

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **April 18, 2006, at 7:30 p.m.**

PRESENT: President of Council Robert Stefanik, Council Representatives Vincent Gentile, Don Willey, Kurt McKee, Robin Zaccardelli, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, Mayor Cathy Luks, Law Director Thomas O'Donnell, Finance Director Karen Fegan, Recreation Director Ed Swim, City Engineer Clark Merdes, Office on Aging Director Debbie Duffy, Service Director Skip Mayer, Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson.

Agenda reviewed.

Law Director Thomas O'Donnell explained that legislation approving the transfer of the cable franchise from WOW to AVISTA must be approved by April 22, 2006, and therefore requested that Council add this legislation to this evening's agenda. Council agreed to suspend the 24 hour posting rule and add Ordinance 06-65 to the agenda.

Legislative Services Director Laura Haller explained that Ordinances 05-82, 05-83, and 05-84 will have been on the agenda for one year as of June 7, 2006. These Ordinances have remained on Council's agenda pending Planning Commission action on Ordinance 05-166, since all of these Ordinances are directly related. Mrs. Haller said that Council Rule XIX requires any legislation that has been on the agenda for 1 year to be defeated. Rather than having to start over with all of these Ordinances, Mrs. Haller suggested suspending this rule until such time that the Planning Commission makes a recommendation on 05-166 so that all of these related Ordinances can have their Council Public Hearing at the same time. Council agreed to this course of action.

Regarding Ordinance 06-64, Mr. O'Donnell explained that the developer's agreement in the Codified Ordinances differs from the form he has been using and therefore he is proposing this amendment to Chapter 1248 in order to eliminate this inconsistency.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 18, 2006, 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 Vincent Gentile, Don Willey, Kurt McKee, Robin Zaccardelli, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

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

Administration: Mayor Cathy Luks, Law Director Thomas O'Donnell, Finance Director Karen Fegan, City Engineer Clark Merdes, Fire Chief Michael Fabish, Building Commissioner Rito Alvarez, Office on Aging Director Debbie Duffy, Service Director Skip Mayer, Wastewater Superintendent Charles Johnson, Police Chief Paul Bican, Recreation Director Ed Swim.

ABSENT: Community Dev. Director Michael Kosdrosky.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: April 4, 2006
 - b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a new D5 permit for Theresa Popovich, 7936 York Road. (Police Dept. has no objections to this request).
 - c. Authorize the Legislative Services Director to notify the Ohio Department of Liquor Control that the City of North Royalton no longer requires a hearing regarding the transfer of Ownership Application, Permit #2455466 - Class D-5, Lakeway Bar & Eatery, 8021 West 130th Street.
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Gentile, seconded by Mr. McKee **to excuse Miss Zaccardelli from voting on the April 4, 2006, minutes.** Roll Call: Yeas: **Five.** (Stefanik, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Excused: Zaccardelli; Absent: Bobulsky). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile **to adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.**

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mr. Willey, seconded by Mr. Gentile **to suspend the rule requiring 24 hour advance posting of legislation in Council Chambers and add Ordinance 06-65 to the agenda.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **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. **Any changes to the regular schedule are noted below.**

PUBLIC DISCUSSION: None.

LEGISLATION**THIRD READING CONSIDERATION**

No Action: 05-82, 05-83, 05-84, 05-166, 05-181, 05-182, 05-183, 05-187, 06-45, 06-59.

Moved by Mrs. Uffman-Kirsch, seconded by Miss Zaccardelli **to suspend Rule XIX, which limits the time that legislation can appear on a Council Agenda to one year, for Ordinances 05-82, 05-83 and 05-84 until such time that the Planning Commission makes a recommendation on 05-166 so that all of these related Ordinances can have their Council Public Hearing at the same time.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.**

SECOND READING CONSIDERATION**ORDINANCE 06-61**

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE VII COMMITTEES, PARAGRAPH (i) COMMITTEE MEETING AGENDAS, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 06-62

AN ORDINANCE ACCEPTING THE DEDICATION OF 1,771 FEET OF WORTHINGTON WAY AND 56 FEET OF GLEN DRIVE SOUTH IN THE WORTHINGTON SUBDIVISION PHASE 1 FROM ABBEY/ROYALTON LLC, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

FIRST READING CONSIDERATION

RESOLUTION 06-63

Introduced by: Mayor Luks. **A RESOLUTION DECLARING THE NECESSITY OF APPROPRIATION OF A PERMANENT HIGHWAY EASEMENT (QUICK-TAKE PROCEDURE) IN REAL PROPERTY AND SUCH TEMPORARY EASEMENTS AS ARE NECESSARY IN REAL PROPERTY FOR THE PUBLIC PURPOSE OF EXPANSION AND WIDENING OF THE INTERSECTION OF STATE ROAD (STATE ROUTE 94) WITH WALLINGS ROAD (CR-57) IN THE CITY OF NORTH ROYALTON 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: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Resolution 06-63.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.**

ORDINANCE 06-64

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING & ZONING CODE, CHAPTER 1248 IMPROVEMENTS, APPENDIX V, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 06-65

Introduced by: Mayor Luks. **AN ORDINANCE OF THE CITY OF NORTH ROYALTON, OHIO CONDITIONALLY APPROVING THE REQUEST FOR A TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE FROM WOW TO AVISTA; 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: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 06-65.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.**

MISCELLANEOUS

Ed Miller, 10613 Tudor Circle, read a statement regarding an income tax increase, a copy of which is attached to these minutes.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Gentile to **adjourn the April 18, 2006, City Council Meeting.** Roll Call: Yeas: **Six** (Stefanik, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Absent: Bobulsky). **Motion carried.**

Meeting adjourned at 8:12 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES