

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **September 6, 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; Legislative Services Director Laura Haller, Mayor Cathy Luks, Law Director Thomas O'Donnell, Service Director Skip Mayer, Asst. City Engineer Mike Woodring, Finance Director Karen Fegan, Wastewater Supt. Charles Johnson, Police Chief Paul Bican, Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy, Economic Development Director Michael Kosdrosky.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 6, 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, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

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

Moved by Mr. Willey, seconded by Mr. Gentile **to excuse Council Representative Zaccardelli.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.**

**EXCUSED:** Council Representative Zaccardelli.

## **PUBLIC HEARING**

### **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.

- No one in the audience wished to be heard on Ordinance 05-15.

Moved by Mr. Willey, seconded by Mr. Gentile **to refer Ordinance 05-15 to the regular order of business.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.**

## **ADJOURNMENT**

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

**Public Hearing adjourned at 8:01 p.m.**

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 6, 2005, in regular session**. The meeting was called to order at 8:01 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; Legislative Services Director Laura Haller.

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

Moved by Mr. Willey, seconded by Mr. Gentile **to excuse Council Representative Zaccardelli**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**.

**EXCUSED:** Council Representative Zaccardelli.

#### **APPROVAL OF CONSENT AGENDA**

- a. Approval of minutes: July 19, 2005  
August 2, 2005
- b. Authorize the Mayor and Service Director to advertise for bids for two new heavy duty pick-up trucks with snow plow equipment.
- c. Legislation:

#### **FIRST READING CONSIDERATION**

##### **RESOLUTION 05-126**

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS), AND DECLARING AN EMERGENCY**. Title read.

##### **RESOLUTION 05-127**

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION SUPPORTING A BALANCED GROWTH INITIATIVE PILOT PROJECT FOR THE CHIPPEWA CREEK WATERSHED**. Title read.

##### **RESOLUTION 05-128**

Introduced by: Mayor Luks. **A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE ALL TAX REVENUES AND ALL SPECIAL ASSESSMENTS FROM THE PROCEEDS OF TAX LEVIES COLLECTED IN 2006 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY**. Title read.

##### **ORDINANCE 05-129**

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 05-130**

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.

**RESOLUTION 05-131**

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF RAYMOND PRIEST AS THE ALTERNATE MEMBER OF THE CITY OF NORTH ROYALTON'S ARCHITECTURAL REVIEW BOARD, 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: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.** Moved by Mr. Koch, seconded by Mr. Willey to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.**

**COMMUNICATIONS:** None.

**MAYOR'S REPORT:**

Mayor Luks announced that the city would be holding the following fundraisers to benefit the victims of Hurricane Katrina:

- September 17, 2005 Car wash at Drug Mart with hot dogs and soft drinks for sale.
- September 18, 2005 Concert on the Green with food sales and raffles.

Mayor Luks announced that we have received official notification from ODOT that we have been awarded \$1.8 million through the Transportation Reauthorization Act legislation. Mayor Luks said that she has met with State Representative Thomas Patton who will meet with ODOT officials to see what additional funds are available for a full widening of Rt. 82, in phases if needed.

Mayor Luks offered the city's deepest sympathy to the family of Thomas Rohrbach who passed away over the weekend. Mr. Rohrbach was a dedicated public servant and his service to North Royalton was greatly appreciated.

**DEPARTMENT HEAD REPORTS:** No reports.

**PRESIDENT OF COUNCIL'S REPORT:**

Mr. Stefanik announced that the Ward 3 meeting will be held on September 12, 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:**

**Edward Miller**, 10613 Tudor Circle, addressed Council in opposition of Ordinance 05-122.

**LEGISLATION****THIRD READING CONSIDERATION:**

No action: 05-29, 05-80, 05-81, 05-82, 05-83, 05-84.

**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.

The Director of Legislative services read the following proposed amendments as recommended by the Planning Commission:

- Section 1, Item (h), second paragraph:

There shall be an unobstructed area at the closed end of the cul-de-sac of at least a length of ~~one hundred (100)~~ **fifty (50)** arc lineal feet **or split by a driveway to include thirty feet (30') plus thirty feet (30')** measured along the curb by the projected width toward the right-of-way. Obstructions such as hydrants, trees, mailboxes, sanitary pump stations, electrical access panels, communication access panels, drive way aprons, and all utilities that have above ground structures shall not be present within the unobstructed area. Minimum pavement diameter is ninety (90) feet regardless of zoning.

Moved by Mr. Gentile, seconded by Mr. Willey **to amend Ordinance 05-15 as read.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.** Moved by Mr. Gentile, seconded by Mr. Koch to **adopt Ordinance 05-15 as amended.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.**

**SECOND READING CONSIDERATION****ORDINANCE 05-122**

**AN ORDINANCE TO AMEND SECTIONS 880.01, 880.03, 880.04, 880.17, AND 880.27 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, OHIO, IN ORDER TO PROVIDE FOR A ONE PERCENT INCREASE IN THE CURRENT LEVY ON INCOME, TO A RATE OF TWO PERCENT EFFECTIVE JANUARY 1, 2006, FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, RESURFACING, MAINTAINING, REPAIRING, AND OTHERWISE IMPROVING STREETS, SIDEWALKS, CURBS AND GUTTERS, AND RELATED INFRASTRUCTURE IMPROVEMENTS, COSTS OF CONSTRUCTING AND INSTALLING STORM WATER IMPROVEMENTS, COSTS OF ACQUIRING RELATED EQUIPMENT, AND RELATED MUNICIPAL OPERATING EXPENSES, AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading.**

**ORDINANCE 05-125**

**AN ORDINANCE AMENDING ORDINANCE 05-119 WHICH ESTABLISHED AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 2, 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. 2 FOR AN ADDITIONAL EIGHT (8) MONTHS PURSUANT TO SECTION 1268.07(E), AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading.**

**FIRST READING CONSIDERATION****ORDINANCE 05-132**

Introduced by: Stefanik, Mayor Luks. **AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT AND REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA BY ITS BOARD OF COUNTY COMMISSIONERS. HEREINAFTER REFERRED TO AS THE COUNTY.** (West 130th Street CR-48). Title read.

Moved by Mr. Willey, seconded by Mr. Gentile to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Koch to **adopt Ordinance 05-132**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**.

#### **ORDINANCE 05-133**

Introduced by: Stefanik, Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO, ADMINISTRATION CODE, CHAPTER 266 EMPLOYEES GENERALLY, SECTION 266.06 (d) MILITARY LEAVE, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Gentile, seconded by Mr. Koch to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**. Moved by Mr. Gentile, seconded by Mr. Koch to **adopt Ordinance 05-133**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**.

#### **ORDINANCE 05-134**

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF BEST EQUIPMENT FOR THE LEASE-PURCHASE OF TWO (2) 2005 SINGLE AXEL RECYCLE BIN TRUCKS IN THE AMOUNT OF \$243,860.00 AS THE BEST AND ONLY 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 General Fund #1.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Koch to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**. Moved by Mrs. Uffman-Kirsch, seconded by Mr. Koch to **adopt Ordinance 05-134**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**.

#### **ORDINANCE 05-135**

Introduced by: Willey, Stefanik, Uffman-Kirsch. **AN ORDINANCE AUTHORIZING THE PAYMENT OF A MORAL CLAIM TO RANDY AND LAURA LOBIANCO OF THE CITY OF NORTH ROYALTON FOR AN AMOUNT NOT TO EXCEED \$1,274.39, 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 General Fund #1.

Moved by Mr. Gentile, seconded by Mr. Willey to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-135**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None**. (Absent: Zaccardelli). **Motion carried**.

#### **MISCELLANEOUS**

**Al Bendzak**, 11431 Villa Grande, addressed Council regarding: "Constitution and Bill of Rights trashed."

On behalf of Hinckley Township, Assistant Prosecuting Attorney **James Bennett**, 72 Public Square, Medina, Ohio, addressed Council regarding the repair and resurfacing of Boston Road. Discussion ensued regarding both sides of the issue and it was agreed that both parties would meet to discuss this further.

**Edward Miller**, 10613 Tudor Circle, addressed Council in opposition of the income tax base and income tax credit.

**ADJOURNMENT**

Moved by Mr. Gentile, seconded by Mrs. Uffman-Kirsch **to adjourn the September 6, 2005, City Council Meeting.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Absent: Zaccardelli). **Motion carried.**

**Meeting adjourned at 8:47 p.m.**

APPROVED: \_\_\_\_\_ DATE APPROVED: \_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
DIRECTOR OF LEGISLATIVE SERVICES