right into...

Ms. Roff – And give them some water if you see them standing out there over the next couple days.

Mr. DeMio – Would you like to roll into your next committee?

REPORTS OF COUNCIL COMMITTEES (cont'd):

PUBLIC SERVICE AND CONSERVATION – Ms. Roff:

Ms. Roff – I do not have anything for that either. Bryan would you like to touch base on what's been done at the rec center?

Mr. Bogre – We just had our annual shut down last week for three days. The whole building was close. During that time we resealed and restriped the entire rec and senior parking lot. We installed two new hot water tanks for the whole building. Each one is 300 gallons; so, we had to do that while the building was closed because then we'd have no hot water and when people want to take a shower, they're not going to be happy about that. We replaced and updated 50 lights in the aquatic center to LED lights. The kitchen for the senior center, we replaced the entire ceiling grid in there and also replaced the lights in there. Updated those to LED as well. In the senior center, thanks to a grant from Cuyahoga County, we replaced all the carpeting in the senior center. Replaced all the table and chairs in there and got a whole new paint job on all the walls in there. We will look to do more of that next year; hopefully, getting another grant. We had a lot going on in there and then we did a lot of deep cleaning to all the fitness and cardio equipment as well; so, we had a lot going throughout those three days.

Ms. Roff – And then working on the roof this week?

Mr. Bogre – Yeah, we started doing the...well we didn't; but, professional roofing starting doing the roof. The remained of the roof for the senior center and the rest of the rec center. They started that last week as well.

Ms. Roff – Great, great.

Mayor Perciak – Really Bryan to the staff there and to everybody, they did a fantastic job in a short period of time. If you have an opportunity, take a walk through there. It really looks nice.

Mr. Bogre – The senior center looks much, much better.

Mayor Perciak – It's beautiful. Yes.

Mr. DeMio – Ann, is that...is that it?

Ms. Roff – That will close my committees.

Mr. DeMio – Okay, so any questions?

(No comment)

Mr. DeMio – Okay, then goes Council as a Whole.

RECREATION AND COMMUNITY SERVICES – Ms. Roff:

*****See Public Service and Conservation Committee report above.*****

REPORTS OF COUNCIL COMMITTEES (cont'd):

COMMITTEE OF THE WHOLE – Mr. DeMio: We have two ordinances. Actually one ordinance and one resolution. 138 is the ordinance. It's replacing the pages in our books. Our ordinances and resolution is...I let the Law Director explain; but, it's regarding a lawsuit.

Mr. Jamison – Yeah, we have a resolution on tonight asking Council to declare the opioid epidemic a public nuisance in the City of Strongsville. This relates to a lawsuit we filed last week against numerous drug manufacturers and distributors across the nation. This is consistent with a lot of other litigation being filed, not only in Ohio; but, nationwide. This resolution will be in support of that to basically allow the City then to potential recover certain Administrative cost that they've incurred in dealing with the opioid epidemic in our community and in the nation as a whole. So we ask that Council give that in support and passage tonight. Thank you.

Mr. DeMio – Thank you so much. Mr. Law Director, are we good otherwise?

Mr. Jamison – Yes, sir.

Mr. DeMio – Okay. Mayor, I think it is your turn; although I changed the page on myself.

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

MAYOR PERCIAK: Very quickly, Mr. President. Saturday at 1 o'clock, our local VFW will be hosting their Community Day here. I'm sure it will be a wonderful experience for all of us here in our town; so, everyone is invited to attend the Community Days September 8th. Commander Tim Zvoncheck promises a few surprises there that day. It's really a day that we really need to come out and support our veterans and I'm positive this being election year, we will have some guest there; who might be either seeking the US Senate Office or the Ohio Governor's Office. Also, on September 11th our Fire Chief and Police Chief informed me that we will have our 9-1-1 observance at our Main Fire Station on Prospect Road at 9:45 in the morning. At 9:45 on September 11th and that's always moving service and tribute to all those who lost their lives on 9-1-1 and makes us remember what we all went through on that day. Not to mention all the 1000s of lives that were lost and not to mention all the number of safety members both Fire and Police in the City of New York and the adjacent communities that gave up their life on that day. September 16th, our President Joe DeMio is a member of the City Club as is our Safety Director. We have our breakfast on the bridge. I think we start at 7:30 in the morning guys?

Mr. DeMio – Mayor, yeah, and Charlie Goss and myself would like to see, is it quarter to 6, there? Since you gave me a little shot there...

Mayor Perciak – Yeah, go ahead.

(Laughter)

Mayor Perciak – I won't be there at quarter to 6.

Mr. DeMio – No, the Mayor helps. He keeps all the food nice and going and warm to go.

Mr. Carbone – I'd like to see Matt there at quarter to 6.

Mr. DeMio – Yeah, so would I.

Mr. Schonhut – I'll be there and then I'll be at the...

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

MAYOR PERCIAK:

Mayor Perciak – And Matt will be cooking at the Day at the Chalet that afternoon.

Mr. DeMio – So, my suggestion is you eat breakfast on the bridge first; so, you know, just my little humble opinion.

Mayor Perciak – And that ends my report.

(Laughter)

Mr. DeMio – Oh my Lord. That is a busy, busy awesome day.

Mayor Perciak – Yes.

Mr. DeMio – It just really is. For those who haven't gone, you take the time to go. It's a great thing to do. I know Charlie Goss and I have many tickets as we can...where's the general, somebody wanted to walk in? Where can they get them, Charlie?

Mr. Goss – They could go to...they can come here to the Station and ask for me. They can go to Cleveland Tool and Cutter at route 82 and Foltz Industrial Parkway and ask for Bill Richie.

Mr. DeMio – So we do have a couple locations if those...I believe it is \$8 for adults and \$6 for kids, if I remember off the top of head.

Mr. Goss – But, you get a little break if you get them in advance.

Mr. DeMio – Okay, there you have it. Alright and last year Mayor, I think it was over 1,100...or there about...

Mayor Perciak – It's a busy day.

Mr. DeMio – Yeah, it's a beautiful day for those who go. They go every year. So, with that said, our Finance Department, Mr. Dubovec?

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 concludes my report, thank you.

Mr. DeMio – Thank you so much. And of course, our Law Department.

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

Mr. DeMio – Before we go on to audience participation, is there anything else?

Mr. Jamison – No.

Mr. DeMio – We're good. Okay.

AUDIENCE PARTICIPATION:

Mr. DeMio – So now, audience participation. I know the majority of people have already spoke, is there anyone else that would like to come up before us? Mr. Mekeel would you like to come up and say something to Tiffany?

Mr. Mekeel – All I'd say is she looks beautiful.

Mr. DeMio – She does. I'm glad. I think that's awesome. It will be a very nice ride home. So, let me close audience participation and go to Ordinances and Resolutions.

ORDINANCES AND RESOLUTIONS:

Ordinance No. 2018-103 by Mayor Perciak and Mr. Schonhut. AN ORDINANCE AMENDING SECTION 1252.16 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING PROJECTIONS INTO YARDS, AND DECLARING AN EMERGENCY. *First reading and referred to Planning Commission 07-02-18. Favorable recommendation by the Planning Commission 07-12-18. Favorable recommendation by the Planning Commission 07-12-18. Second reading 07-16-18. Public hearing 09-04-18.*

Motion to adopt by Mr. Schonhut, second by Mr. Carbone.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-103 ADOPTED.

Ordinance No. 2018-104 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 1253.11, OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING REQUIREMENTS ASSOCIATED WITH SINGLE FAMILY DETACHED AND CLUSTER DEVELOPMENTS, AND DECLARING AN EMERGENCY. *First reading and referred to the Planning Commission 07-02-18. Tabled by the Planning Commission. Favorable recommendation by the Planning Commission 08-02-18.*

Placed on second reading and set for a public hearing on October 15, 2018.

Ordinance No. 2018-105 by Mr. Schonhut. 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 the Planning Commission 07-02-18. Favorable recommendation by the Planning Commission 07-12-18.*

Placed on third reading and referred back to committee.

Mr. DeMio – Again, when we have a full complement of Council we will decide when we are going to vote on this piece of legislation. Again, I thank everyone that showed up today.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2018-108 by Mr. Carbone. A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE OF THE CITY TO CERTIFY TO THE FISCAL OFFICER OF CUYAHOGA COUNTY UNPAID PROPERTY MAINTENANCE NUISANCE ABATEMENTS FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY. *First reading 07-02-18. Second reading 07-16-18.*

Motion by Mr. Carbone, second by Mr. Schonhut, to amend Exhibit A with a revised version. All members present voted aye and the motion carried.

Motion to adopt by Mr. Carbone, second by Mr. Schonhut, as amended.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-120 ADOPTED AS AMENDED

Ordinance No. 2018-113 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTION 1252.20 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE; ENACTING NEW SECTION 1253.14 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE CONCERNING REQUIREMENTS ASSOCIATED WITH SINGLE-FAMILY DETACHED AND CLUSTER DEVELOPMENTS, AND DECLARING AN EMERGENCY. *First reading and referred to the Planning Commission 07-16-18. Unfavorable recommendation by the Planning Commission 08-02-18.*

Placed on second reading and set for a public hearing on October 15, 2018.

Ordinance No. 2018-125 by Mayor Perciak and All Members of Council. AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION FOR STATE OF OHIO ISSUE 1 FUNDING FOR IMPROVEMENTS TO THE MUNICIPAL SANITARY SEWER SYSTEM IN CONNECTION WITH THE HOWE ROAD SOUTH SANITARY SEWER PROJECT IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-125 ADOPTED.

Ordinance No. 2018-126 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING ORDINANCE NO. 2017-182 AND AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT (NO. 31394) WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT PID NO. 106723), IN CONNECTION WITH THE CUY.-STRONGSVILLE TLCI PROJECT AT PEARL ROAD AND ROYALTON ROAD WITHIN THE TOWN CENTER DISTRICT IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-126 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2018-127 by Mr. Schonhut. AN ORDINANCE ACCEPTING FOR RECORDING PURPOSES ONLY THE PLAT OF EDGEBROOK RE-SUBDIVISION NO. 1A FOR THE LOT SPLIT AND CONSOLIDATION OF PERMANENT PARCEL NUMBERS (PPNS) 392-24-007 (COMMON AREA) AND 392-24-015 (SUBLOT NO. 4-A), WITHIN THE EDGEBROOK SUBDIVISION, IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-127 ADOPTED.

Ordinance No. 2018-128 by Mayor Perciak and Mr. Schonhut. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND WOODFORD EXCAVATING, LLC, IN CONNECTION WITH THE PARK POINT STORM OUTLET PROJECT, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-128 ADOPTED.

Resolution No. 2018-129 by Mayor Perciak and All Members of Council. A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE IMPROVEMENT OF HOWE ROAD BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS, 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. Carbone to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Schonhut. All members present voted aye and the motion carried.

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-129 ADOPTED.

Resolution No. 2018-130 by Mayor Perciak and All Members of Council. A RESOLUTION REJECTING THE BID SUBMITTED FOR THE STRONGSVILLE TLCI IMPLEMENTATION PROJECT (CUY.-STRONGSVILLE-TLCI AND ODOT PID NO. 106723), IN THE CITY OF STRONGSVILLE.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-130 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2018-131 by Mayor Perciak and All Members of Council. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,600,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING VEHICLES AND RELATED ATTACHMENTS FOR THE CITY SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-131 ADOPTED.

Ordinance No. 2018-132 by Mayor Perciak. AN ORDINANCE MAKING APPROPRIATIONS FOR THE ANNUAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF STRONGSVILLE, OHIO, FOR THE YEAR 2018 AND REPEALING ORDINANCE NUMBER 2018-093.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-132 ADOPTED.

Resolution No. 2018-133 by Mayor Perciak and All Members of Council. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-133 ADOPTED.

Resolution No. 2018-134 by Mayor Perciak and Mr. Carbone. A RESOLUTION AMENDING RESOLUTION NO. 2016-031 TO DESIGNATE AN ADDITIONAL DEPOSITORY FOR ACTIVE AND INTERIM FUNDS OF THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-134 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2018-135 by Mayor Perciak and Ms. Kosek. AN ORDINANCE RATIFYING AND AUTHORIZING PARTICIPATION IN UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACTS FOR THE PURCHASE OF ONGOING INFORMATION TECHNOLOGY SOFTWARE AND SERVICES; AUTHORIZING PARTICIPATION IN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACTS FOR INFORMATION TECHNOLOGY EQUIPMENT, ALL FOR USE BY THE FINANCE AND HUMAN RESOURCES DEPARTMENTS OF THE CITY IN CONNECTION WITH THE KRONOS WORKFORCE TIMEKEEPER SYSTEM; AND AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO DO ALL THINGS NECESSARY TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-135 ADOPTED.

Resolution No. 2018-136 by Mayor Perciak and Ms. Kosek. A RESOLUTION ACCEPTING THE DONATION OF iPADS FROM THE BREWER-GARRETT COMPANY TO THE CITY OF STRONGSVILLE, FOR USE BY THE CITY'S PLANNING COMMISSION.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-136 ADOPTED.

Ordinance No. 2018-137 by Mayor Perciak and Mr. Short. AN ORDINANCE AMENDING ORDINANCE NO. 2018-109 WITH REGARD TO THE CONTRACT WITH A-TEAM PUBLIC SAFETY CO., LLC FOR THE PURCHASE AND INSTALLATION OF VARIOUS SPECIALTY ITEMS, EQUIPMENT AND/OR ACCESSORIES NECESSARY TO PROPERLY OUTFIT NEW POLICE DEPARTMENT VEHICLES, WITHOUT PUBLIC BIDDING; AND DECLARING AN EMERGENCY.

Placed on first reading and referred back to committee.

Ordinance No. 2018-138 by Mayor Perciak and All Members of Council. AN ORDINANCE APPROVING AND ADOPTING MID-YEAR REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY, REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

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

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Ordinance No. 2018-138 ADOPTED.

ORDINANCES AND RESOLUTIONS (cont'd):

Resolution No. 2018-139 by Mayor Perciak and All Members of Council. A RESOLUTION DECLARING THE OPIOID EPIDEMIC AND ITS RESULTING EFFECTS TO BE A PUBLIC NUISANCE IN THE CITY OF STRONGSVILLE, OHIO, AND DECLARING AN EMERGENCY. Motion by Mr. Carbone to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. Schonhut. All members present voted aye and the motion carried.

Motion to adopt by Mr. Carbone, second by Mr. Schonhut.

Roll Call: All ayes. Motion carries. Resolution No. 2018-139 ADOPTED.

Mr. DeMio – Okay, with that said, very, very nice job, Tiffany.

Ms. Mekeel – Thank you.

Mr. Schonhut – Yes.

Mr. DeMio – We have a few characters on the board here; so, God bless you.

Mr. Schonhut – You're self-included.

Mr. DeMio – Well, yes.

Ms. Roff – Mr. DeMio?

Mr. DeMio – Yes?

Ms. Roff – I thought we were doing a new birthday thing. And I think somebody's birthday passed while we were on break.

Mr. Schonhut – It was Neal's birthday.

Mr. Jamison – It was earlier this year.

Ms. Roff – I think Matt...

Mr. Schonhut – No, it was Gordon's. I'm pretty sure.

Ms. Roff – Oh, I think they should all stand up...at the beginning. I'll do it at the beginning of the next meeting.

Mr. Schonhut – How old?

Mr. DeMio – Do not answer that question at this time. We are going into Communications...

Mr. Schonhut – The big 2-7 now.

COMMUNICATIONS, PETITIONS AND CLAIMS:

*Application for Permit: **NEW C1-C2-D6:** To: BIAB Cleveland LLC. **DBA: Bliss in a Bottle and 2nd FL Storage;** 500 SouthPark Center T43, Strongsville, Ohio 44136 (Responses must be postmarked no later than 9/07/2018).*

There were no objections to this permit.

*Application for Permit: **TRFO D1-D2:** To: Ina Restaurants LLC. **DBA: Goldies Deli and Restaurant;** 13500 Pearl Road, Strongsville, Ohio 44136 (Responses must be postmarked no later than 10/05/2018).*

There were no objections to this permit.

MISCELLANEOUS BUSINESS:


(No Comments)

ADJOURNMENT:

There being no further business to come before this Council, President DeMio adjourned the meeting at 9:39 p.m.



Tiffany Mekeel, CMC
Assistant Clerk of Council



Date

Streets Milled/Paved/Repaired in house.

Park Lane
Delmont
Lanier (Howe to Park Lane)
Cypress
Glendale
Canterbury
Windsor
Essex
Robindale
Howe Rd. (Lenox to Polo Club)
Lamplighter
Creekwood Lane
Gifford Court
Indianhead Lane
Colebright
Sunset
Northview
Turkey Meadow
Beaver Circle
Mallard Circle
Doe Circle
Timberline
Misty Lake
North & South Salem

Streets Milled/Repaved Cross-Roads

Cook
Ordner
Fair Road (Eastland to RR)
Chestnut
Hazelwood
Fairtree
Wolzhaven
Nanci
Agnes
Oakland Park
Wilma
Tanbark and Hickory Place
Lanier (Park Lane to Hunting Meadows)
Grouse Run
Quail Hollow
Waterford Parkway

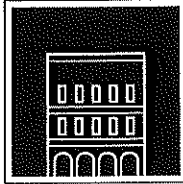
Concrete Street replacements (Contracted)

Ridge Creek
S. Meadows Circle
Woodside Court

Concrete Street work (In house)

Stillbrooke
Spinaker Circle
Falling Water @ Akita
Golden Star @ Howe
Golden Star @ Morning Star
Rustic Hollow
YTD 1700 yards of concrete poured
YTD 30 Catch Basins repaired/replaced

GOTTLIEB, JOHNSTON, BEAM & DAL PONTE PLL



LEGAL ARTS BUILDING
320 MAIN ST., PO BOX 190
ZANESVILLE, OH 43702-0190
TEL. 740.452.7555
FAX 740.480.1664
WWW.ZANESVILLELAW.COM

MATTHEW C. MOLLIKA
mollica.matthew@zanesvillelaw.com
740.450.6906

September 1, 2018

Strongsville City Council
16099 Foltz Parkway
Strongsville, Ohio 44149

To Whom it May Concern:

My grandmother is Margaret Nicholson, 13133 Royalton Road, Strongsville Ohio. As a family and community, we have major concerns with the proposed amending of the zoning map at the corner of Royalton Road and West 130th Street, (PPN 399-01-005), from Local Business (LB) classification to Motorist Service (MS).

1. Not enough has changed since the unanimous denial of a zoning variance in 2015

This same location, same owner, and same use were denied, unanimously, a zoning variance in 2015. The problems that caused this denial still exist today (see below). There are two major changes that are relevant to this renewed push for an ordinance. First, a Dunkin' Donuts was approved close to the proposed location of the Petros's gas station. Second, multiple renovated and new gas stations have been constructed in close proximate to the proposed location of the Petros gas station.

The Dunkin' Donuts was approved because this use fit with the neighborhood. The neighborhood has single family homes bordered by the Cleveland Metro Parks, a church, smaller businesses including restaurants, and some apartments. The Petros's proposed gas station does not fit with the neighborhood.

2. Numerous "gas station" problems still exist

Zoning is a way to protect land owners from uses that will harm them or their property value. Mr. Petros knew the zoning restrictions when he purchased the property in 1998 and now he asks for a zoning variance to allow a gas station on the property. The Petros's lot is one of 13 lots that are bordered by the Cleveland Metro Park's lot. Out of the 13 lots, there are eight single family homes and zero lots are currently being used for a commercial purpose. We are not against a commercial use; however, the commercial use should fit with the neighborhood and with the current zoning requirements.

FOUNDED 1962

HAROLD E. GOTTLIEB (1913-1999) • ROSS L. JOHNSTON (1915-2006) • J. ROBERT BEAM (1936-2014)
DON A. DAL PONTE • MILES D. FRIES • JAMES R. KRISCHAK • DONALD A. WIETMARSCHEN • PHILIP S. PHILLIPS • MARK E. KAIDO
SUSAN MONTGOMERY McDONALD • W. ANDREW JOSEPH • KEITH M. MELVIN • MATTHEW C. MOLLIKA • WAYNE W. PHILLIPS, II (OF COUNSEL)

A gas station will cause numerous problems for the surrounding residents. Some of the problems including light pollution late at night, increased vehicle and pedestrian traffic, late night uses, and an increase in community crime rates including robberies, assaults, OVIs, and drug activity. All of these uses will lower the property value for the surrounding property owners. Changing the zoning to allow a use that will knowingly lower the surrounding property values is unfair to the surrounding property owners.

3. Increasing traffic will harm the surrounding property owners and businesses

Traffic along Royalton Road and West 130th is already heavy. A gas station will significantly increase traffic. Gas stations have many visitors that make quick and frequent stops. This type of business will make traffic unbearable for the local residents. My grandmother cannot turn left out of her driveway. She has to turn right and go through the park. The proposed gas station will make pulling out of her driveway nearly impossible. Every vehicle will have to make a right out of the gas station which will increase traffic through the Cleveland Metro Park.

Further, this increased late night traffic is unnerving. My grandmother is 92 and lives alone. Increasing late night vehicles and pedestrians traffic with an increase in criminal activity will harm the surrounding residents.

4. The Petros's gas station will lower the surrounding property values

Accounting to Zillow.com, a major real estate website, living near gas stations increases the rate of criminal activity, accidents, traffic, and pedestrians which then significantly decreased surrounding property value. Zoning helps protect property owners and their property values. Zoning allows property owners and a community to know what types of uses are allowed on the surrounding properties. Allowing a variance because the proposed use is not allowed under the current zoning is unfair. The Petros bought this property knowing the zoning. Granting a variance might increase their property value but it will lower the surrounding property values. This is unfair to the landowners who are using their property as allowed and wanted the protection of the zoning requirements.

5. The community does not need more gas stations

The Petros claim that a gas station is in "great demand." However, there are six gas stations within two miles including Shell, Costco, BP, Marathon, GetGo, and Speedway. There are 15 gas stations within three miles. Furthermore, there are gas stations in every direction. There is no need for more gas stations in this community, especially one with all the negative consequences of the Petros's proposed gas station.

6. Environmental concerns

There are numerous environmental concerns especially with the Cleveland Metro Parks one small lot away. Some of these concerns of the proposed gas station are lighting, storm water drainage, and the potential for the gas leaks. There are also major health risks for the surrounding residents.

7. Current application for a zoning variance

There are some concerns with the current application for a variance. The application is misleading or not accurate. The application states the lot is 1.5372 acres but the Cuyahoga County Fiscal Office has the lot at 0.814 acres. That is a difference of almost double. Further, the zoning is not "overly restrictive" as stated in the application. The zoning protects the other property owners in the neighborhood. This proposed use does not fit "harmoniously with other adjacent commercial/motor services lot." The lots surrounding the proposed site are owned by my grandmother. The lots are zoned commercial but exclusively used for residential (single family home).

IN CONCLUSION, myself, my grandmother, Margaret Nicholson, my family, the surrounding property owners, and the community ask the Strongsville City Council to deny a zoning variation to the Petros's proposed gas station. The Strongsville City Council unanimously made the correct decision in 2015 to deny a zoning variance for this same owner on this same lot for this same use. Not enough has changed with the proposal, the neighborhood, or the proposed use to justify granting a zoning variance at this time. When Mr. Petros bought this land, he knew the zoning restrictions. Mr. Petros seeks to change the zoning to benefit himself and hurt the surrounding property owners. Mr. Petros should find a suitable commercial use for this lot that fits within the current zoning requirements. My grandparents built their house in 1952. All we ask is that each Strongsville City Council member vote as if they or their grandmother lived at 13133 Royalton Road. If that was the case, I am sure you would have the same concerns as our family. My grandparents build their house with their own hands, our family started on Royalton Road, and we would like this beloved property in our family for a long time to come. Thank you for your time.

Thank you,

Matthew C. Mollica