

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **June 20, 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, 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, Community Development Director Mike Kosdrosky, Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson.

Agenda reviewed.

Law Director Thomas O'Donnell was asked if Miss Zaccardelli would be permitted to vote on approving the procedure to fill the Ward 5 vacancy. Mr. O'Donnell said yes.

Mr. O'Donnell said the issues in question regarding 06-80 have been addressed. It was agreed to remove this Ordinance from the Streets Committee and take action this evening.

Mr. Willey inquired of the applicant for Ordinance 06-93 if the lease was short or long term. Mr. Chiuchiarelli responded that the lease was for 5 years.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **June 20, 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, Wastewater Supt. Charles Johnson, City Engineer Clark Merdes, Building Commissioner Rito Alvarez, 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: June 6, 2006, June 8, 2006.
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a stock transfer of D5, D6 permit for Premier Golf Avalon LLC 11409 State Road.
- c. Authorize the Mayor and Wastewater Superintendent to advertise for bids for ferrous chloride and sawdust.
- d. Authorize the Mayor and Service Director to advertise for bids for the sale of an Onan Generator and to accept the bid from the highest bidder.
- e. 90-day extension Sketch Plan Approval. Rivers Edge Subdivision, PPN 485-12-006 and PPN 485-11-001.
- f. Legislation:

#### **RESOLUTION 06-82**

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF BRIAN SHEFFIELD TO FILL THE UNEXPIRED TERM OF KEVIN MCDERMOTT AS A MEMBER OF THE CABLE TELEVISION COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

**RESOLUTION 06-83**

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch, Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOHN A. ELEK TO THE POSITION OF POLICE LIEUTENANT IN THE CITY OF NORTH ROYALTON POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

**ORDINANCE 06-84**

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SURETY BOND FROM THE HARTFORD FIRE INSURANCE COMPANY IN THE AMOUNT OF \$41,539.68 AS A GUARANTEE FOR THE FUTURE INSTALLATION OF SIDEWALKS IN THE WORTHINGTON SUBDIVISION, PHASE 1, AND DECLARING AN EMERGENCY.** Title read.

**RESOLUTION 06-91**

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOHN RANUCCI TO FILL THE UNEXPIRED TERM OF THOMAS KOCH AS A MEMBER OF THE CITY OF NORTH ROYALTON'S BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Gentile, seconded by Mr. McKee to **excuse Council Representatives Willey and Zaccardelli from voting on the minutes of June 6, 2006.** Roll Call: Yeas: **Five** (Stefanik, Bobulsky, Gentile, McKee, Uffman-Kirsch). Nays: **None.** (Excused: Willey, Zaccardelli). **Motion carried.**

- 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 Mr. Gentile, seconded by Mr. Willey 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 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:** No report.

**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 matters of pending or imminent litigation [ORC 121.22 (G)(3)].** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

Mr. Stefanik read Miss Zaccardelli's letter of resignation dated June 12, 2006, into the record. He then read a letter he had written on June 13, 2006, outlining the procedure to fill the Ward 5 Council vacancy. A copy of both these letters are attached to these minutes.

Mr. Stefanik asked the Director of Legislative Services to have this memorandum, along with the July 3, 2006, Work Session notice posted at the 5 public posting stations throughout the city. He also asked that this information be posted on the city's website. Mr. Stefanik said that the Plain Dealer will have the information to print in their Metro section later this week and he said he hopes that the Sun Star will have information in Thursday's edition.

Moved by Mr. Willey, seconded by Mr. Gentile to **approve this procedure to fill this vacancy.**

Mrs. Uffman-Kirsch read into the record a letter she wrote dated June 15, 2006, outlining her concerns about this procedure for replacement. A copy of this letter is attached to these minutes. Mrs. Uffman-Kirsch acknowledged that her request for posting on the website, at the posting locations and in two of the three local papers has been addressed. She further stated that in a phone conversation she had today with Mr. Stefanik, he stated to her that this is the procedure that would be followed tonight and he shared his concern that he wouldn't want to have a vacancy in the seat. She said she has serious reservations and concerns about voting

to select a representative for this ward from resumes and letters alone, and not having the opportunity to interview or talk to these applicants. If you look at the schedule, according to the plan Miss Zaccardelli was going to resign at the end of the July 5, 2006, meeting. From July 5 to July 18, we would have approximately 2 weeks to conduct interviews and if we moved under the President of Council's report at the July 18<sup>th</sup> meeting to vote on the appointment, there would be no vacancy in the seat. Mrs. Uffman-Kirsch said that she is not sure why this is such an issue, as she recalls that when she was first elected to this council seat, Ward 6 sat vacant while it was being decided where she lived and it wasn't a problem at that point. She felt that this was the only thorough way to conduct this.

Mrs. Bobulsky said that since the Charter is silent on the procedure of how to fill this vacancy, she thinks that we need to approach this in a businesslike manner. At any business regardless of the position, you apply by putting in an application, you have an interview and then the selection process takes place. She felt that we should conduct ourselves in that manner, particularly due to the fact that she feels we have an obligation to the voters of Ward 5 who cannot actually vote on this issue and who don't have an actual say.

Mr. Willey asked the Law Director if, with the recommended procedure, we are within the Charter in doing this.

Mr. O'Donnell said yes he thinks so.

Roll Call: Yeas: **Five** (Stefanik, Gentile, Willey, McKee, Zaccardelli). Nays: **Two** (Bobulsky, Uffman-Kirsch). **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.**

- Building & Building Codes: Rescheduled from June 22, 2006, to June 28, 2006 at 7:00 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, 06-72, 06-73.

#### ORDINANCE 06-75

**AN ORDINANCE APPROVING THE CUYAHOGA COUNTY SOLID WASTE DISTRICT SOLID WASTE MANAGEMENT PLAN UPDATE: 2007-2021, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-75.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

#### ORDINANCE 06-80

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

Moved by Mrs. Bobulsky, seconded by Miss Zaccardelli to **remove Ordinance 06-80 from the Streets Committee.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.** Moved by Mrs. Bobulsky, seconded by Miss Zaccardelli to **adopt Ordinance 06-80.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

#### SECOND READING CONSIDERATION

*(06-82, 06-83 and 06-84 were adopted under the approval of the Consent Agenda).*

**ORDINANCE 06-85**

**AN ORDINANCE ACCEPTING THE BID OF BDP INDUSTRIES, INC. FOR THE PURCHASE OF SLUDGE DEWATERING EQUIPMENT IN THE AMOUNT OF \$225,000 AS THE LOWEST AND BEST 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

Moved by Miss Zaccardelli, 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. Gentile, seconded by Mr. Willey to **adopt Ordinance 06-85.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

**ORDINANCE 06-86**

**AN ORDINANCE ACCEPTING THE PROPOSAL OF QUALITY CONTROL INSPECTION, INC. TO PROVIDE SUBDIVISION INSPECTIONS IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. McKee to allow Mr. Gentile **to be recused from voting on this matter.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Recused: Gentile). **Motion carried.** Moved by Mr. Willey, seconded by Mr. McKee to **suspend the rules requiring 3 readings and referral to committee.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Recused: Gentile). Moved by Mr. Willey, seconded by Miss Zaccardelli **to amend Ordinance 06-86 as follows:**

Section 2. The Mayor is hereby authorized to enter into a contract with Quality Control Inspection, Inc. in a form approved by the Director of Law, ***said contract to be effective May 1, 2006.***

Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Recused: Gentile). Moved by Mr. Willey, seconded by Miss Zaccardelli **to adopt Ordinance 06-86 as amended.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** (Recused: Gentile).

**ORDINANCE 06-87**

**AN ORDINANCE ACCEPTING THE PROPOSAL OF SOLAR TESTING LABORATORIES, INC. TO PROVIDE SUBDIVISION INSPECTIONS 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: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile **to amend Ordinance 06-87 as follows:**

Section 2. The Mayor is hereby authorized to enter into a contract with Solar Testing Laboratories, Inc. in a form approved by the Director of Law, ***said contract to be effective May 1, 2006.***

Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.** Moved by Miss Zaccardelli, seconded by Mr. Willey to **adopt Ordinance 06-87 as amended.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None.** **Motion carried.**

**ORDINANCE 06-88**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1492 CONTROLLING RIPARIAN SETBACKS AND WETLANDS SETBACKS, SECTION 1492.02, SECTION 1492.09 AND SECTION 1492.11, AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading.**

**ORDINANCE 06-89**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1246 DESIGN STANDARDS, BY ADDING NEW SECTION 1246.14 AND DECLARING AN EMERGENCY.**  
Title read.

Placed on **third reading**.

**FIRST READING CONSIDERATION**

*(06-91 was adopted under the approval of the Consent Agenda).*

**RESOLUTION 06-92**

Introduced by: Mayor Luks. **A RESOLUTION ADOPTING THE DOCUMENT CONTAINING THE ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF NORTH ROYALTON FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2007, AND SUBMITTING THE SAME TO THE AUDITOR OF CUYAHOGA COUNTY, OHIO 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: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Miss Zaccardelli to **adopt Ordinance 06-92.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

**ORDINANCE 06-93**

Introduced by: Willey. **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR CARLO CHIUCHIARELLI OF 10200 INVESTMENT GROUP, LLC, FOR THE PURPOSE OF OPERATING A HAIR SALON AT 10300 ROYALTON ROAD, UNIT A, PPN 483-13-14, GENERAL INDUSTRIAL ZONING, PROPERTY OWNER CARLO CHIUCHIARELLI, AND DECLARING AN EMERGENCY.** Title read.

Moved by Miss Zaccardelli, seconded by Mr. Willey 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 06-93.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

**ORDINANCE 06-94**

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 06-35 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2006, AS AMENDED BY ORDINANCES 06-74 AND 06-90, BY MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Gentile, 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 Mr. Gentile to **adopt Ordinance 06-94.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

**MISCELLANEOUS**

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

Finance Director Karen Fegan commended Mr. Miller for being involved in this issue. She said that while she agrees with some of his points, there are other basic points that they are very far apart on. She said that we do need an income tax increase and the revenue. The \$1.1 million per year that Mr. Miller said we need for streets would take care of those roads that are currently past their useful life, but that's all we could do for the next ten years until those are paid for. It also does not take into account that these costs are going to go up by that 10<sup>th</sup> year. We have been advised to expect a 15% increase next year in the cost of road projects and Mr. Miller is not taking this into consideration. We have other street needs in the city other than those on the current list. Our proposal would have allowed for money for additional personnel to

be working on the streets and would have allowed for us to purchase a paver so that we could have the personnel doing the necessary repairs.

Mrs. Fegan said that Mr. Miller is correct when he says that the final dollar amount for the storm water projects has not been determined. It may be even higher than her \$5 million estimate because it did not include the cost of easements, and other property purchases. Additionally, we made sure that there was money available for personnel to work on those sewer and flooding projects and to pay for the necessary easements as well.

Mrs. Fegan stated that the increase from RITA does include all tax payers to the city; it includes our withholding accounts, our net profit accounts, and our residents. Mr. Miller's opinion is that an additional percentage should be paid across the board, but we have residents with differing opinions. She said she received an email from a resident who stated that she did not feel it was the burden of the people who work outside of the city to pay more while the people who live and work in the city and use the roads more don't pay their fair share. While people who live and work in the city are paying 1% income tax, residents who work outside of the city pay 2% or more. Mrs. Fegan urged Mr. Miller to contact her with any questions or concerns.

Mrs. Uffman-Kirsch said that the \$5.5 million that was mentioned for the flooding project in the citizens report does not include several flooding projects in her ward, so this is an understated number.

Mrs. Uffman-Kirsch asked Mr. Stefanik that since there was just a vote and no discussion, she asked for an explanation as to why we cannot hold candidate interviews for the Ward 5 replacement.

Mr. Stefanik said there was a motion on the floor and it was voted on; there was discussion.

Mr. Willey said that we are in the process of developing a town center that purportedly is going to bring in many millions of dollars, so there is an avenue of additional revenues that will be able to help pay for infrastructure, etc. While there is a 10 year projection, he would anticipate between now and the next ten years our town center, should it thrive, should generate ample monies for the difference in the city services.

Moved by Mr. Gentile, seconded by Mr. Zaccardelli to **recess into an Executive Session to discuss matters of pending or imminent litigation [ORC 121.22 (G)(3)]**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

**Council meeting recessed at 8:36.**

## **EXECUTIVE SESSION**

**Executive Session called to order at 8:41 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, Law Director Thomas O'Donnell, Finance Director Karen Fegan, Community Development Director Mike Kosdrosky.

- Matters of pending or imminent litigation discussed. [ORC 121.22 (G)(3)]

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 9:42 p.m.**

Moved by Mr. Gentile, seconded by Miss Zaccardelli to **reconvene the June 20, 2006, City Council Meeting**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None**. **Motion carried.**

**Council meeting reconvened at 9:42 p.m.**

Moved by Mr. Gentile, seconded by Mr. Willey to **approve the settlement for the North Royalton Storage case for the amount discussed in the Executive Session based on the recommendation of the Law Director**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli). Nays: **One**. (Uffman-Kirsch) **Motion carried.**

**ADJOURNMENT**

Moved by Mr. Willey, seconded by Mr. Gentile **to adjourn the June 20, 2006, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Zaccardelli, Uffman-Kirsch). Nays: **None. Motion carried.**

**Meeting adjourned at 9:44 p.m.**

APPROVED: \_\_\_\_\_ DATE APPROVED: \_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
DIRECTOR OF LEGISLATIVE SERVICES



6/20/2006  
Council Meeting

Office of the Council  
Ward 5 - Robin Zaccardelli

June 12, 2006

To: North Royalton City Council President  
Bob Stefanik

From:  
Robin Zaccardelli  
North Royalton City Council  
Ward 5  
North Royalton, Ohio

Dear Council President Stefanik,  
*And most importantly, the residents of Ward 5 in the City of North Royalton, Ohio.*

As of July 5<sup>th</sup> 2006 at the conclusion of the business portion of the council meeting and prior to miscellaneous I will be resigning as representative of Ward 5 City Council. After many hours of weighing this decision, I find that for the reasons of personal health and family that this is in city's and my best interest at this time.

I thank all of the residents who had faith, trust and confidence in me for the honor and privilege of serving them these past four and a half years, and apologize to all of you who feel let down. I strongly believe at present, this decision is in my personal best interest as well as the residents of Ward 5. Please know this has not been an easy decision for me to make. Thank you all.

Respectfully,

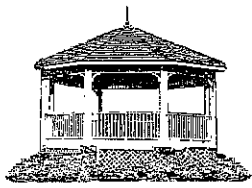
  
Robin Zaccardelli

Cc: Laura Haller, Legislative Director.

RECEIVED

JUN 13 2006

COUNCIL OFFICE  
CITY OF NORTH ROYALTON



# City of North Royalton

Office of the Council

**Robert A. Stefanik**  
President of Council

**Laura J. Haller CPM, CMC**  
Director of Legislative Services

6/20/2006  
Council Meeting

Ward 1 **Denise M. Bobulsky**  
Ward 2 **Vincent A. Gentile**  
Ward 3 **Donald R. Willey**  
Ward 4 **Kurt A. McKee**  
Ward 5 **Robin Zaccardelli**  
Ward 6 **Lisa Uffman-Kirsch**

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## MEMORANDUM

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**TO:** Council  
Mayor Luks  
Thomas O'Donnell, Law Director

**FROM:** Robert A. Stefanik, President of Council

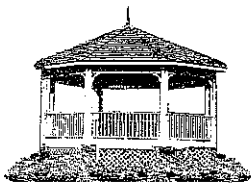
**DATE:** June 13, 2006

**RE:** Notice of Resignation – Robin Zaccardelli  
Procedure to fill Ward 5 Council vacancy

Please see attached letter of resignation received from Ward 5 Council Representative Robin Zaccardelli.

In response to this resignation, I will announce at the June 20, 2006, Council Meeting that the Council Office will be accepting resumes along with a short statement (letter) from interested Ward 5 residents who would like to become the Ward 5 Council Representative. The deadline for submission will be Friday, June 30, 2006, at 4:00 p.m. Council will hold a Work Session on Monday, July 3, 2006, at 5:30 p.m. in the Council Caucus Room to discuss the replacement for the position. The appointment will take place at the July 5, 2006, Council Meeting under the miscellaneous portion of the meeting.

Please contact me with any questions or concerns.



# City of North Royalton

Office of the Council

Laura J. Haller CPM, CMC  
Director of Legislative Services

Robert A. Stefanik  
President of Council

6/20/2006  
Council Meeting

Ward 1 Denise M. Bobulsky  
Ward 2 Vincent A. Gentile  
Ward 3 Donald R. Willey  
Ward 4 Kurt A. McKee  
Ward 5 Robin Zaccardelli  
Ward 6 Lisa Uffman-Kirsch

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## MEMORANDUM

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**TO:** Robert A. Stefanik, President of Council  
**FROM:** Lisa Uffman-Kirsch, Ward 6 Councilwoman  
**DATE:** June 15, 2006  
**RE:** Ward 5 vacancy

In response to your memo of yesterday regarding Robin Zaccardelli's resignation and your planned procedure to fill the Ward 5 seat, I have some concerns over the process you outlined and some ideas for your consideration.

First, I think that the vacancy, job requirements, application and selection process should be announced in a more widespread manner than just at the June 20 Council Meeting. Given the limited number of people in attendance at or viewing those meetings, I feel that we should make a concerted effort to inform all Ward 5 residents so all interested applicants have the opportunity to apply. At the very least, I feel the vacancy, job requirements, application and intended selection process should be posted, on the web site and published in our local newspapers.

Once the resumes and letters of interest you suggest are received, I feel the Work Session that you suggest should be used to create a short list of candidates, after which interviews should be scheduled and conducted. Every Council member who is interested to do so should have the opportunity to participate in an interview of the candidates.

The normal election process gives our voters the opportunity to hear from the candidates so that they can cast an informed and educated vote. Due to the selection process dictated by the Charter, the residents will not be given the opportunity to be heard in this situation. As their representatives, it is not only our responsibility to act on their behalves, but our duty to do that after the most thorough due diligence so that we can cast informed and educated votes. How could we possibly be asked to vote for a successor to a Council seat when the possibility exists, as it should, that there may be candidates we have never even met or talked to?

Since the Charter is silent on specific procedure to fill a Council vacancy, I am requesting your consideration that a more thorough announcement and selection process be conducted.

I think you can agree the steps outlined above would provide a much more open and fair process to fill this vacancy. I would appreciate a prompt response so that the process can be completed within the thirty day window afforded to us by our Charter. I thank you in advance for your cooperation.

c Council  
Mayor Luks  
Thomas O'Donnell, Law Director

Edward F. Miller  
10613 Tudor Circle  
North Royalton, Ohio 44133

6/20/2006  
council meeting

June 20, 2006

### A Voter's Perspective on a City Income Tax Increase

North Royalton City Council will likely soon be considering an income tax increase to be placed on the ballot in November 2006. Additional city revenues are needed to fund infrastructure maintenance and improvements and to provide for an increase in the general operating funds required to run the city. I am speaking to you tonight to convey a voter's perspective on the city income tax increase with the hope that legislation will be drafted taking into account the voters' concerns and that the resulting tax issue will pass and will provide the needed additional tax revenue.

1. Voters are very reasonable persons and are willing to support additional taxes for true economic needs of the city. But they will not support excessive taxes. Additional funding for roads and sewer/storm water improvements can be economically justified, as well as small growth in the general fund to bring back and maintain city services at adequate levels. Also, it is reasonable to provide a small cushion of funds to allow for the inevitable greater growth of expenses compared to income, and to avoid the need for an additional tax increase in a year or two.
2. Voters want the tax rate increase to be as small as possible and yet provide sufficient funding. The smallest possible tax rate increase to provide the necessary funds is obtainable only by applying the tax rate uniformly to the entire city income tax base.
3. Voters are looking for an equitable tax. The arguments supporting the need for additional taxes are based on providing city services and infrastructure improvements that benefit the entire city and all residents. An equitable tax falls equally upon all who are subject to the tax. Thus the tax should be applied uniformly to all tax payers.
4. Voters want assurances that the additional tax monies will be used as intended and as outlined in the economic justifications for the tax increase. The desired allocation of the new tax revenues can be achieved by designating the new tax rate increase as an "Additional Tax". Then the revenue attributable to the "Additional Tax" would be placed in special funds to be used only for the specified purposes of roads, sewers/storm water, and the general fund.

Let us consider these perspectives:

#### **Needed but not excessive additional tax revenue**

Current publicly available studies and reports indicate the annual amounts needed are \$1.1 M for roads and \$0.4 M for sewers to fund the identified infrastructure projects over a ten year period. \$0.5 M for general operations would bring the other city services back to an adequate level. And finally, another \$0.5 M would provide for several years of growth in expenses compared to growth in revenue, so that we are not forced to seek another tax increase in another year. **This total of \$2.5 M additional income tax revenue** satisfies the revenue shortfall for 2007 that had been predicted by the 2004 "...Cost of Services Study."

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Council meeting

**As small a tax rate increase as possible**

The method of taxation that produces the smallest possible tax rate increase is to uniformly apply a tax rate increase to all income subject to the City of North Royalton income tax, i.e., apply the increased tax rate to the entire taxable income base of \$1 billion. To generate the needed revenue increase of \$2.5 million per year identified above, an income tax rate increase of only 0.25% is necessary. That is the smallest tax rate increase possible to raise the needed funds. Any other scenario that proposes a greater income tax rate increase for raising the needed funds can not be economically justified.

**An equitable tax**

A taxing method, where everyone benefits from the city services and projects and everyone pays the same increased city tax rate, is equitable.

**Assurance of intended use of the additional income tax revenues**

Voters would be assured of appropriate use by the treatment of the 0.25% tax increase as a directed "Additional Tax", with the existing 1% tax treated as a "Base Tax" that is distributed as determined by the existing city tax laws.

The revenue attributable to the "Additional Tax" would be placed in designated funds, as follows:

Fund	Percentage of "Additional Tax"	Estimated Revenue In 2007
Special Fund - Roads	44%	\$1.1 Million
Special Fund - Sewers/Storm Water	16%	\$0.4 million
General Fund - Support of Existing Services	20%	\$0.5 million
General Fund - Allowance for Growth	20%	\$0.5 million

**In Summary**

Voters are very likely to pass a 0.25% tax rate increase as an "Additional Tax" at the November 2006 elections because it is necessary and has been economically justified (roads, sewers, and general operations), it is small (the minimum necessary tax rate increase), it is equitable (in that it applies uniformly to all income subject to the tax); and it provides assurances that the revenue raised will be spent as intended (through the establishment of designated funds).

**Additional data needed by Council:**

1. The figures from RITA provided to Council by the Finance Director on June 16 for 8 different income tax scenarios appear to only include additional revenues obtainable from taxes on city residents only. Tax revenue from persons working in the city and living elsewhere do not seem to be included. Also, revenue from taxes on business profits may not have been included. Actual total revenues will be higher than projected by RITA.
2. The cost of the sewer projects identified in the "Citizen's Oversight .. Report" is about 3.5 million dollars. If one adds up all the project costs appearing in the report, the total is about \$5.5M. However, about \$2M of that total is for alternate solutions, and only one should be chosen.
3. A uniformly applied tax increase of 0.25% over the entire tax base of \$1 billion will produce \$2.5 M per year.