

SOLON CITY COUNCIL
September 21, 2009 – 7:00 P.M.

The Solon City Council met at City Hall on the above date.

Present: Council Members Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit, Mayor Patton, Law Director Matty, Clerk McConoughey

Absent: None

Vice Mayor Drucker presided.

NOTES OF CAUCUS DISCUSSION:

(Clerk's note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during caucus. Agenda topics may not have been discussed in order, however, they have been placed in order for the convenience of this record.)

Also Present: City Engineer Busch, Human Resource Director Cornhoff, Planning Director Frankland, Police Chief Godzich, Assistant Public Works Director Hromco, Fire Chief Shaw, Public Works Director Stanek, Finance Director Weber

PLANNING COMMISSION:

Mr. Frankland reviewed each item from the Planning Commission.

1. 32570 Timothy Circle – Jeffery Concepcione: Mr. Frankland advised the applicant is considering moving the location of the court to meet the required 25' setback if the Council removes the contingency regarding landscape screening.
2. 6133-6137 Kruse Drive – Automotive Realty LLC – BMW: Mr. Frankland reviewed the application and explained there is only a small area of the parking lot which requires a minimum aisle width variance.

Councilman Suit said there are some safety issues involving the location of the driveway which require thorough discussion.

Councilman Kraus inquired if the City's traffic engineer has reviewed the application and Councilman Suit said Mr. Westbrooks has not reviewed this application and that is why he believes further review is necessary.

Mr. Jeff Davis said he has agreed to abide by all of the contingencies placed on the former approval and noted he has already donated the 17½ feet of right-of-way for the access road as previously requested by the City.

Vice Mayor Drucker referred to the discussion regarding limiting the access

road to right turns only and noted Mr. Davis has no control over the access road therefore, he cannot agree to it.

PLANNING COMMISSION CONSENT:

6. 33816 Baldwin Road – Byron Ngo – 15' accessory pavement setback variance: Councilman Kraus requested Item 6 be removed from the Consent Agenda. Although he believes the current plan is an improvement from what Mr. Ngo previously requested, he has spoken with the adjacent neighbors who still have concerns regarding the application. Councilman Kraus noted this area has had flooding issues in the past and the additional pavement may create additional storm water issues. He also advised most of the homes in the area have only one-car garages.

Councilman Suit suggested the item could be tabled and referred to the Engineering Department for review of the drainage concerns.

Councilman Kraus said he would not object to the variance if the Engineering Department determines the additional pavement will not have a negative affect on storm water issues.

CONSENT:

20. Ordinance No. 2009-236 approving a change order with Foti Contracting for monument stones for the Veteran's Memorial Park: At Vice Mayor Drucker's request, Mr. Hromco explained the change order involves minor work to round the edges of the stones.

There were no objections to the remaining items on the Planning Commission Consent Agenda and Vice Mayor Drucker advised those applicants it was not necessary for them to remain for the meeting.

Councilman Suit requested an additional item regarding property acquisition be added to the executive session.

The caucus ended at 7:25 P.M. and the meeting began at 7:30 P.M.

Also Present: City Engineer Busch, Human Resource Director Cornhoff, Economic Development Manager Weil-Dorfman, Planning Director Frankland, Police Chief Godzich, Fire Chief Shaw, Public Works Director Stanek, Finance Director Weber

CHANGES TO THE AGENDA:

Item 6 was removed from the Planning Commission Consent Agenda and heard following Item 2.

Item 28 was added to the Consent Agenda.

ANNOUNCEMENTS:

Vice Mayor Drucker said announcements are as listed on the agenda. It was noted that the Public Works Committee meeting has been rescheduled from October 7th to October 1st.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

MINUTES:

Motion by Councilman Stolarsky, seconded by Councilman Scott to approve the minutes of the August 3, 2009 meeting.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

Motion by Councilman Pelunis, seconded by Councilman Kraus to approve the minutes of the August 17, 2009 meeting.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

STORM WATER ACTION PLAN UPDATE:

Mr. Stanek provided the following update:

- Dye testing on the ABC streets is continuing. Certain residents still have not responded, however, most residents who required repairs have submitted documentation indicating the problems were resolved.
- Smoke testing will begin the week of October 5th for the first phase of the Chagrin Valley Estates area. Notices will be sent and signs will be posted. Dye testing will begin after the smoke testing results are received.
- The Miles Road Storm Sewer Project is nearly complete with minor catch basin adjustments and restoration to be completed.
- The Carrington Pump Station project is anticipated to be completed on November 1st at which time the Woodbury Detention Basin project can begin. Soils from the project will be taken to Liberty Hill.
- Evaluation of new pricing for the Dorset basin improvements is taking place for the selection of a contractor and the project is expected to begin this year.
- The Huntington Detention Basin project is progressing although there are issues with the conservation easement. Completion is anticipated this year.
- In an effort to avoid cost increases, it is anticipated the Pepperwood Drainage Improvement Project will be bid in December, however, it is estimated the project will begin in Spring, 2010.
- Smoke testing took place in the Preserve area for storm sewer improvements to validate concerns in the data from the flow monitoring process, however, no major issues were discovered. Discussions to move

into the next phase will take place soon. The Army Corp will be contacted to initiate the permit process to modify the wetlands. He anticipates a Spring/Summer 2010 start date.

- The Sewer Division continues to clean and televise both storm and sanitary systems. Reports received involved private property issues.

In regard to the North Huntington detention basin, Councilman Kraus said the City has been involved with the Army Corp issues for almost two years and a determination is required as soon as possible. He suggested Congressman LaTourette's office should be contacted for assistance. He finds it imperative to build the basin as it will function in conjunction with the Woodbury detention basin which will be operating very soon.

Mr. Busch said he has requested the Army Corp prepare final documents to present to the Safety and Public Properties Committee to proceed with the project and he also had discussions with the Congressman's office regarding their assistance with the Army Corp permitting process.

PLANNING COMMISSION:

1. 32570 Timothy Circle – Jeffery Concepcione 066-2009
 - 3' recreational court side yard setback variance – PC approved contingent upon no additional lighting and submission of landscape screening plan prior to Council meeting, to be approved by Planning Department
 - 17' recreational court rear yard setback variance - PC approved
 - 18" height variance - PC approved

Mr. Frankland displayed the plan and explained the proposal to install a bocce ball court and shuffleboard court to the rear of the applicant's property. Mr. Frankland explained in a discussion with the applicant prior to the meeting, the applicant indicated his desire to relocate the court further from the side yard to eliminate the need for a variance if the Council removed the landscape screening contingency.

Councilman Stolarsky further explained the Commission's actions. He explained the original request for the side yard setback, however, due to objection from the neighbor, the applicant decided to move the location of the court to meet the side yard setback requirement.

Mr. Jeff Concepcione and Michael Mikhail, M & M Landscaping, were present and indicated they will meet the 25' side yard setback requirement.

Motion by Councilman Stolarsky, seconded by Councilman Pelunis to reject the 3' recreational court side yard setback variance.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit

Nay: None

Motion Carried

There were no objections to the 17' recreational court rear yard setback variance, therefore, it stood approved.

There were no objections to the 18" height variance, therefore, it stood approved.

2. 6133-6137 Kruse Drive – Automotive Realty LLC – BMW 070-2009
- 20' rear yard parking lot setback variance (BMW lot) – PC approved
 - 4' minimum aisle width variance – PC approved
 - 6' maximum aisle width variance – PC approved
 - 10' side yard parking lot/access drive setback variance – PC approved
 - Parking lot green space variance – PC approved
 - Building material variance – PC approved
 - Building color variance – PC approved
 - 4.4 fc lighting variance - PC approved contingent upon the lights being dimmed when dealership is closed & 0 fc at property line
 - Site plan approval – PC recommends approval contingent upon compliance with Safety & Public Properties Committee recommendations

Mr. Frankland displayed the plan and explained the proposed changes to the existing BMW dealership on Kruse Drive. He explained a proposal was approved in 2008 for a new 62,000 square foot building, however, the property owner did not proceed with the project and instead decided to make additions to the existing building. He explained a 4,900 square foot addition is proposed for a service area and a 3,500 square foot addition is proposed for the showroom, office and storage space. The parking plan was modified on the north and west sides of the building to move it closer to the Route 422 right-of-way. Parking would be added to the plan and a boulevard would be connected to SOM Center Road to provide access to the site through the Bob Evans Restaurant access drive. A test track would be implemented in the parking lot. Mr. Frankland identified the variances and explained the Fire Department has reviewed the modified parking plan and has indicated no objections.

Councilman Stolarsky explained a lot split was initially requested by the applicant but has since been withdrawn. He said the applicant would like to proceed with a more modest plan than originally presented with variances identical or less than previously approved for the original project. He explained the applicant's lighting representative indicated new technology will provide greater shielding of the lights from Route 422 and the adjacent neighborhoods. Councilman Stolarsky said the applicant has agreed to comply with the contingencies requested by the Safety and Public Properties Committee for the previously approved larger scale project, in regard to the access road onto SOM Center Road, and prohibiting left turns.

Although Councilman Suit had no objections to the expansion of the buildings, he is concerned with safety issues and suggested the application be immediately referred to the traffic engineer and the Police Department to address the increase in traffic, including that of larger transport vehicles entering the Bob Evans Restaurant access road, which will likely result from this proposal. He explained

this is a very dangerous drive where several accidents have occurred in recent years. He reviewed the high accident rate in the area between the freeway and Solon Road and believes traffic incidents will only increase in the area with the access drive.

Councilman Suit is also concerned that two large vacant parcels zoned Motor Service could be developed and generate additional traffic using the access drive. He questioned how the access drive will accommodate a car transporter turning right into the drive with an island.

In a conversation with Mr. Davis, Councilman Suit said he indicated he had no objection to proceeding with the modifications to the parking lot, the test track and the additions to the building, but requested Mr. Davis to allow more time to study safety concerns regarding the access drive. At that time, Mr. Davis indicated construction on the additions would not take place until next spring, however, he wanted to begin work on the parking lot as soon as possible.

Councilman Suit feels certain issues need to be resolved prior to approval of this application and requested the Council table the request for further review by the traffic engineer and Police Department.

In response to Councilman Suit's question, Mr. Davis said paving work will likely begin in three to four weeks. He said the URS traffic study performed for the previous application with the larger building assumed traffic would double from the current amount, which he estimated at 50 to 60 cars in the AM hours. The study included recommendations based on a much heavier use. Mr. Davis said he is also concerned regarding safety and, therefore, he donated the 17½ feet of property for the easement and feels the City should have moved forward with the access road.

In regard to development of the vacant parcels, Mr. Davis said any future development would have to be approved by the Planning Commission and the Council. Mr. Davis said a study was performed in 2008 for a larger project which was approved and this project will have less of an impact.

At Vice Mayor Drucker's request, Mr. Frankland confirmed a traffic study was previously performed for a 62,000 sq ft building. He further explained that the Planning Commission's approval was contingent upon the applicant complying with the previous requirements of the Safety and Public Properties Committee for the larger building.

Vice Mayor Drucker questioned how a new study would negatively differ from the previous study, considering that it is a project of a lesser scale.

Mr. Frankland said the impact from the dealership would be less, although the issue of the vacant parcels could have an impact. However, development of those parcels would require City approval.

Councilman Suit clarified he is suggesting the issue be tabled for two weeks and referred to the traffic engineer to consider possible recommendations which are yet to be completed in regard to the access road and the illegal left turns.

Councilman Stolarsky noted Mr. Davis does not own the access road and, therefore, does not have the authority to construct a traffic island.

Mr. Davis reviewed the area involved with the access road and his easement. He noted the importance of having the SOM Center access was made very clear during consideration of the previously approved plan.

Councilman Russo said installation of the island would impact Mr. Tire's property.

Councilman Kraus suggested in the future, the traffic engineer should review similar plans before they are considered by the Council.

Councilman Russo believes nothing would be gained by tabling the issue because an additional study would not indicate more traffic impact than was identified for the previously approved larger project.

Mayor Patton suggested the traffic engineer be requested to provide his opinion regarding the addition of an island at the street. Although previously approved, he questioned if the larger trucks will be able to maneuver the island and noted Nestle has had maneuverability problems with their driveway.

Councilman Scott believes the major concern is the number of accidents at the site of the proposed driveway at SOM Center Road. He noted the Wells traffic study did not exist when the plan was previously approved but it can now be considered. Councilman Scott believes most accidents at the driveway occur when northbound traffic turns left into the driveway. The Wells study strives to reduce back-up on the freeway, however, restricting left turns on SOM Center into the driveway cannot occur until a connector road is installed.

Councilman Scott questioned what will become of the two vacant parcels. Mr. Wangenheim said grass will be planted.

Councilman Scott has witnessed semi trucks maneuvering the driveway for Bob Evans. If an island were installed, he believes it could prevent left turns from the driveway onto SOM Center. He said it will need to be determined if the appropriate amount of property is available before considering a connector road.

There were no objections to the 20' rear yard parking lot setback variance (BMW lot), therefore, it stood approved.

There were no objections to the 4' minimum aisle width variance, therefore, it stood approved.

There were no objections to the 6' maximum aisle width variance, therefore, it stood approved.

There were no objections to the 10' side yard parking lot/access drive setback variance, therefore, it stood approved.

There were no objections to the parking lot green space variance, therefore, it stood approved.

There were no objections to the building material variance, therefore, it stood approved.

There were no objections to the building color variance, therefore, it stood approved.

There were no objections to the 4.4 foot candle lighting variance with the required contingencies, therefore, it stood approved.

Motion by Councilman Stolarsky, seconded by Councilman Kraus to approve the site plan contingent upon the applicant's compliance with the Safety and Public Properties Committee's recommendations with regard to the Bob Evans driveway as required on the previously approved application.

Councilman Scott asked if it is understood that the applicant will cooperate with the City in regard to how the mouth of the driveway will be addressed.

Councilman Stolarsky said the entrance is within a state right-of-way which Mr. Davis does not have control. He suggested the City could contact the state to address future improvements.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

Motion by Councilman Suit, seconded by Councilman Kraus to refer the traffic concerns regarding the entire area to the traffic engineer for review and recommendations including the traffic island.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

6. 33816 Baldwin Road – Byron Ngo 074-2009
▪ 15' accessory pavement setback variance – PC approved

Mr. Frankland displayed the current site plan and explained the proposal to expand the driveway to 16' wide. The additional square footage is permitted, however, the excess pavement is considered accessory pavement and is required to be setback at least 15' from the right-of-way line, therefore, a 15' variance is required.

Councilman Stolarsky said similar variances have been granted in the past and was approved by the Commission.

Councilman Kraus viewed the site, spoke with neighbors and believes it is an improved plan. However, he expressed concerns with the storm water management issues of the neighborhood.

Motion by Councilman Kraus, seconded by Councilman Pelunis to table this item and refer it to the Public Works and Engineering Departments for review and response within two weeks.

Councilman Kraus indicated to the applicant that if the pavement does not create a storm water issue, he will support the variance.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

PLANNING COMMISSION CONSENT:

3. 30520 Miles Road – Tom Holecek 071-2009
 - 5' driveway setback variance – PC approved contingent upon applicant consolidating lots within 12 months
4. 6130 Kruse Drive – Kruse Commons, LLC (Panera) 072-2009
 - Number of wall signs variance (to allow one additional sign in rear of building) – PC approved
 - Site plan - exterior building modifications (awnings & light fixtures) - PC recommends approval contingent upon use of green/orange/purple awning in rear only
5. 7404 Geauga Street – PP#'s 956-38-088, 089 & 090 – Elizabeth Huszti 073-2009
 - Lot consolidation – PC approved
7. 6197 & 6199 SOM Center Road – Carter Lumber 075-2009
 - Site plan - exterior building modifications (siding and roofing) - PC recommends approval
8. 6938 Highland Drive – Joseph Dahman 076-2009
 - 12' rear yard setback variance (deck) – PC approved
 - 7.1% rear yard coverage variance – PC approved
9. 31755 Aurora Road – Swagelok 077-2009
 - Site plan – exterior building alteration – PC recommends approval
10. 29500 Ambina Drive – Swagelok 078-2009
 - Site plan – exterior building alteration – PC recommends approval

Motion by Councilman Stolarsky, seconded by Councilman Scott to suspend the rules and approve the items of the Planning Commission Consent Agenda.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

PENDING:

11. RESOLUTION NO. 2009-141 DECLARING IT NECESSARY TO IMPROVE CERTAIN PROPERTY IN THE CITY BY PROVIDING FOR A STORM WATER RETENTION FACILITY OF THE CITY PURSUANT TO A LEASE BY IMPROVING THE BRIAR HILL LAKE DAM AND RELATED AREA AND DECLARING AN EMERGENCY. This resolution has had three readings.

Resolution No. 2009-141 remained on third reading.

CORRESPONDENCE:

12. Liquor permit application – 33825 Aurora Road – Dragon Palace Corp. dba Imperial Wok

Councilman Scott said the name on the application has changed from Golden Wok to Imperial Wok. There were no objections from department heads.

Motion by Councilman Scott, seconded by Councilman Russo to instruct the Clerk to not request a hearing.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

CONSENT:

Motion by Councilman Stolarsky, seconded by Councilman Pelunis to suspend the rules and place the following Consent items on third and final reading.

The appropriate Council or Administrative representative provided an explanation for each item.

13. RESOLUTION NO. 2009-229 AUTHORIZING THE MAYOR TO ENTER INTO A RELEASE AND ASSIGNMENT AGREEMENT WITH WS HOMES INC. AND WESTERN SURETY COMPANY AND DECLARING AN EMERGENCY, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

14. ORDINANCE NO. 2009-230 AUTHORIZING THE FINANCE DIRECTOR TO ADVERTISE FOR BIDS FOR THE ST. MARY'S STREAM RESTORATION PROJECT, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

15. ORDINANCE NO. 2009-231 AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM AND ENTER INTO AN AGREEMENT FOR FUNDING ASSISTANCE FOR THE ALLOTMENT, PHASE IIB PROJECT AND DECLARING AN EMERGENCY, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

16. ORDINANCE NO. 2009-232 APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT WITH CARRON ASPHALT PAVING, INC. FOR THE 2009 ANNUAL ASPHALT REPAIR PROGRAM (CONTRACT NO. 2009.08), was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

17. ORDINANCE NO. 2009-233 AUTHORIZING THE FINANCE DIRECTOR TO SELL OBSOLETE EQUIPMENT NO LONGER USED BY THE WATER RECLAMATION DEPARTMENT BY INTERNET AUCTION WITH GOVDEALS, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

18. ORDINANCE NO. 2009-234 AUTHORIZING THE FINANCE DIRECTOR TO SELL SURPLUS EQUIPMENT OF NO FURTHER USE TO THE FIRE DEPARTMENT BY INTERNET AUCTION WITH GOVDEALS, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

19. ORDINANCE NO. 2009-235 ACCEPTING THE BID OF WARREN FIRE EQUIPMENT, INC. FOR THE PURCHASE OF BREATHING APPARATUS FOR USE BY THE FIRE DEPARTMENT, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

20. ORDINANCE NO. 2009-236 APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT WITH FOTI CONTRACTING FOR MONUMENT STONES FOR THE VETERAN'S MEMORIAL PARK PROJECT (CONTRACT NO. 2009.20), was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

21. ORDINANCE NO. 2009-237 APPROVING A CHANGE ORDER TO THE CONTRACT WITH BROOKSIDE CONSTRUCTION SERVICES FOR THE PURCHASE AND INSTALLATION OF A FOUNTAIN AND OTHER GENERAL IMPROVEMENTS FOR THE VETERAN'S MEMORIAL PARK PROJECT (CONTRACT NO. 2009.32), was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

22. ORDINANCE NO. 2009-238 ACCEPTING THE FINAL CHANGE ORDER CONTRACT ADJUSTMENT WITH WHITE BUFFALO, INC. FOR A DEER MANAGEMENT PLAN, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

23. ORDINANCE NO. 2009-239 AUTHORIZING THE FINANCE DIRECTOR TO ADVERTISE FOR BIDS FOR A DEER MANAGEMENT PROGRAM AND MEAT PROCESSING SERVICES, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

24. ORDINANCE NO. 2009-240 AUTHORIZING THE FINANCE DIRECTOR TO ADVERTISE FOR BIDS FOR A RETAINING WALL FENCE AT THE SOLON CENTER FOR THE ARTS, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

25. ORDINANCE NO. 2009-241 AUTHORIZING THE FINANCE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN ARRA STIMULUS FUNDING AGREEMENT ON BEHALF OF THE CITY OF SOLON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF THE RESTORATION OF THE SOUTH SULPHUR SPRINGS, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

26. ORDINANCE NO. 2009-242 AUTHORIZING THE MAYOR TO EXECUTE VARIOUS CONSTRUCTION EASEMENTS NECESSARY FOR THE CUYAHOGA COUNTY BAINBRIDGE ROAD RECONSTRUCTION PROJECT, was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

27. ORDINANCE NO. 2009-243 ACCEPTING THE BID OF R. GREEN LEVELING FOR THE 2009 ANNUAL PAVEMENT LEVELING PROGRAM (CONTRACT NO. 2009.13), was read for first reading.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

28. ORDINANCE NO. 2009-244 APPROVING A CHANGE ORDER TO THE CONTRACT WITH CARRON ASPHALT PAVING, INC., FOR THE 2009 ANNUAL ASPHALT PAVEMENT REPAIR PROGRAM (CONTRACT NO. 2009.08)

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried
Final Passage: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM COUNCIL:

Councilman Pelunis said someone moved the position of the "road closed" sign located on Cromwell Drive and he requested it be moved back to its original location.

Councilman Pelunis recently mailed a ward newsletter and asked residents to contact him with any questions.

Councilman Scott congratulated Chief Godzich and his staff for quickly solving a pending case.

Councilman Scott said a meeting will be held between 5:00 P.M. and 8:00 P.M. on Tuesday, September 22nd to discuss the Bainbridge Road Reconstruction Project with the residents. He noted both Ward 3 and Ward 6 residents are welcome. Councilman Scott asked that residents with documentation be prepared to provide a copy for the County.

Councilman Kraus looks forward to the meeting on September 22nd to address questions to be answered by County representatives. He said residents will have an opportunity to discuss their own property.

Councilman Kraus commended Cioffi Construction for their work in his ward.

Vice Mayor Drucker received positive comments from Ada Drive residents in regard to the construction project. She commended Bob Ress for his project management and assistance to the residents.

Vice Mayor Drucker said the Solon Historical Society is taking orders and sponsorships for two Solon history books to be published. Orders can be placed at solonhistoricalsociety.org or by calling the Historical Society President, Bob Shimits, with any questions. The deadline for orders to receive the books before the holidays is October 16th.

COMMENTS FROM THE ADMINISTRATION:

Mayor Patton commended the Police and Fire staff who responded to the unfortunate accident involving an all-terrain vehicle and four young men. Mayor Patton asked that parents of children who ride motor vehicles exercise extreme caution.

Chief Godzich and Chief Shaw congratulated Police Detective Stanley and Fire Lieutenant Sager who were honored by the Chagrin Highlands Rotary Club as Officers of the Year in Solon.

Mr. Stanek thanked everyone for their patience with the many ongoing construction projects.

Motion by Councilman Stolarsky, seconded by Councilman Russo to adjourn into executive session at 8:39 P.M. for consideration of collective bargaining matters and property acquisition.

Roll Call: Aye: Drucker, Kraus, Pelunis, Russo, Scott, Stolarsky, Suit
Nay: None Motion Carried

The meeting reconvened at 9:25 P.M.

Motion by Councilman Pelunis, seconded by Councilman Stolarsky to adjourn the meeting at 9:25 P.M.

Vice Mayor

Clerk of Council