

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **May 16, 2006, 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, Finance Director Karen Fegan, Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Mrs. Uffman-Kirsch requested that Ordinance 06-75 be placed on second reading so that she has an opportunity to read the plan before taking final action.

Mrs. Uffman-Kirsch also asked that Ordinance 06-80 be placed in the Streets Committee for review.

Mrs. Haller explained that Ordinances 06-76, 06-77 and 06-78 are to be placed on second reading pending completion of the negotiations on these easements.

Mrs. Haller stated that Ordinance 06-81 will also be placed on second reading so that the financial aspects of this project can be finalized.

Regarding Ordinance 06-79, Mrs. Haller reported that she received a fax from the attorney for the applicant of this Conditional Use Permit stating that the applicant no longer wished to pursue this permit. This legislation will be placed on second reading pending receipt of a notarized statement from the applicant withdrawing the request for this Conditional Use Permit.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 16, 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 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, Finance Director Karen Fegan, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Office on Aging Director Debbie Duffy, Recreation Director Ed Swim.

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes: May 3, 2006
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a stock transfer of C1, C2 permit for S&S Grocery & Deli 7963 State Road.
- c. 90-day extension cooler approval. Speedway Super America 9191 Royalton Road.
- d. 90-day extension Ordinance 05-166.
- e. 90-day extension Allocation of Areas for Public Use. Abbeyville Townhouses, 11349 Abbey Road.
- f. 90-day extension preliminary plan approval for 38 townhouses. Abbeyville Townhouses 11349 Abbey Road.
- g. 90-day extension Columbia Gas to install new plastic distribution main on Glen Drive South, Berkshire Way and Bentley Drive.
- h. 90-day extension Columbia Gas to install new plastic distribution main on Bentley Drive, Richland Drive and Yorkshire Way.
- i. 90-day extension Columbia Gas to install new plastic distribution main on Bentley Drive and Coventry Court.

- 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 **excuse Miss Zaccardelli from voting on the May 3, 2006, minutes.** Roll Call: Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Excused: Zaccardelli). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

MAYOR'S REPORT:

Mayor Luks invited residents to join the city in the Memorial Day ceremonies on May 29, 2006.

DEPARTMENT HEAD REPORTS: No reports.

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 discuss the purchase of property for public purpose.** [ORC 121.22(G)(2)] 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. **Any changes to the regular schedule are noted below.**

- Storm Water Committee: June 14, 2006, from 6:30 p.m. to **6:00 p.m.**
- Streets Committee: June 5, 2006, from 6:30 p.m. to **5:30 p.m.**
- Utilities Committee: June 5, 2006, from 7:30 p.m. to **6:30 p.m.**

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, 06-64.

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.

Moved by Mrs. Bobulsky, seconded by Mr. Gentile to **remove Ordinance 06-62 from the Streets 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 06-62.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

SECOND READING CONSIDERATION

ORDINANCE 06-72

AN ORDINANCE REPEALING CHAPTER 1280 PLANNED UNIT DEVELOPMENT OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 06-73

AN ORDINANCE AMENDING PART TWELVE PLANNING AND ZONING CODE, TITLE SIX ZONING, CHAPTER 1281 TRADITIONAL TOWN CENTER/MAIN STREET DISTRICT, SECTIONS 1281.05(a)(3), 1281.16, AND 1281.17(a), AND ENACTING SECTION 1281.19 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON PERTAINING TO DEVELOPMENT REVIEW PROCEDURES, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION**ORDINANCE 06-74**

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 06-35 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2006, BY MAKING ADDITIONAL APPROPRIATIONS AND TRANSFERRING APPROPRIATIONS BETWEEN DEPARTMENTS, 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, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 06-74.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 06-75

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch, Mayor Luks. **AN ORDINANCE APPROVING THE CUYAHOGA COUNTY SOLID WASTE DISTRICT SOLID WASTE MANAGEMENT PLAN UPDATE: 2007-2021, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

ORDINANCE 06-76

Introduced by: Mayor Luks. **AN ORDINANCE APPROPRIATING AN EASEMENT INTEREST IN REAL PROPERTY FOR RIGHT-OF-WAY OF A PORTION OF PERMANENT PARCEL NUMBER 488-03-019 VIA QUICK-TAKE PROCEDURE AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

ORDINANCE 06-77

Introduced by: Mayor Luks. **AN ORDINANCE APPROPRIATING AN EASEMENT INTEREST IN REAL PROPERTY FOR RIGHT-OF-WAY OF A PORTION OF PERMANENT PARCEL NUMBER 488-08-007 VIA QUICK-TAKE PROCEDURE AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

ORDINANCE 06-78

Introduced by: Mayor Luks. **AN ORDINANCE APPROPRIATING AN EASEMENT INTEREST IN REAL PROPERTY FOR RIGHT-OF-WAY OF A PORTION OF PERMANENT PARCEL NUMBER 488-03-031 VIA QUICK-TAKE PROCEDURE AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

ORDINANCE 06-79

Introduced by: Willey. **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR CINDY CAWTHORNE, 14232 BENNETT ROAD, PPN 487-01-029, TOWN CENTER DISTRICT-1, PROPERTY OWNER ROBERT NOTARIANNI, FOR THE PURPOSE OF OPERATING A DRIVE THRU BEVERAGE STORE, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

ORDINANCE 06-80

Introduced by: Willey. **AN ORDINANCE APPROVING WOODCROFT GLEN'S PROPOSED WOODCROFT GLEN SUBDIVISION PHASE 1 FOR RECORD PURPOSES ONLY, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 06-81

Introduced by: Mayor Luks. **AN ORDINANCE ACCEPTING THE BID OF TRI-MOR CORPORATION FOR THE STATE ROAD AND WALLINGS ROAD INTERSECTION IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,259,765.15 AS THE LOWEST AND ONLY BID, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

MISCELLANEOUS

Ed Miller, 10613 Tudor Circle, read a statement regarding city income tax. A copy of this statement is attached to these minutes.

RECESS

Moved by Mr. Gentile, seconded by Mr. Willey to **recess the May 16, 2006, City Council meeting into Executive Session to discuss the purchase of property for public purpose.** [ORC 121.22(G)(2)]. 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

Executive Session called to order at 8:20 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, Finance Director Karen Fegan, City Engineer Clark Merdes.

- The purchase of property for public purpose was discussed. [ORC 121.22(G)(2)].

Moved by Mr. Gentile, seconded by Mr. Stefanik 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 8:50 p.m.

RECONVENE

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Gentile to **reconvene the May 16, 2006, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting reconvened at 8:50 p.m.

Moved by Mr. Gentile, seconded by Mrs. Uffman-Kirsch to **commit to the agreed upon amount as discussed in Executive Session for the Chesapeake Regional Retention Basin Project.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Gentile **to adjourn the May 16, 2006, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting adjourned at 8:52 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES