

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **September 20, 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, Asst. Prosecutor Donna Vozar, Service Director Skip Mayer, City Engineer Clark Merdes, Finance Director Karen Fegan, Wastewater Supt. Charles Johnson, Police Chief Paul Bican, Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Finance Director Karen Fegan stated that she had raised some concerns with the City Engineer over wording contained in proposed Ordinance 05-140. City Engineer Clark Merdes stated that he had not yet contacted the county to address these concerns. It was therefore agreed to place this Ordinance on second reading until those questions can be answered.

The proposed amendment to 05-141 was discussed. This amendment would move the \$22,000 set aside for the repair of Boston Road and put it into crack sealing. This was discussed at the Finance Committee last evening and it was determined that if the Boston Road project was not going to go forward this year, that this amendment should occur. Mayor Luks said that she has been contacted by Medina County and a new proposal has been presented. This new proposal would require our total participation of \$32,000; \$23,000 would be paid by us this year and Hinckley Township would loan us the additional \$9,000 to be paid back next year. Valleaire Golf Course has also agreed to contribute \$10,000 to this project. The entire project would be completed at once rather than in phases, thus helping to keep costs down. Mayor Luks said that there is concern that the project cannot be completed before the weather prohibits the construction, but Hinckley Township is confident they can get it done. Mayor Luks said that she will make sure that the contract states that if there are cost overruns, we will be responsible for no more than the original \$32,000 proposed. It was agreed that Council would make a motion on the floor this evening to authorize the Mayor to enter into an agreement with the Hinckley Township Board of Trustees for the repair of Boston Road for an amount not to exceed \$32,000. Legislation formalizing this motion will be introduced and adopted at the October 4, 2005, City Council Meeting. It was therefore agreed not to proceed with the amendments to 05-141.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 20, 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, Asst. Prosecutor Donna Vozar, Finance Director Karen Fegan, City Engineer Clark Merdes, Fire Chief Michael Fabish, Police Chief Paul Bican, Service Director Skip Mayer, Wastewater Superintendent Charles Johnson, Acting Recreation Director Ed Swim, Office on Aging Director Debbie Duffy.

ABSENT: Law Director Thomas O'Donnell, Community Dev. Director Michael Kosdrosky.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: September 6, 2005
- b. Legislation:

FIRST READING CONSIDERATION**RESOLUTION 05-136**

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF THOMAS GEDEON TO THE CABLE TELEVISION COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 05-137

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 05-138

Introduced by: Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION SUPPORTING STATE ISSUE 1 AMENDING THE OHIO CONSTITUTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATIONS OF THE STATE TO FINANCE LOCAL GOVERNMENT PUBLIC INFRASTRUCTURE CAPITAL IMPROVEMENTS, RESEARCH AND DEVELOPMENT, AND THE DEVELOPMENT OF CERTAIN SITES AND FACILITIES IN OHIO, AND TO EXPAND STATE AND LOCAL GOVERNMENT AUTHORITY REGARDING ECONOMIC DEVELOPMENT, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 05-139

Introduced by: Willey, Bobulsky, Zaccardelli. **A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 2 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, 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 excuse Council Representative Zaccardelli from voting on the minutes of September 6, 2005.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Koch, Uffman-Kirsch). Nays: **None.** (Excused: Zaccardelli). **Motion carried.**

Moved by Mr. Koch, 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. Koch, seconded by Mr. Willey **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 thanked all those who donated their time and money to the fundraisers held over the past weekend for the victims of Hurricane Katrina. While the final tally is not in, it is estimated that we raised over \$5,000 for this very worthy cause.

Mayor Luks presented the CERT Team members with their certificates of completion of the initial CERT training course.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Gentile to authorize the Mayor to enter into an agreement with the Hinckley Township Board of Trustees for the repair of Boston Road for an amount not to exceed \$32,000. Legislation formalizing this motion will be introduced and adopted at the October 4, 2005, City Council Meeting. 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: 05-80, 05-82, 05-83, 05-84, 05-122, 05-125.

RESOLUTION 05-29

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF CHRISTINE RAGONE AS A MEMBER OF THE CITY OF NORTH ROYALTON'S RECREATION BOARD, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Willey, seconded by Mr. Gentile to adopt Resolution 05-29. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. Motion carried.

ORDINANCE 05-81

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.

Moved by Mr. Gentile, seconded by Mr. Willey to remove Ordinance 05-81 from the Building & Building Codes 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. Gentile to adopt Ordinance 05-81.

Mrs. Uffman-Kirsch said that she has proposed several amendments to this Ordinance. She will be introducing new legislation containing these amendments and therefore requests that Ordinance 05-81 be defeated.

Roll Call: Yeas: **None**. Nays: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Motion defeated.

FIRST READING CONSIDERATION**ORDINANCE 05-140**

Introduced by: 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.** (Wallings Road (CR-57) & State Road Intersection.) Title read.

Placed on **second reading**.

ORDINANCE 05-141

Introduced by: Mayor Luks. **AN ORDINANCE TO AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 05-18 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005 AS AMENDED BY ORDINANCE 05-93, BY MAKING ADDITIONAL APPROPRIATIONS AND TRANSFERRING APPROPRIATIONS BETWEEN DEPARTMENTS, 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. Willey to **adopt Ordinance 05-141.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-142

Introduced by: Stefanik. **AN ORDINANCE APPROVING GREENBRIAR AT RIVER VALLEY, LTD. PROPOSED GREENBRIAR AT RIVER VALLEY SUBDIVISION PHASE 6 FOR RECORD PURPOSES ONLY, 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 Miss Zaccardelli to **adopt Ordinance 05-142.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-143

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #1) RELATING TO THE WORK PERFORMED BY AEROMARK, INC. FOR THE 2005 STREET STRIPING PROGRAM, 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 the **State Highway Fund #12.**

Moved by Mr. Willey, seconded by Miss Zaccardelli 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. Koch to **adopt Ordinance 05-143.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-144

Introduced by: Bobulsky, Stefanik, Koch. **AN ORDINANCE ACCEPTING THE BID OF SOUTHEAST HARLEY-DAVIDSON SALES CO. FOR THE PURCHASE OF TWO (2) 2005 TRAFFIC LAW ENFORCEMENT MOTORCYCLES FOR AN AMOUNT NOT TO EXCEED \$17,683.00 AS THE LOWEST 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 the **Enforcement and Education Fund #5.**

Moved by Mr. Koch, seconded by Miss Zaccardelli 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 05-144.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-145

Introduced by: Gentile, Zaccardelli, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1426 OHIO RESIDENTIAL CODE, SECTION 1426.04 AMENDMENTS, BY CREATING NEW ITEMS (k) AND (l), AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Miss Zaccardelli 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 Mrs. Uffman-Kirsch to **adopt Ordinance 05-145.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-146

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE DEDICATION OF 80 FEET OF GLEN DRIVE IN THE GLEN ABBEY SUBDIVISION PHASE 2 FROM BAILEY DEVELOPMENT COMPANY, AND DECLARING AN EMERGENCY.** Title read.

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

MISCELLANEOUS

Al Bendzak, 11431 Villa Grande, addressed Council regarding: "Where did my city government go?"

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli to **adjourn the September 20, 2005, City 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