

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **June 7, 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, Community Development Director Michael Kosdrosky, Fire Chief Michael Fabish.

Agenda reviewed.

Mrs. Uffman-Kirsch requested that proposed Ordinance 05-76 be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business. At that point, she would like to refer this matter to committee in order to review the language contained in the agreement and possibly include new language stating that the city has no liability whatsoever. It was agreed that due to time constraints, this would be referred to the Building & Building Codes Committee for review.

Discussion was held regarding the need for the Executive Session this evening. Mayor Luks said that she has no information to share with Council at this point. Mr. Stefanik said that he would like to hold the session so that all members of Council can be informed as to the status of this matter.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **June 7, 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, Community Development Director Michael Kosdrosky, Service Director Skip Mayer, City Engineer Clark Merdes, Fire Chief Michael Fabish, Acting Recreation Director Ed Swim.

ABSENT: Finance Director Karen Fegan, Police Chief Paul Bican, Wastewater Superintendent Charles Johnson, Office on Aging Director Debbie Duffy.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: May 17, 2005
- b. Authorize the Mayor and Chief of Police to advertise for bids for two police motorcycles.
- c. Authorize the Mayor and Service Director to advertise for bids for the lease to purchase two recycling trucks.
- d. Legislation:

Director of Legislative Services Laura Haller announced that Ordinance 05-76 has been removed from the Consent Agenda by Mrs. Uffman-Kirsch and will be considered in its normal sequence under the Regular Order of Business.

RESOLUTION 05-75

Introduced by: Mayor Luks, Bobulsky. **A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A LETTER OF COMMITMENT TO THE FEMA HAZARDOUS MITIGATION GRANT PROGRAM COMMITTING THE CITY'S NECESSARY MATCHING FUNDS FOR THE REMOVAL OF HOMES ON ABBEY ROAD, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-77

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REVISED AGREEMENT FOR THE CITY OF NORTH ROYALTON TO CONTINUE TO PARTICIPATE IN THE SOUTHWEST REGIONAL COMMUNICATIONS NETWORK COUNCIL OF GOVERNMENTS WITH THE CITIES OF BROOK PARK, STRONGSVILLE, AND PARMA HEIGHTS, IN ORDER TO ESTABLISH, OWN, OPERATE AND ADMINISTER A REGIONAL COMMUNICATIONS NETWORK FOR PUBLIC SAFETY AND PUBLIC SERVICE PURPOSES FOR THE MUTUAL BENEFIT OF THE PARTICIPATING CITIES, AND DECLARING AN EMERGENCY.** Title read.

- 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. Koch 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:

Fire Chief Michael Fabish announced that the ribbon cutting ceremony and Open House for the new Fire Station will be held on June 11, 2005 from 11:00 a.m. to 3:00 p.m. and encouraged everyone to attend.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Stefanik announced that the Ward 6 meeting will be held on June 13, 2005, at the High School Center for the Performing Arts.

Moved by Mr. Willey, seconded by Mr. Gentile to **hold an Executive Session immediately following the Regular Order of Business to discuss the purchase of property for public purposes [ORC 122(G)(2)].** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

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, 05-58.

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.

Referred to the **Building & Building Codes Committee.**

SECOND 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 **third reading**.

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 **third reading**.

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 **third reading**.

FIRST READING CONSIDERATION**ORDINANCE 05-76**

Introduced by: Willey. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OWNERS OF REAL ESTATE LOCATED AT 10983 ABBEY ROAD, NORTH ROYALTON, OHIO, FOR A GRINDER PUMP TO BE LOCATED ON SAID PARCEL, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 05-78

Introduced by: Koch, Gentile, Willey, Uffman-Kirsch. **AN ORDINANCE ACCEPTING THE BID OF CHANEY CEMENT CONTRACTORS FOR THE AKINS ROAD DETENTION BASIN OUTLET SEWER FOR AN AMOUNT NOT TO EXCEED \$48,130.00 AS THE LOWEST AND BEST BID, 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**.

Mrs. Haller read the following proposed amendments:

- Amend Section 3 by replacing the language "**Service Director**" with "**City Engineer**".
- Add a new Section 2: "**Section 2. There is hereby appropriated the sum of \$52,943.00.**" All subsequent Sections will be renumbered accordingly.

Moved by Mrs. Uffman-Kirsch, seconded by Miss Zaccardelli to **amend Ordinance 05-78 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 Miss Zaccardelli to **adopt Ordinance 05-78 as amended**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried**.

ORDINANCE 05-79

Introduced by: Stefanik, Bobulsky, Gentile. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING & HOUSING CODE, BY REPEALING THE EXISTING CHAPTER 1481 STORM WATER MANAGEMENT AND URBAN SEDIMENT POLLUTION ABATEMENT, AND ADOPTING A NEW CHAPTER 1481 ENTITLED STORM WATER MANAGEMENT, 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 Miss Zaccardelli to **adopt Ordinance 05-79.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-80

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE DEDICATION OF APPROXIMATELY 602 FEET OF EAGLES POINT AND APPROXIMATELY 312 FEET OF EAGLES LANDING IN THE EAGLES WEST SUBDIVISION FROM QUEENSWOOD DEVELOPERS, INC., AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Streets Committee and Planning Commission.**

ORDINANCE 05-81

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING & ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.18 BANNERS/PENNANTS IN LOCAL AND GENERAL BUSINESS DISTRICTS; PERMIT; FEE, PARAGRAPH (a), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Planning Commission.**

ORDINANCE 05-82

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING & ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.03 CLASSIFICATIONS AND DEFINITIONS, PARAGRAPH (b) CLASSIFICATION BY USE TYPES, ITEM (2) TEMPORARY SIGNS BY CREATING A NEW SUBPARAGRAPH (D), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Planning Commission.**

ORDINANCE 05-83

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.10 LOCATION AND SUPPLEMENTARY AREA REGULATIONS FOR SIGNS IN BUSINESS DISTRICTS BY DELETING PARAGRAPH (h), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Planning Commission.**

ORDINANCE 05-84

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 214 GENERAL FEE SCHEDULE, SECTION 214.08 FEES IN THE BUILDING & HOUSING CODE, PARAGRAPH (g) COMMERCIAL BUILDINGS, ITEM (Y), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

MISCELLANEOUS

Al and Nancy Bendzak, 11431 Villa Grande, addressed Council regarding “save our system of government”.

Mayor Luks said that Mr. and Mrs. Bendzak have been coming to Council meetings voicing their concerns for quite some time and the city has tried to respond. The prosecutor has reviewed all of the details and information surrounding the event that they are discussing and determined that there was not sufficient evidence to pursue any the of charges. We had an outside prosecutor come in and review the surrounding information and they came to a similar conclusion. Mayor Luks said that she has authorized calling in the FBI to investigate this matter because she would like to put this to rest. She said that Mr. and Mrs. Bendzak have stood up for months and made all kinds of accusations against many members of this administration and she feels that these are unfair and unfounded.

Moved by Mr. Gentile, seconded by Mr. Willey to **recess the Council Meeting into Executive Session to discuss the purchase of property for public purposes [ORC 122(G)(2)]**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

Council Meeting recessed at 8:23 p.m.

Executive Session called to order at 8:25 p.m.

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, Mayor Cathy Luks, Law Director Thomas O'Donnell, Acting Recreation Director Ed Swim.

- The purchase of property for public purposes was discussed. [ORC 122(G)(2)]

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

Executive Session adjourned at 8:31 p.m.

Moved by Mr. Willey, seconded by Mrs. Uffman-Kirsch to **reconvene the June 7, 2005, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

Council Meeting reconvened at 8:31 p.m.

There was no further business pending before Council.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Gentile **to adjourn the June 7, 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