

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **December 20, 2005, at 7:30 p.m.**

PRESENT: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Robin Zaccardelli, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, Mayor Cathy Luks, Law Director Thomas O'Donnell, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, Service Director Skip Mayer.

Agenda reviewed.

Council agreed to add the Service Director's request to advertise for bids for the 2006 equipment rental and material bid program to this evening's Consent Agenda.

Mr. McKee announced that the January Finance Committee meeting has been rescheduled to January 25, 2006, at 6:30 p.m.

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

Administration: Mayor Cathy Luks, Law Director Thomas O'Donnell, 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, Recreation Director Ed Swim, Service Director Skip Mayer, Wastewater Superintendent Charles Johnson.

ABSENT: Finance Director Karen Fegan,

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: December 5, 2005
 December 7, 2005
- b. Authorize the Mayor and Service Director to advertise for bids for the 2006 equipment rental and material bid program.
- b. Legislation:

ORDINANCE 05-188

Introduced by: Stefanik, McKee, Zaccardelli. **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 05-189

Introduced by: Mayor Luks. **A RESOLUTION DESIGNATING LARRY ANTOSKIEWICZ TO ACT AS AGENT FOR AND LEAGUE DIRECTOR OF THE NORTH ROYALTON MEN'S SOFTBALL LEAGUES FOR THE 2006 SEASON, AND DECLARING AN EMERGENCY.** Title read.

- No one in the audience wished to have a legislative item removed from the consent agenda for discussion.
- No one on Council wished to have an item removed from the consent agenda for discussion.

Moved by Mrs. Uffman-Kirsch, seconded by Miss Zaccardelli to **excuse Mr. Stefanik and Mr. Gentile from voting on the minutes of December 7, 2005.** Roll Call: Yeas: **Five** (Bobulsky, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**: (**Excused**: Stefanik, Gentile). **Motion carried.**

Moved by Mr. Willey, seconded by Miss Zaccardelli 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

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

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Fire Chief Michael Fabish provided holiday and winter safety tips.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mr. Gentile, seconded by Mr. Willey to hold an **Executive Session immediately following the Regular Order of Business to discuss matters of pending or imminent court action, and the purchase of property for public purpose.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, 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.

The following committee meeting changes were announced:

- Finance Committee meeting - rescheduled to January 25, 2006, at 6:30 p.m.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-82, 05-83, 05-84, 05-158, 05-159, 05-166.

ORDINANCE 05-171

AN ORDINANCE MAKING TEMPORARY APPROPRIATIONS FOR THE FIRST QUARTER OF THE YEAR 2006 FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Gentile, seconded by Mr. Willey to **adopt Ordinance 05-171.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

SECOND READING CONSIDERATION

ORDINANCE 05-178

AN ORDINANCE TO AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 05-18 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005 AS AMENDED BY ORDINANCE NOS. 05-93 AND 05-141, 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 05-178**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 05-179

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 AND HOUSING CODE, PARAGRAPH (m) ENGINEER FEES, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Willey, seconded by Miss Zaccardelli to remove 05-179 from the **Building & Building Codes Committee**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mrs. Uffman-Kirsch, seconded by Mr. Willey to **adopt Ordinance 05-179**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 05-181

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1040 SEWERS GENERALLY, SECTION 1040.01 CONNECTIONS REQUIRED; SEPTIC TANKS, SECTION 1040.15 CONNECTION SPECIFICATIONS, SECTION 1040.16 MINIMUM GRADIENT, SECTION 1040.17 INSTALLATION SPECIFICATIONS, SECTION 1040.20 CONNECTIONS UNDER PAVED ROADWAYS, AND SECTION 1040.21 TEST TEE AND RISER, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 05-182

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1045 USE OF SEWERS SERVED BY NORTH ROYALTON WASTEWATER TREATMENT WORKS; CHARGES, SECTIONS 1045.01 DEFINITIONS, 1045.02 USE OF PUBLIC SEWERS REQUIRED, 1045.03 PRIVATE AND INDEPENDENT WASTEWATER DISPOSAL, 1045.04 BUILDING SEWERS AND CONNECTIONS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 05-183

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, SECTION 1248.01 SUBDIVISION IMPROVEMENTS REQUIRED BEFORE FINAL APPROVAL, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 05-184

AN ORDINANCE ACCEPTING THE DEDICATION OF 787.78 FEET OF HEDGEBROOK DRIVE IN THE PINESTREAM SUBDIVISION PHASE 6 FROM SAKS & GOLDBERG COMPANIES, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 05-185

AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION OF A PROJECT DEVELOPMENT AGREEMENT IN CONNECTION WITH THE CITY'S DOWNTOWN CENTER DEVELOPMENT PROJECT, 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mr. Willey, seconded by Miss Zaccardelli to **amend Ordinance 05-185 by replacing the draft Project Development Agreement with the final Project Development Agreement**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mrs. Uffman-Kirsch, seconded by Mr. Willey to **adopt Ordinance 05-185 as amended**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 05-186

AN ORDINANCE ADOPTING THE NORTH ROYALTON TOWN CENTER DISTRICT (TCD) ECONOMIC DEVELOPMENT STUDY AND PLAN AS REQUIRED UNDER OHIO REVISED CODE SECTION 5709.40 (5) (f), 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 05-186**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

Mrs. Uffman-Kirsch commended the Community Development Director for doing a fine job on this detailed plan.

ORDINANCE 05-187

AN ORDINANCE CREATING AN INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT THOSE PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, APPROVING A COMPENSATION AGREEMENT WITH THE NORTH ROYALTON CITY SCHOOL DISTRICT AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION

(Ordinances 05-188 and 05-189 were adopted under the Consent Agenda approval).

ORDINANCE 05-190

Introduced by: Mayor Luks. **AN ORDINANCE ACCEPTING THE PROPOSAL FROM MONTROSE FORD FOR THE PURCHASE OF A 2006 FORD TAURUS FOR AN AMOUNT NOT TO EXCEED \$11,965.50 AS THE LOWEST AND BEST PROPOSAL, 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.

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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Miss Zaccardelli, seconded by Mr. Gentile to **adopt Ordinance 05-190**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

MISCELLANEOUS

Mrs. Bobulsky announced that the Ward 1 Meeting will be held January 10, 2005, at 7:00 p.m.

Moved by Mr. Willey, seconded by Mr. Gentile to **recess the Council meeting into Executive Session to discuss matters of pending or imminent court action, and the purchase of property for public purpose**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried**.

Council meeting recessed at 8:16 p.m.

EXECUTIVE SESSION

PRESENT: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Robin Zaccardelli, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, Mayor Cathy Luks, Law Director Thomas O'Donnell.

Executive Session called to order at 8:21 p.m.

- Matters of pending or imminent court action, and the purchase of property for public purpose were discussed.

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

Executive Session adjourned at 9:09 p.m.

There was no further business pending before Council.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Miss Zaccardelli to **adjourn the December 20, 2005, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

Meeting adjourned at 9:10 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES