

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **January 18, 2005, at 7:30 p.m.**

PRESENT: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Thomas Koch, Lisa Uffman-Kirsch, Robin Zaccardelli; Legislative Services Director Laura Haller, Mayor Cathy Luks, Finance Director Karen Fegan, Law Director Thomas O'Donnell, Service Director Skip Mayer, City Engineer Clark Merdes, Interim Building Commissioner Rick Arrendale, Police Chief Paul Bican, Fire Chief Michael Fabish, Community Development Director Michael Kosdrosky, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Regarding the proposed amendments to Ordinance 04-183, Mrs. Uffman-Kirsch suggested that the phrase "in excess of \$1000" be moved from the end of the first sentence and placed following the phrase "and/or material used or provided...". Council agreed to this change.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **January 18, 2005, in regular session.** The meeting was called to order at 8:00 p.m. by President of Council Robert A. Stefanik and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Thomas Koch, Lisa Uffman-Kirsch, Robin Zaccardelli, Legislative Services Director Laura Haller.

Administration: Mayor Cathy Luks, Law Director Thomas O'Donnell, Finance Director Karen Fegan, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Interim Building Commissioner Rick Arrendale, Service Director Skip Mayer, Community Development Director Michael Kosdrosky, Acting Recreation Director Ed Swim, Office on Aging Director Debbie Duffy, Wastewater Superintendent Charles Johnson.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: January 4, 2005
- b. Legislation:

ORDINANCE 05-2

Introduced by: Zaccardelli, Bobulsky, Willey. **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PROVIDING FOR THE PUBLICATION OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-3

Introduced by: Zaccardelli, Bobulsky, Willey. **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PART OF THE PLANNING AND ZONING CODE OF THE CITY; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-4

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF CUYAHOGA LANDMARK FOR THE PURCHASE OF FUEL FOR THE 2005 SEASON AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

- No one on Council wished to have an item removed from the Consent Agenda for discussion.
- No one in the audience wished to have a legislative item removed from the Consent Agenda for discussion.

Moved by Mr. Koch, seconded by Miss Zaccardelli to **suspend the rules requiring 3 readings and referral to committee for those legislative items on the Consent Agenda.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT:

Mayor Luks said that she has received a letter from DOPWIC informing her that they are recommending our project to the State Ohio Public Works Commission for the State Road and Wallings Road intersection widening in the amount of \$531,303. The letter explains that the funding will not be released until July 1, 2005, and therefore we must wait until then to begin construction.

DEPARTMENT HEAD REPORTS:

Fire Chief Fabish reminded residents of winter safety measures.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Stefanik announced that the Ward 2 meeting will be held on February 7, 2005, and State Representative Thomas Patton will be in attendance to speak with residents.

COMMITTEE REPORTS

All Committees, Boards, and Commissions announced the dates and times of their next regularly scheduled meetings. All meetings are held at City Hall, 13834 Ridge Road, unless otherwise noted. A complete meeting schedule is available from the Council Office.

- **Special Building & Building Codes Committee** meeting to be held on February 5, 2005, at 10:00 a.m. to conduct a Low Impact Development seminar.

LEGISLATION

THIRD READING CONSIDERATION: No action: 04-194, 04-211, 04-212.

ORDINANCE 04-73

AN ORDINANCE ESTABLISHING A FUND TO BE KNOWN AS THE PARK LAND ACQUISITION FUND, AND DECLARING AN EMERGENCY. Title read.

The Director of Legislative Services read the following proposed amendments:

Second WHEREAS clause: Council wishes to allocate additional funds for ***the public purpose of*** open space and ***passive*** recreational park land acquisition ***and creation***, and

Fourth WHEREAS clause: This fund will receive 15% of all monies allocated to the Recreation Capital Improvement Fund ***from development recreation fees as outlined in Sections 1242.03 and 1246.08 (d) of the Zoning Code*** from and after the adoption of this Ordinance, and 100% of any other monies which may, in the future, be received for or allocated to park land acquisition.

Section 2. This fund shall receive 15% of all monies deposited in the Recreation Capital Improvement Fund ***from development recreation fees as outlined in Sections 1242.03 and 1246.08 (d) of the Zoning Code from and after the adoption of this Ordinance*** and 100% of any other monies which may, in the future, be received for or allocated to park land acquisition ~~from and after the adoption of this Ordinance~~ and will be used solely for the purchase of land for

the public purpose of open space, parks and passive recreational purposes, and for the creation of passive recreational facilities such as, but not limited to, bike paths, walking and horseback riding trails, wetlands observation decks and serenity gardens by the city.

Section 4. Monies in this fund shall not be used for ongoing maintenance of said open space, parks or passive recreational facilities.

Section 4 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to establish this fund to keep accurate records of the revenues and expenditures associated with purchase of land for ***open space, parks and passive recreational purposes, and for the creation of passive recreational facilities*** by the city.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Koch to **amend Ordinance 04-73 as read.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mrs. Uffman-Kirsch, seconded by Mr. Willey to **adopt Ordinance 04-73 as amended.**

Mrs. Uffman-Kirsch said that this legislation would allow for 15% of the development and impact fees that currently go into our recreation capital account to be placed in an account that is dedicated for passive park land acquisition. The vision, as is called for in our adopted Master Plan, is to over time develop interconnecting trails and park land traversing the city. Opponents to this legislation state that we can already use the money that is in our recreation capital account for this purpose. Mrs. Uffman-Kirsch said that this is a true statement, and while we always could have done this, we don't. She feels from a recreational standpoint that we have a very underserved population of residents who do not participate in organized sports such as baseball or soccer. The proposed parklands and trails could be enjoyed by our entire population and ensure that green space is preserved throughout our community, which also provides a significant benefit in storm water control. She said that it is also important to note that by law, the money which goes into the recreation capital account can only be used for recreation, so this legislation does not take any money away that could otherwise be used for roads, storm sewer improvements, etc. She said that her colleagues on Council say they support the acquisition of passive recreational park land and she is requesting that they show their support tonight by passage of this legislation.

Mr. Willey said that he opposes this legislation. He feels that this will not generate the type of monies that would be necessary for an extensive plan. He said that the taxpayers already pay \$4.5 million per year to the Metro Park system. He said that the Metro Parks has open space, trails, horse paths, and many other available facilities. He said that he sees no reason to replicate this.

Mayor Luks said that she supports this legislation. Mrs. Uffman-Kirsch said earlier that the money could only be used for recreation. To clarify, Mayor Luks said that the money can only be used for the creation of new recreation. The impact fees that we collect as new development occurs go into a fund that is supposed to be used to create new recreation, not maintain existing recreation. While it is true that we are very fortunate to have the Metro Parks in our community for the purposes stated by Mr. Willey, to have the opportunity to create a separate fund would demonstrate that we are actively pursuing this. Combined with a plan we need to formulate, this would enable us to receive grant monies from the numerous programs available to create bike paths, walking trails, etc. This has become something that is being supported by many grant foundations and agencies. The reason it would benefit us, in addition to the Metro Parks, is that we could focus on areas along riparian corridors where the community's streams, creeks, and rivers are located. This would create a scenic trail, but it would also give us additional protection for this corridor and potentially give us access to these waterways to enhance our ability to monitor and protect them, which has become increasingly important with the flooding we are experiencing. Additionally, this could work into our economic development plan in that these paths could ultimately lead to some of the city's areas where we want to create foot traffic, such as the new downtown currently being planned. For all of these reasons, and while this seems like a small amount of money, it puts us in a much better position to forge ahead with a plan for the future and she feels now is the time.

Miss Zaccardelli asked Mrs. Uffman-Kirsch if the money we currently have in the recreation fund can be used for this purpose. Mrs. Uffman-Kirsch said yes.

Miss Zaccardelli asked the Mayor if this money was going to help stop any of the flooding or is just going to create more trails and pathways?

Mayor Luks said if you consider the fact that we could create these walk paths along these corridors where currently we have no access.....

Miss Zaccardelli said we don't even have sidewalks right now.

Mayor Luks said that she understands this but we can't use this money for sidewalks. We can only use it to create recreation. In using it to create recreation, we could have a dual purpose by placing these paths along some of the city's rivers which would then protect them from additional development and would protect them in terms of access so that we could monitor them. Mayor Luks said that we can't use this money for sidewalks, we can't use this money for streets, and we can't use it currently for anything having to do with storm water. This would at least lend itself in that direction.

Miss Zaccardelli asked if this money could be used for new soccer fields, new baseball fields, etc.

Mayor Luks said yes, we can use recreation capital improvement funds to create new fields.

Miss Zaccardelli said she was referring to the money that would be placed in the passive recreation fund.

Mayor Luks said that this would take 15% of what we are currently collecting in the recreation capital improvement fund and allocate it to passive recreation, leaving 85% to go towards the ability to create new fields.

Miss Zaccardelli said she understands this. What she is saying is that if we pass this legislation, it will not create any more baseball, soccer or football fields. What we have now as far as our recreation fund will create new fields.

Mayor Luks said that what we have now can be used for new soccer fields, and we have over \$1 million to do this. We are not talking about touching this money; we are talking about additional fees down the road that would be collected. 15% of those fees would go into this fund, so we would still be accumulating more dollars for new fields.

Mr. Stefanik said we have \$1.3 million in our capital improvement recreation fund that we can use for passive recreation today if we wanted to. Mr. Stefanik said he is hearing that there is grant money and programs available, and he is asking that he be shown these programs, show us the grant money, bring them to Council and we will be glad to entertain moving some of this money into a separate line item for passive recreation.

Mrs. Uffman-Kirsch said that she has previously shown Council the grant programs available through several discussions and requests for detailed information. Regarding the line item option, she is assuming and hoping that the community can count on this Council putting their money where their mouth is by supporting the funding of this line item in the budget.

Mr. Stefanik said that when a quality project comes forward, we will consider it.

Mr. Gentile said that he is a proponent of passive recreation. He said that Council has even talked with the Mayor about buying a piece of land in this community for passive recreation, but that didn't happen. He said that he does not believe that it is prudent to take 15% of the money and lock it in a fund. There are no guaranteed funds; there is no baseball fund, there is no soccer fund, there is no skate park fund. Each one of these clubs sends a member to the Recreation Board to represent them; there would be no representative for passive recreation. No one would have to show up and they would automatically get 15% of the money every year. Mr. Gentile said we can put the money into a line item in the budget at any time if we have an opportunity for matching funds. He cannot support taking this money and putting it somewhere and not know where we are going to spend it. The baseball and soccer people and the other recreation clubs have put years and years into building what they have here. Mr. Gentile agreed that we have not spent a lot of money on passive recreation, but he can't see locking up the funds just to do it.

Mr. Koch said that he feels that we need this legislation if for no other reason than the government grants. It shows that the city is ready and waiting for these things.

Mrs. Bobulsky said that she too supports this legislation and agrees with Mr. Koch that by establishing an actual fund, it would be a lot easier to acquire the grant monies needed to achieve the passive recreation that we so desperately need for all of our residents.

Roll Call: Yeas: **Three** (Bobulsky, Koch, Uffman-Kirsch). Nays: **Four** (Stefanik, Gentile, Willey, Zaccardelli). **Motion defeated.**

ORDINANCE 04-183

AN ORDINANCE REQUIRING DIRECTORS TO ACCOUNT FOR LABOR AND MATERIALS USED ON CERTAIN PUBLIC IMPROVEMENT PROJECTS AND DECLARING AN EMERGENCY. Title read.

The Director of Legislative Services read the following proposed amendments:

Second WHEREAS clause: Council desires to require the Director of each department providing employees to perform labor or materials for portions of the construction project to account for the amount of labor and/or materials utilized in said construction project in order to determine **the final cost of the project.** ~~whether or not the city achieved the goal of reducing the cost of the project.~~

Section 1. This Council hereby deems it necessary and declares its intention to require that each Director of a city department, providing labor and/or material for ~~some or all of a~~ public construction improvement projects **required to be bid** to account for the total amount of such labor and/or material used or provided **in excess of \$1,000.00** for each public construction project. This requirement shall apply only to public construction improvement projects undertaken by any city department where said department provides labor or material for the project **in excess of \$1,000.00**. The accounting shall be based on work orders which document the number of man hours, category of employee, rates of pay per employee per hour and the cost of such materials used on the project. Such information shall be reduced to a written report and provided to the Finance Director who shall review and report on the information to the Finance Committee as directed by the Chairperson of said committee.

Moved by Mr. Koch, seconded by Mr. Gentile to **amend Ordinance 04-183 as read.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 04-183 as amended.**

Mrs. Uffman-Kirsch said that after reviewing the amended legislation, she has some additional questions to ask of the sponsors. When we talk about the purpose of this as being able to determine the final cost of the project, she asked if this legislation includes engineering costs on a project. For example, with the Rt. 82 intersection widening, would we be requiring our Engineering Department to account for their time on this project?

Miss Zaccardelli responded that the purpose behind this legislation is to keep track of the in-house work being done. For example, when we built our Animal Shelter we had city employees doing some of the final work. We don't know how many hours they spent, we don't know how much was spent, so when we look back on this and want a final dollar amount, we aren't going to have it because we did not know what wages were paid to these employees for doing the work. This is the purpose behind this legislation. She said that she does not believe that it would include engineering, but that is a good question and one she does not believe has been discussed.

Mrs. Uffman-Kirsch said that this is her concern. She said we are vague, as it just says providing labor. She said that if we are looking at this to determine the final cost of a project, then when we have projects like the intersection widening, our engineering costs would definitely be in excess of \$1,000. She is not sure if we are being very clear as far as the scope of this legislation. Mrs. Uffman-Kirsch said that another concern she has is, for example, the windows at City Hall. Painting of these windows was not included in the bid project and will be done in-house. We have set a threshold of \$1,000 whereby reporting would be required. Her concern is that it is not obvious going into this whether or not the material and labor time of our service personnel would be over or under \$1,000, so therefore we would be requiring the accounting and tracking for a project such as this even though it may come in under \$1,000 just in order to determine whether or not it meets the \$1,000 threshold for reporting. Mrs. Uffman-Kirsch said that from a cost benefit analysis, she is not sure that this is necessary.

Mr. Willey said he asked the Finance Director regarding the capitalization of in-house labor on any projects. She mentioned that she could not charge the payroll directly to the project, but other items could be charged to a project. Mr. Willey said that his concern is that if we use city resources that are hired for a specific purpose and, whatever the circumstances are, they may be involved in a significant capital project such as the widening of Rt. 82, that as we identify in terms of engineering that the possibility exists that the offset of those costs that could be capitalized in the project because we chose to do specific engineering. We don't have the luxury of having additional people, so when you get involved in a lot of special projects, you very well could justify hiring additional people indirectly at no cost because those costs are being capitalized into the capital improvement project. One of the concerns he has is that when we do get involved with projects such as the widening of the intersections and the engineering and building of the new town square, there is going to be an awful lot of city resources required. From a project management standpoint, when a vendor comes in to do it, you generally have a project engineer or coordinator involved to make sure that the day to day operations and specifications are being met. For instance, we are fortunate with the building of the Fire Station that the Fire Chief is coordinating the project and looking out for the benefit of the city. We are not going to charge this to the project. His concern is that we are growing and more and more resources could possibly be used that those resources are supplemented by new employees or supplemental employees.

Mayor Luks wished to clarify a few points. When Mrs. Uffman-Kirsch is talking about engineering services, she is referring to a project where we have hired an outside engineering firm but our own Engineering Department oversees and keeps tabs on what is happening. As a matter of accountability, we have to do this. Mrs. Uffman-Kirsch's point is whether it is professional labor or blue collar labor, it's still labor, and this legislation is vague as to whether or not we are supposed to be accounting for this.

Mayor Luks said that regarding the Animal Shelter, this was simply a case of an employee who is on staff as an Animal Control Officer, and in between his regular duties he painted to save cost on the project. Now we are going to have additional administrative costs to calculate all of this when it was done to save money. In the case of painting the windows at City Hall, we deliberately left that out of the bid package because there are times during the winter months when we have additional shifts for the Service Department to respond to weather emergencies. When they don't need to be out salting or plowing, they can spend their time painting. We are paying them anyway for the time that they are spending doing this work. We use these personnel very efficiently, we do it to save money, and now you are driving up the administration costs by making us do all of this unnecessary extra paper work. She does not see this as a benefit at all.

Miss Zaccardelli asked the Finance Director if engineering would be classified as professional service.

Mrs. Fegan said that any type of service such as engineering would be considered a professional service, but it would still fall under labor because it is work that is being performed by a city employee. The wording is not very clear, but she said that she would not be the one that would have to argue the wording.

Miss Zaccardelli said that this legislation is pushing toward trying to find out how much time and material would be spent on a project. We have our Service Department employees painting and fixing windows but with what we pay them in wages and benefits we may be better off hiring a company to come in and get it done. This is the point behind the legislation.

Mr. Stefanik said that this legislation has been in committee for many months, has been talked about at several meetings and everyone had the opportunity to bring up their concerns even after the amendments were added on.

Mr. Stefanik asked the Law Director to address the issue of "vague" language in the legislation.

Mr. O'Donnell said that the legislation states "where said department provides labor and material" This could be a little more explicit to explain the intent that labor and materials applies to every department equally. The Mayor is correct that the Engineer and his staff are at the York Road/Rt. 82 widening site almost daily, and that would count as labor. He thinks the intent behind this was the painting and things of that nature. He thinks it would be better if Council was a little more specific as to pinning it down.

Mrs. Uffman-Kirsch wished to address Mr. Stefanik's comment regarding the fact that this issue has been in committee and we have all had the opportunity to respond. Mrs. Uffman-Kirsch said that actually, the question on engineering and some of the other questions that came up in her mind from this today actually stemmed from personnel in the department who are not at the committee meetings where these are discussed. She would also like to point out that they are not routinely copied by the sponsors unless the sponsors choose to do this nor had they received copies of the amendments. She thinks that it is important to get feedback from the people and the departments who our legislation effects. Mrs. Uffman-Kirsch said she thinks the implication was that she was hiding or saving these concerns to bring them up on the floor.

Mr. Stefanik said that this was not his intent.

Mrs. Uffman-Kirsch apologized for her incorrect interpretation, but she wanted to make it clear that these questions and the scope of this just came up today.

Mr. Stefanik said that it might be wise if we refer this back to the Building & Building Codes Committee. Mrs. Uffman-Kirsch said that would be fine, but she would still like to finish her comments.

Mrs. Uffman-Kirsch said that if you look at the Turnpike contract that we have on the agenda tonight and if you look at the spreadsheet of the breakdown of their costs you will see on there that administrative labor is also part of the breakdown of their cost for the project so she is also wondering if we need to be looking at not just engineering but administrative labor as well. If we are talking about true cost accounting for a project, you are looking at all the costs that go into a project, whether it be administrative support, engineering, etc. Also, Mrs. Uffman-Kirsch wanted to comment on Councilman Willey's earlier statement about the capitalization of the cost that could be used to justify additional personnel. While the capitalization of the cost can definitely justify the need for additional personnel, that is not the problem. The problem is the capitalization of this does not provide the funding to pay for those people, so she does not see the benefit of this.

Mr. Gentile said that this legislation came out of the Finance Committee and said that if this is going back to committee, it should go back to Finance Committee. He further stated that he does not have a problem with the cost accounting. Companies he works for have to cost account every aspect of their business into the construction project whether it is the warehouse, shipping, receiving, etc. They want to know the final cost of the project to the penny. The money we are using belongs to the taxpayers and they have the right to know the final cost of the project. Mr. Gentile said that maybe it would make it more comfortable to limit it strictly to construction work, not consulting fees.

Mrs. Bobulsky said that she feels that this legislation is incomplete. She thinks we are trying to legislate something that is administrative. She said that Mr. Willey stated it most accurately in the Rules & Ordinances Committee meeting minutes of September 23, 2004, where he stated that he has a problem with this legislation when the city is short of resources and thinks that the city should not have to legislate to make people do their job.

Mayor Luks wished to clarify for Mr. Gentile that the Route 82 project is construction work and our engineers are overseeing that project. The way this legislation is written it would include this.

Mr. Willey withdrew his motion to adopt as amended. Miss Zaccardelli withdrew her second to this motion.

This legislation will **remain on third reading** and was referred to the Finance Committee.

SECOND READING CONSIDERATION

ORDINANCE 05-1

AN ORDINANCE ACCEPTING THE DEDICATION OF APPROXIMATELY 3,333.06 FEET OF BROOKHAVEN DRIVE, 341.55 FEET OF WOODMONT LANE AND 171.66 FEET OF ASHFORD LANE IN THE PINE HILL SUBDIVISION PHASE 1 FROM SAKS & GOLDBERG COMPANIES, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION

Ordinances 05-2, 05-3 and 05-4 were adopted under the approval of the Consent Agenda.

ORDINANCE 05-5

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) 2005 FORD EXPEDITION FOR THE POLICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$30,000, AND DECLARING AN EMERGENCY.** Title read.

Certificate of Availability of Funds has been received from the Finance Director stating that funds are available or are in the process of being collected in Police Levy Fund #15.

Placed on **second reading** and referred to the **Finance Committee**.

ORDINANCE 05-6

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF FOUR (4) CHEVROLET IMPALAS FOR THE POLICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$100,000, AND DECLARING AN EMERGENCY.** Title read.

Certificate of Availability of Funds has been received from the Finance Director stating that funds are available or are in the process of being collected in Police Levy Fund #15.

Placed on **second reading** and referred to the **Finance Committee**.

ORDINANCE 05-7

Introduced by: Mayor Luks, Stefanik, Uffman-Kirsch. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CAMP DRESSER & MCKEE, INC., FOR ENGINEERING CONSULTING SERVICES FOR THE CITY OF NORTH ROYALTON OHIO TURNPIKE THIRD LANE EXPANSION INVESTIGATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$56,835.00, AND DECLARING AN EMERGENCY.** Title read.

Certificate of Availability of Funds has been received from the Finance Director stating that funds are available or are in the process of being collected in Storm Water Drainage Fund #33.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Gentile to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mrs. Uffman-Kirsch, seconded by Mr. Koch to **adopt Ordinance 05-7**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-8

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART SIX GENERAL OFFENSES CODE, CHAPTER 618 ANIMALS, SECTION 618.19 DANGEROUS AND VICIOUS DOGS, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Safety Committee**.

ORDINANCE 05-9

Introduced by: Mayor Luks, Bobulsky, Uffman-Kirsch. **AN ORDINANCE AMENDING ORDINANCE 04-222 WHICH ESTABLISHED AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 01, AS AN OVERLAY DISTRICT FOR A PERIOD OF FOUR (4) MONTHS PURSUANT TO CHAPTER 1268 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON BY EXTENDING IDC NO. 1 FOR AN ADDITIONAL EIGHT (8) MONTHS PURSUANT TO SECTION 1268.07(E), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

MISCELLANEOUS

Al Bendzak, 11431 Villa Grande, addressed Council regarding equal protection of the law.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli **to adjourn the January 18, 2005, Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

Meeting adjourned at 8:52 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES