

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **October 4, 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, Building Commissioner Rito Alvarez, 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.

Mrs. Haller explained that the final contract for the repair of Boston Road has been received and approved by the Law Director. Ordinance 05-161 will need to be amended to reflect the substitution of the original contract with the final contract.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **October 4, 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: Law Director Thomas O'Donnell, Finance Director Karen Fegan, Community Dev. Director Michael Kosdrosky, Building Commissioner Rito Alvarez, City Engineer Clark Merdes, Fire Chief Michael Fabish, Police Chief Paul Bican, Service Director Skip Mayer, Wastewater Superintendent Charles Johnson, Recreation Director Ed Swim, Office on Aging Director Debbie Duffy.

ABSENT: Mayor Cathy Luks.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: September 20, 2005
- b. Legislation:

FIRST READING CONSIDERATION

RESOLUTION 05-147

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF ANTHONY L. SANDORA AS A MEMBER OF THE CITY OF NORTH ROYALTON'S PLANNING COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-148

Introduced by: Mayor Luks. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF LAWRENCE E. SWIM TO SERVE AS DIRECTOR OF RECREATION FOR THE CITY OF NORTH ROYALTON, PART TIME, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-149

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING ROADWAY ACCESS AND A SEWER EASEMENT FROM JOHN AND CHERYL TAGLIARINI, PPN 485-17-005, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 05-150

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING AN ACCESS AND UTILITY EASEMENT FROM THE NORTH ROYALTON CITY SCHOOLS, PPN 487-07-001, 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 Miss Zaccardelli 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: No reports.

Office on Aging Director Debbie Duffy reported on events relative to her department.

Fire Chief Michael Fabish reported on issues regarding fire safety.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mr. Willey, seconded by Mr. Gentile to **hold an Executive Session immediately following the Regular Order of Business to consider the purchase of property for public purposes.** 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.

Safety Committee – October 18, 2005, *time changed from 6:30 p.m. to 6:00 p.m.*

PUBLIC DISCUSSION:

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

Finance Director Karen Fegan, and Council Representatives Lisa Uffman-Kirsch and Don Willey addressed some of Mr. Miller's comments.

LEGISLATION

THIRD READING CONSIDERATION:

No action: 05-80, 05-82, 05-83, 05-84, 05-122, 05-125.

SECOND READING CONSIDERATION

ORDINANCE 05-140

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 **third reading.**

ORDINANCE 05-146

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 **third reading**.

FIRST READING CONSIDERATION**ORDINANCE 05-151**

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING ORDINANCE NO. 90-217, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, BY CREATING A NEW SECTION 16 ARCHITECTURAL REVIEW BOARD, 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. Koch, seconded by Mr. Gentile to **adopt Ordinance 05-151.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-152

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING ORDINANCE 04-217, ESTABLISHING RATES OF COMPENSATION FOR THE CITY OF NORTH ROYALTON NON-UNION EMPLOYEES DURING CALENDAR YEARS 2005 AND 2006, 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 05-152.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-153

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.13 PERMITS, PARAGRAPH (a), ITEM NO. (3)(d)(9), 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 05-153.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-154

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1224 ARCHITECTURAL REVIEW BOARD, SECTION 1224.07 REVIEW OF APPLICATIONS, PLANS, DRAWINGS AND SIGNS; RECOMMENDATIONS, 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 05-154.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-155

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION CODE, CHAPTER 214 GENERAL FEE SCHEDULE, SECTION 214.07 FEES IN THE PLANNING AND ZONING CODE BY CREATING A NEW PARAGRAPH (c) ENTITLED ARCHITECTURAL REVIEW BOARD ITEMS, 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 Mr. Gentile to **adopt Ordinance 05-155.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-156

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF DICK BIGELOW CHEVROLET FOR THE PURCHASE OF TWO (2) 2006 HEAVY DUTY 4X4 ¾ TON PICKUP TRUCKS WITH SNOW PLOW EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$48,605.86 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 SCM&R Fund #11.

Moved by Miss Zaccardelli, seconded by Mr. Koch 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 Miss Zaccardelli, seconded by Mr. Koch to **adopt Ordinance 05-156.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-157

Introduced by: Koch, Gentile, Willey. **AN ORDINANCE AUTHORIZING AN EXTENSION OF THE CONTRACT WITH CARGILL INC., SALT DIVISION, FOR ROAD SALT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Koch, 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 Miss Zaccardelli, seconded by Mr. Willey to **adopt Ordinance 05-157.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

ORDINANCE 05-158

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, BY REPEALING THE EXISTING CHAPTER 1062 MUNICIPAL PARKS AND RECREATIONAL FACILITIES AND ENACTING A NEW CHAPTER 1062 MUNICIPAL PARKS AND RECREATIONAL FACILITIES, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 05-159

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 214 GENERAL FEE SCHEDULE, SECTION 214.06 FEES IN THE STREETS, UTILITIES AND PUBLIC SERVICES CODE, PARAGRAPH (I), AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 05-160

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING A NON-EXCLUSIVE EASEMENT AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND NEW PAR, A DELAWARE PARTNERSHIP, DBA VERIZON WIRELESS, ASSIGNEE AND/OR SUCCESSOR IN INTEREST OF NORTHERN OHIO CELLULAR TELEPHONE COMPANY, 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: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-160.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 05-161

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND HINCKLEY TOWNSHIP FOR THE REPAIR AND RESURFACING OF BOSTON ROAD EAST OF RIDGE ROAD, 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 Motor Vehicle License Tax Fund #10.

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.**

Mrs. Haller read the following proposed amendment:

- To replace the original Exhibit A with the final version of Exhibit A.

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 05-161 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 **adopt Ordinance 05-161 as amended.** 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: "1776 vs. 2005; trashed rights, liberties and freedoms."

Edward Miller, 10613 Tudor Circle addressed Council in opposition of Ordinance 05-124.

RECESS

Moved by Mr. Willey, seconded by Mr. Gentile to **recess the October 4, 2005, Council Meeting into Executive Session to consider the purchase of property for public purposes.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Council Meeting recessed at 8:37 p.m.

EXECUTIVE SESSION

The Executive Session was called to order at 8:45 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, Finance Director Karen Fegan.

- Matters regarding the purchase of property for public purposes were discussed.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Koch 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 9:10 p.m.

Moved by Mr. Willey, seconded by Miss Zaccardelli **to reconvene the October 4, 2005, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried**.

Council meeting reconvened at 9:10 p.m.

There was no further business pending before Council.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli **to adjourn the October 4, 2005, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, Koch, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried**.

Meeting adjourned at 9:11 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES