

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **October 18, 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, Assistant Prosecutor Donna Vozar, Building Commissioner Rito Alvarez, City Engineer Clark Merdes, Finance Director Karen Fegan, Police Chief Paul Bican, Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Ordinance 05-80 was discussed. Both the City Engineer and Streets Committee Chairman stated that the conditions imposed by the Planning Commission on approval of this Ordinance have been met. It was therefore decided to take action on this legislation this evening. Mrs. Haller stated that it will be necessary to remove this Ordinance from the Streets Committee prior to taking action.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **October 18, 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, Lisa Uffman-Kirsch, Robin Zaccardelli; Legislative Services Director Laura Haller.

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

Administration: Mayor Cathy Luks, Assistant Prosecutor Donna Vozar, 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, Office on Aging Director Debbie Duffy.

ABSENT: Service Director Skip Mayer, Wastewater Superintendent Charles Johnson, Recreation Director Ed Swim.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: October 4, 2005
 - b. 90-day extension sketch plan approval Hunting Park Subdivision Phase 3.
 - c. 90-day extension cooler approval Speedway Super America LLC, 9191 Royalton Road.
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Willey, seconded by Mr. Gentile **to adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT: No report.

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: 05-82, 05-83, 05-84, 05-122, 05-125, 05-146.

ORDINANCE 05-80

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.

Moved by Mr. Gentile, seconded by Mr. Willey to **remove Ordinance 05-80 from the Streets Committee**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None**. (Absent: Koch). **Motion carried**. Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 05-80**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None**. (Absent: Koch). **Motion carried**.

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.

Legislative Services Director Laura Haller read the following proposed amendments:

C. FUNDING

3. That within the Corporate Limits of the MUNICIPALITY, the MUNICIPALITY shall contribute one hundred percent (100%) of the Non-Issue 2 Share of the cost of construction, right-of-way, and incidentals. Any terms appearing elsewhere in this ~~Ordinance~~ **Agreement** which vary from those set forth in this paragraph shall take precedence.

~~4. That the MUNICIPALITY agrees to deposit with the Treasurer of Cuyahoga County the MUNICIPALITY'S share of the estimated cost of the project or agrees to enter into an escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.~~

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 05-140 as read**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None**. (Absent: Koch). **Motion carried**. Moved by Mr. Gentile, seconded by Mr. Willey to **adopt Ordinance 05-140 as amended**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None**. (Absent: Koch). **Motion carried**.

SECOND READING CONSIDERATION**ORDINANCE 05-158**

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 **third reading**.

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 **third reading**.

FIRST READING CONSIDERATION**ORDINANCE 05-162**

Introduced by: Mayor Luks. **AN ORDINANCE OF THE CITY OF NORTH ROYALTON, OHIO CONDITIONALLY APPROVING THE REQUEST FOR AN ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE FROM ADELPHIA TO TIME WARNER; 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: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 05-162.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.**

ORDINANCE 05-163

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY PROVIDING HEALTH SERVICES FOR THE YEAR 2006, APPROPRIATING THE SUM OF \$95,971.00, 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 General Fund #1. These funds will be deducted by the County Auditor from the regular tax settlements of the City of North Royalton for the tax year 2005, collection year 2006.

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, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 05-163.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.**

ORDINANCE 05-164

Introduced by: Mayor Luks. **AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #3) RELATING TO THE WORK PERFORMED BY TRIAD ENGINEERING AND CONTRACTING CO. FOR THE BUNKER ROAD/RIDGEDALE DRIVE WATER MAIN REPLACEMENT PROJECT, 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 Water Main Fund #45.

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, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-164.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.**

MISCELLANEOUS

Edward Miller, 10613 Tudor Circle addressed Council in opposition of Issue 106.

Mayor Luks responded to some of the issues raised by Mr. Miller

Mrs. Bobulsky reminded residents to clear drainage ditches of leaves and debris to help prevent flooding problems.

Mr. Willey encouraged residents to study State Issue 1 and to support it on election day.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli to **adjourn the October 18, 2005, City Council Meeting.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Koch). **Motion carried.**

Meeting adjourned at 8:28 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES