

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **March 1, 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, Law Director Thomas O'Donnell, Service Director Skip Mayer, City Engineer Clark Merdes, Interim Building Commissioner Rick Arrendale, Fire Chief Michael Fabish, Wastewater Superintendent Charles Johnson, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Proposed Ordinance 04-183 was discussed. Mrs. Haller asked if this was ready to be acted on this evening, since it is out of committee. Mr. Stefanik said that they are still waiting on information from the Law Director regarding this legislation and would like to leave it on third reading. Discussion was held regarding sending this back into committee and it was decided not to do so at this time.

Proposed Ordinance 05-25 was recommended for adoption with amendments at the Rules and Ordinances Committee held earlier this evening.

Discussion was held on proposed Ordinance 05-24. Mr. Willey asked several questions regarding this legislation. He stated that he might want this referred to the Finance Committee for further review since this was the first time anyone was seeing this legislation. After discussion regarding time lines, and after Mr. Willey's questions were answered, it was decided to proceed with this legislation this evening.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **March 1, 2005, to conduct a Public Hearing.** The hearing was called to order at 8:00 p.m. by President of Council Robert A. Stefanik.

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

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

ABSENT: Police Chief Paul Bican, Finance Director Karen Fegan.

PUBLIC HEARING

- **Application submitted by Stephen & Nancy Mattes/4671 Royalwood Rd./PPN 488-22-002, 488-22-001 for placement of land located in the City of North Royalton in an Agricultural District pursuant to Section 929 of the Ohio Revised Code:**

No one in the audience wished to be heard on this matter.

Moved by Mr. Koch, seconded by Mr. Gentile to **refer this application to the Building & Building Codes Committee.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Legislative Services Director stated that she would notify Mr. and Mrs. Mattes of the date of the next Building & Building Codes Committee meeting.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Mr. Willey to adjourn the Public Hearing. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Public Hearing adjourned at 8:02 p.m.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **March 1, 2005, in regular session**. The meeting was called to order at 8:02 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, Robin Zaccardelli, Lisa Uffman-Kirsch, Legislative Services Director Laura Haller.

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

ABSENT: Police Chief Paul Bican, Finance Director Karen Fegan.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: February 15, 2005
- b. 90-day extension sign approval. Charter One Bank, 5600 Wallings Road, Local Business Zoning.
- c. 90-day extension for request of SBC to work at Foxwood Drive and Wallings Road.
- d. 90-day extension Ordinance No. 05-01.
- e. Legislation:

RESOLUTION 05-20

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION REQUESTING THE OHIO GENERAL ASSEMBLY TO CONTINUE ITS HISTORY OF PARTNERSHIP WITH OHIO'S LOCAL GOVERNMENTS AND RETAIN FUNDING FOR THE LOCAL GOVERNMENT FUNDS AT THE PERMANENT LAW FORMULA.** Title read.

RESOLUTION 05-21

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION OPPOSING THE PROPOSED ELIMINATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WHICH HAS BEEN IN EXISTENCE SINCE 1974 PROVIDING LOCAL GOVERNMENTS WITH THE RESOURCES REQUIRED TO MEET THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME AND NEIGHBORHOOD REVITALIZATION.** Title read.

RESOLUTION 05-22

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION OPPOSING PRESIDENT BUSH'S PROPOSED JOB CUTS AT NASA.** Title read.

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

Moved by Mr. Willey, seconded by Mr. Gentile 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. Koch 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: No report.

DEPARTMENT HEAD REPORTS:

Community Development Director Michael Kosdrosky requested Council's support of proposed Ordinance 05-28 which authorizes the Mayor to enter into an Enterprise Zone Agreement with Induction Tooling, Inc.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Stefanik announced that the Ward 3 Meeting would be held on March 7, 2005, at 7:00 p.m.

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.

PUBLIC DISCUSSION

William Stuehr, President of Induction Tooling, Inc. 9980 York Theta Drive, North Royalton, addressed Council regarding Ordinance 05-28. He gave a brief history of this business and requested Council's support on this legislation this evening.

LEGISLATION

THIRD READING CONSIDERATION: No action: 04-183, 04-194, 04-211, 05-1, 05-8.

SECOND READING CONSIDERATION

RESOLUTION 05-11

A RESOLUTION URGING THE MAYOR TO EXPAND SANITARY SEWER SERVICE TO ALL OF NORTH ROYALTON BASED ON A PRIMARILY GRAVITY BASED SYSTEM DESIGN.

Title read.

Placed on **third reading.**

ORDINANCE 05-13

AN ORDINANCE AMENDING VARIOUS PENALTY SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON PERTAINING TO MISDEMEANANT CRIMES, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 05-15

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1246 DESIGN STANDARDS, SECTION 1246.02 STREETS, PARAGRAPH (h) CUL-DE-SACS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 05-16

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.06 ILLUMINATION, PARAGRAPH (b), AND SECTION 1284.07 SIGNS IN RESIDENTIAL DISTRICTS, PARAGRAPH (h), AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 05-17

AN ORDINANCE AMENDING CHAPTER 880 EARNED INCOME TAX, SECTION 880.27 DISBURSEMENT OF FUNDS, OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 05-18

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH ROYALTON, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2005 AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 05-19

AN ORDINANCE ACCEPTING DEDICATION OF 1,428 FEET OF EVERGREEN TRAIL, 725 FEET OF BUCKEYE TRAIL AND 229 FEET OF A YET UNNAMED STREET IN THE TIMBERLANE ESTATES SUBDIVISION, PHASE 4 FROM TIMBERLANE FARMS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION**RESOLUTION 05-23**

Introduced by: Uffman-Kirsch, Mayor Luks. **A FINAL RESOLUTION ENACTED BY THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/LOCAL PUBLIC AGENCY OR "LPA", IN THE MATTER OF THE STATED DESCRIBED PROJECT, AND DECLARING AN EMERGENCY.** (Construction of traffic signals and school speed limit sign assemblies). Title read.

Moved by Mr. Willey, 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 Mr. Koch, seconded by Mr. Gentile to **adopt Resolution 05-23.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-24

Introduced by: Uffman-Kirsch, Stefanik, Bobulsky, Gentile, Koch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1481 STORM WATER MANAGEMENT AND URBAN SEDIMENT POLLUTION ABATEMENT, SECTION 1481.08 MAINTENANCE OF SYSTEMS, BY AMENDING PARAGRAPH (a), AND DECLARING AN EMERGENCY.** Title read.

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 Miss Zaccardelli to **adopt Ordinance 05-24.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-25

Introduced by: Stefanik, Gentile, Willey, Zaccardelli **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE VII COMMITTEES, PARAGRAPH (i) COMMITTEE MEETING AGENDAS, AND DECLARING AN EMERGENCY.** Title read.

The Director of Legislative Services read the following proposed amendments as recommended by the Rules & Ordinances Committee:

Section 1, Paragraph (i), last bold faced and italicized sentence to be amended to read as follows: (new language indicated with underlined text, deleted language with strikethrough text.)

In the event that any new issue is brought before any committee, said new issue shall be added to the agenda at the beginning ~~end~~ of the committee meeting. under miscellaneous and discussed at that time.

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 05-25 as read.** 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 **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 Mr. Gentile, seconded by Miss Zaccardelli to **adopt Ordinance 05-25 as amended.**

Mrs. Uffman-Kirsch said that she strongly opposes this legislation. She reviewed the history regarding previous legislation dealing with Council Rule VII. She said that part of the new amendment states that any issue can be brought before a committee the night of a committee meeting and it shall be added to the agenda for discussion. She feels that this bypasses notification to the public, Council and the administration of what will be discussed in committee. She feels that as a governmental body, full disclosure is extremely important and if there are going to be issues that effect people, they should know that Council is deliberating on these issues.

Mrs. Uffman-Kirsch said that she had proposed an amendment to this legislation which she felt was a compromise which would allow items to be brought to a committee to be discussed but no final action can be taken until the next committee meeting. She felt that this would allow enough flexibility to discuss things as they come up but not take final action until it has been posted to the public. These amendments were rejected in committee this evening.

Mrs. Uffman-Kirsch said that if there was an emergency situation where we needed to have something passed immediately, we could suspend Rule VII and take action at the next Council meeting. She feels that it is extremely important in government to have a system of checks and balances in place for the public notification and disclosure process. She is extremely disappointed that her colleagues do not support her on her amendment and in opposing this legislation.

Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli). Nays: **One**. (Uffman-Kirsch). **Motion carried.**

ORDINANCE 05-26

Introduced by: Uffman-Kirsch, Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1444 LICENSING OF TRADESMAN AND CONTRACTORS, BY AMENDING SECTION 1444.02 APPLICATIONS PARAGRAPH (a) AND ENACTING NEW SECTION 1444.09 PERFORMANCE BOND, ATTACHMENT OF BOND, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Building & Building Codes Committee.**

ORDINANCE 05-27

Introduced by: Mayor Luks. **AN ORDINANCE PURSUANT TO ORC 1509.06 REQUESTING THAT OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) PROVIDE TO THE CITY OF NORTH ROYALTON A COPY OF ALL APPLICATIONS FOR GAS AND/OR OIL WELL DRILLING PERMITS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

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 Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-27.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-28

Introduced by: Stefanik, Koch, Mayor Luks. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH INDUCTION TOOLING, INC., AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, 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 Mr. Koch, seconded by Mr. Gentile to **adopt Ordinance 05-28.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

MISCELLANEOUS

Al Bendzak, 11431 Villa Grande, addressed Council regarding "unaccountable, uncontrollable and inaccessible local government".

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli **to adjourn the March 1, 2005, Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting adjourned at 8:30 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES