The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **May 17, 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, Law Director Thomas O'Donnell, Service Director Skip Mayer, City Engineer Clark Merdes, Finance Director Karen Fegan, Community Development Director Michael Kosdrosky, Fire Chief Michael Fabish, Police Chief Paul Bican.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 17, 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, Robin Zaccardelli, Lisa Uffman-Kirsch, Legislative Services Director Laura Haller.

Administration: Mayor Cathy Luks, Law Director Thomas O'Donnell, Finance Director Karen Fegan, Community Development Director Michael Kosdrosky, Service Director Skip Mayer, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish.

ABSENT: Wastewater Superintendent Charles Johnson, Office on Aging Director Debbie Duffy, Acting Recreation Director Ed Swim.

APPROVAL OF CONSENT AGENDA

a. Approval of minutes: May 4, 2005
b. Authorize the Mayor and Service Director to advertise for bids for the 2005 Street Striping Program.
c. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a new C1, C2, and D6 permit for Rite Aid 13955 State Road.
d. Legislation:

RESOLUTION 05-59

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION SUPPORTING THE RENEWAL OF THE STATE CAPITAL IMPROVEMENTS PROGRAM (ISSUE 2).** Title read.

ORDINANCE 05-60

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF AAA PIPE CLEANING FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-61

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF ALLIED CORPORATION FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 05-62

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF C&S LIMESTONE FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 05-63

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF CP & S CEMENT FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 05-64

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF DJ&L MATERIAL FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-65

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF SPECIALIZED CONSTRUCTION FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 05-66

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF TRI-COUNTY CONCRETE FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 05-67

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF UNITED PAVING FOR THE 2005 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-68

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING A LICENSE BOND FROM OHIO FARMERS INSURANCE COMPANY IN THE AMOUNT OF $52,000.00 AS A GUARANTEE FOR THE FUTURE INSTALLATION OF SIDEWALKS IN THE TIMBERLANE ESTATES SUBDIVISION, PHASE 4, 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. 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. 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: No report.

DEPARTMENT HEAD REPORTS:

Community Development Director **Michael Kosdrosky** announced that the city received a $75,000 planning grant from NOACA. We will be studying transportation improvements through this grant for the mixed-use town center district project.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Stefanik read a statement into the record, a copy of which is attached to these minutes.

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: None.

LEGISLATION

THIRD READING CONSIDERATION: No action: 05-15, 05-29.

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.

The Legislative Services Director read the following proposed amendments:

- Amend the language "**a yet unnamed street**" to read "**Sycamore Trail**" throughout the Ordinance.

Moved by Mr. Willey, seconded by Miss Zaccardelli to **amend Ordinance 05-19 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. Koch to **adopt Ordinance 05-19 as amended.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

SECOND READING CONSIDERATION

ORDINANCE 05-57

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.07 SIGNS IN RESIDENTIAL DISTRICTS BY CREATING A NEW PARAGRAPH (e) TO ALLOW FOR TEMPORARY HOME IMPROVEMENT PROJECT SIGNS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 05-58

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, TITLE SIX ZONING, CHAPTER 1260, SECTION 1260.15 LOCATION OF UTILITIES AND CHAPTER 1288, SECTION 1288.04 (b) GENERAL PROVISIONS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION

RESOLUTION 05-69

Introduced by: Stefanik, Gentile, Willey, Zaccardelli. **A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR PROPOSALS FOR PROFESSIONAL ENGINEERING SERVICES IN ORDER TO CONDUCT A STUDY OF AND MAKE RECOMMENDATIONS FOR A MUNICIPAL SANITARY SEWER SYSTEM AND INTERCEPTOR SEWER IN THE AREA OF THE CITY SOUTH OF ROUTE 82 IN THE CITY OF NORTH ROYALTON, OHIO, AND DECLARING AN EMERGENCY.** Title read.

Placed on **first reading** and referred to the **Utilities Committee**.

RESOLUTION 05-70

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION, CHAPTER 254 DEPARTMENT OF WASTE WATER TREATMENT, SECTION 254.03 SUPERINTENDENT OF WASTE WATER TREATMENT, 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 05-70.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

ORDINANCE 05-71

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART FOUR TRAFFIC CODE, TITLE SIX VEHICLES AND OPERATION, CHAPTER 440, SECTION 440.99 PENALTY AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Gentile, seconded by Mr. Willey 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 05-71.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

ORDINANCE 05-72

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART FOURTEEN BUILDING AND HOUSING CODE, TITLE FOUR BUILDING ADMINISTRATION, CHAPTER 1442, SECTION 1442.99 PENALTY, 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. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-72.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

ORDINANCE 05-73

Introduced by: Bobulsky, Stefanik, Koch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 16 FIRE PREVENTION CODE, CHAPTER 1620 OPEN BURNING, BY ENACTING NEW SECTION 1620.07, RECREATIONAL FIRES, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 05-74

Introduced by: Stefanik. **AN ORDINANCE APPROVING THE PRELIMINARY PLAN OF DEVELOPMENT AREA FOR HUNTINGTON, LOCATED OFF OF YORK ROAD, PPN's 481-24-009, 481-24-010, 481-29-001, 481-29-009, 481-29-012, AND 481-29-013, R1B ZONING, PROPERTY OWNER CHARLES A. ABOOKIRE, JR., AS RECOMMENDED BY THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

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

MISCELLANEOUS

Jim Orr, 4851 Maple Lane, read a statement into the record, a copy of which is attached.

Nancy Bendzak, 11431 Villa Grande, addressed Council regarding "rights of people".

Al Bendzak, 11431 Villa Grande, addressed Council regarding "want good government".

Mayor Luks said that Mr. Orr had mentioned that the city needs to aggressively pursue funding sources. She said the city has been aggressively pursuing funding sources. We submitted 14 projects through the FEMA programs. Of those, only 2 projects made it through the pre-application round. In terms of the 594 program, Mayor Luks said that she respectfully disagrees with Mr. Stefanik's characterization of this matter. There is a limited amount of funding through this program. This is one of the few programs available for flooding projects. She submitted projects to the 594 program that did not make it through the FEMA process. This is the same program from which Mr. Stefanik and Mr. Gentile are pursuing funds for the sewer expansion. When there is a limited amount of dollars in a funding source, not all of the projects will get awarded. They are all evaluated, but they are in competition with one another. In terms of her ability to contact our congressman, she does not feel that it is appropriate at this point in time to get into an in-depth discussion about this, and will have to be discussed at a later time.

Mr. Willey wished to acknowledge the Service Director and the entire Service Department for their efforts during the recent storm damage clean up.

Mr. Gentile thanked Council and the Mayor for their support of Resolution 05-59. Issue 2 funds are a vital stream for our community.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Gentile **to adjourn the May 17, 2005, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

Meeting adjourned at 8:32 p.m.

APPROVED:_____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES