

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

PRESENT: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Larry Antoskiewicz, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, Mayor Cathy Luks, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Recreation Director Ed Swim, Building Commissioner Rito Alvarez.

Agenda reviewed.

Much discussion was held regarding proposed Ordinance 06-113. It was made clear that the pending rezoning for Pilla would not be affected by this Ordinance. At the advice of Mrs. Vozar, it was agreed to add language to the end of Section 3 as follows: "However IDC district No. 3 specifically excludes any property which as of July 18, 2006, has made application for rezoning and/or any other application/permit request pending before the city." Since the legislation has not yet been introduced or posted, it was unnecessary to amend this legislation on the floor; we will simply introduce the version with the new language.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **July 18, 2006, to conduct a Public Hearing.** The hearing was called to order at 8:08 p.m. by President of Council Robert A. Stefanik.

PRESENT: Council: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Larry Antoskiewicz, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

Administration: Mayor Cathy Luks, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan, City Engineer Clark Merdes, Building Commissioner Rito Alvarez, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Recreation Director Ed Swim.

PUBLIC HEARING

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.

- Notice of this Public hearing posted and published as required.
- No one in the audience wished to be heard on 06-72.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Willey to **refer Ordinance 06-72 to the regular order of business.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

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.

- Notice of this Public hearing posted and published as required.
- No one in the audience wished to be heard on 06-73.

Moved by Mr. Willey, seconded by Mr. Gentile to **refer Ordinance 06-73 to the regular order of business.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ADJOURNMENT

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

Public Hearing adjourned at 8:11

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **July 18, 2006, in regular session**. The meeting was called to order at 8:11 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, Larry Antoskiewicz, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

Administration: Mayor Cathy Luks, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan, City Engineer Clark Merdes, Building Commissioner Rito Alvarez, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Recreation Director Ed Swim.

ABSENT: Office on Aging Director Debbie Duffy, Wastewater Supt. Charles Johnson, Community Development Director Michael Kosdrosky, Law Director Thomas O'Donnell.

APPROVAL OF CONSENT AGENDA

1. Approval of minutes: July 5, 2006
2. Authorize the Mayor and City Engineer to advertise for bids for the construction of the Ridge Road sanitary sewer extension.
3. Authorize the release of monies currently being held in escrow by Key Bank for the purpose of guaranteeing sidewalk installation in the Kingston Way Subdivision as authorized by the Engineering Department.
4. Legislation:

ORDINANCE 06-109

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch, Mayor Luks. **A RESOLUTION URGING THE NEORS D TO COMPLETE THE NECESSARY STUDIES TO EVALUATE THE VIABILITY OF A REGIONAL STORM WATER SYSTEM IN ORDER TO PROVIDE RELIEF TO OVERBURDENED DRAINAGE SYSTEMS, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-110

Introduced by: Stefanik, McKee, Antoskiewicz. **AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE CUYAHOGA COUNTY PLANNING COMMISSION'S REDISTRICTING STUDY, ALTERNATIVE A, 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 Mr. Willey, seconded by Mr. Gentile **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, Antoskiewicz, 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, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried.**

MAYOR'S REPORT:

Mayor Luks provided an update on the recent flooding issues and on the FEMA mitigation application process.

DEPARTMENT HEAD REPORTS:

Community Development Director Mike Kosdrosky gave an update on the Transportation and Pedestrian Linkages study and encouraged residents to attend the final meeting scheduled for July 25, 2006 at 7:00 p.m.

Mr. Kosdrosky also encouraged Council to support Ordinance 06-111. He felt that the proposal would be an asset to the land use planning of the community, would not detract from the residential character of the area and would create 120 full time jobs which would generate \$50,000 in annual income tax. He disagreed with the fact that this could be considered "commercial creep" and felt that this would be a better use for the property than single family residential homes. He said that we have an opportunity to welcome a low impact project that has little or no negative consequences from a planning, economic, and fiscal point of view.

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 court action.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **suspend the rule requiring 24 hour advance posting of legislation in the Council Chambers and add Ordinance 06-113 to this evening's agenda.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, 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.**

PUBLIC DISCUSSION:

Ed Miller, 10613 Tudor Circle, read a statement to Council regarding Ordinance 06-107, a copy of which is attached to these minutes

Jim White, Executive Director of the Cuyahoga River Remedial Action Plan, addressed Council regarding the grant they have received on behalf of the cities of North Royalton, Brecksville, and Broadview Hts. to assist these communities in the performance of a watershed plan for Chippewa Creek.

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, 06-89.

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-72.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 06-73 by replacing Exhibits A, B, C and D with amended Exhibits A, B, C, and D as recommended by the Planning Commission.** Roll Call: Yeas: **Seven.** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mrs. Uffman-Kirsch, seconded by Mr. Gentile to **adopt Ordinance 06-73 as amended.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, 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.

Moved by Mrs. Uffman-Kirsch, seconded by Mr. Gentile to **adopt Ordinance 06-88.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

SECOND READING CONSIDERATION**ORDINANCE 06-102**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY THE UNPAID DELINQUENT SEWER CHARGES FOR LEVY AND COLLECTION, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 06-103

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1426 OHIO RESIDENTIAL CODE, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 06-104

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1224 ARCHITECTURAL REVIEW BOARD, SECTION 1224.02 DUTIES AND POWERS AND 1224.08 REVIEW PROCEDURES, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 06-105

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF NORTH ROYALTON FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO TO EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS, AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading.**

ORDINANCE 06-106

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 214.07 FEES IN THE PLANNING AND ZONING CODE, PARAGRAPH (c) ARCHITECTURAL REVIEW BOARD ITEMS, AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading.**

ORDINANCE 06-107

AN ORDINANCE TO AMEND SECTIONS 880.01, 880.03, 880.04, 880.17, 880.20, 880.26, AND 880.27 OF CHAPTER 880 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, OHIO, IN ORDER TO PROVIDE FOR A ONE PERCENT INCREASE IN THE CURRENT LEVY ON INCOME, TO A RATE OF TWO PERCENT EFFECTIVE JANUARY 1, 2007, FOR THE PURPOSES OF PAYING COSTS OF CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, RESURFACING, MAINTAINING, REPAIRING, AND OTHERWISE IMPROVING STREETS, SIDEWALKS, CURBS AND GUTTERS, AND RELATED INFRASTRUCTURE IMPROVEMENTS, COSTS OF CONSTRUCTING AND INSTALLING STORM WATER IMPROVEMENTS, COSTS OF ACQUIRING RELATED EQUIPMENT AND OTHER RELATED MUNICIPAL STREET AND STORM WATER OPERATING EXPENSES AND OTHER GENERAL MUNICIPAL FUNCTIONS OF THE CITY, AND TO INCREASE THE MUNICIPAL INCOME TAX CREDIT TO 100% OF THE AMOUNT OF MUNICIPAL INCOME TAX PAID TO ANOTHER MUNICIPALITY ON THE SAME INCOME TAXABLE UNDER CHAPTER 880 OF THE CODIFIED ORDINANCES OF THE CITY UP TO 1.25%, WITH NO REDUCTIONS IN THE TAX CREDIT PERMITTED WITHOUT THE APPROVAL OF THE ELECTORS OF THE CITY AS PROVIDED HEREIN, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Willey, seconded by Mr. McKee to **suspend the rules requiring 3 readings and referral to committee**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mr. Willey, seconded by Mr. McKee to **amend Ordinance 06-107 as follows**:

Amend Title, 9th line to read "...**OTHER** RELATED MUNICIPAL STREET AND STORM WATER...". (See footnote [*] below.)

Amend Section 1, line 1 by deleting language "...general Municipal functions of the City and..." and line 5 by adding language "...storm water operating expenses **and general municipal functions of the City**, there is...

Section 6, paragraph (d) amend last word as follows "~~adjustment~~ **reduction**"

[*] This amendment was read incorrectly at this meeting and was corrected at a Special Meeting held on August 8, 2006, as follows:

Amend Title by reinstating previously deleted word "other", which sentence shall again read as follows: "...ACQUIRING RELATED EQUIPMENT AND **OTHER** RELATED MUNICIPAL STREET AND..." and amending the next line as follows: "...STORM WATER OPERATING EXPENSES AND **OTHER** GENERAL MUNICIPAL FUNCTIONS OF THE CITY...".

See minutes of the August 8, 2006 Special Council Meeting for the actual amendments.

Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mrs. Bobulsky, seconded by Mr. Willey to **adopt Ordinance 06-107 as amended**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**. See footnote [**]

[**] This legislation was adopted prematurely. It must remain on Council's agenda until after the voters have decided the fate of Resolution 06-108 at the November 7, 2006, election. Therefore the motion to adopt this legislation as amended was reconsidered at the Special Council Meeting held on August 8, 2006. An additional amendment was adopted as stated earlier in these minutes and this legislation was placed on third reading .

ORDINANCE 06-108

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 880.01, 880.03, 880.04, 880.17, 880.20, 880.26, AND 880.27 OF CHAPTER 880 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, OHIO, IN ORDER TO PROVIDE FOR A ONE PERCENT INCREASE IN THE CURRENT LEVY ON INCOME, TO A RATE OF TWO PERCENT EFFECTIVE JANUARY 1, 2007, FOR THE PURPOSES OF PAYING COSTS OF CONSTRUCTING, RECONSTRUCTING, WIDENING, GRADING, DRAINING, PAVING, RESURFACING, MAINTAINING, REPAIRING, AND OTHERWISE IMPROVING STREETS, SIDEWALKS, CURBS AND GUTTERS, AND RELATED INFRASTRUCTURE IMPROVEMENTS, COSTS OF CONSTRUCTING AND INSTALLING STORM WATER IMPROVEMENTS, COSTS OF ACQUIRING RELATED EQUIPMENT AND OTHER RELATED MUNICIPAL STREET AND STORM WATER OPERATING EXPENSES AND OTHER GENERAL MUNICIPAL FUNCTIONS OF THE CITY, AND TO INCREASE THE MUNICIPAL

INCOME TAX CREDIT TO 100% OF THE AMOUNT OF MUNICIPAL INCOME TAX PAID TO ANOTHER MUNICIPALITY ON THE SAME INCOME TAXABLE UNDER CHAPTER 880 OF THE CODIFIED ORDINANCES OF THE CITY UP TO 1.25%, WITH NO REDUCTIONS IN THE TAX CREDIT PERMITTED WITHOUT THE APPROVAL OF THE ELECTORS OF THE CITY AS PROVIDED HEREIN, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Willey, seconded by Mrs. Uffman-Kirsch to **suspend the rules requiring 3 readings and referral to committee.** Moved by Mr. Willey, seconded by Mrs. Bobulsky to **amend Ordinance 06-108 as follows:**

Amend Title, 12th line to read "...STORM WATER OPERATING EXPENSES AND ~~OTHER~~ GENERAL MUNICIPAL FUNCTIONS OF THE CITY..."

Amend Section 2, 11th Line of the Title for 06-107 to read: "...STORM WATER OPERATING EXPENSES AND ~~OTHER~~ GENERAL MUNICIPAL FUNCTIONS OF THE CITY..."

Amend Page 2, 880.01 Purpose: Levy of Tax line 1 by deleting language "...general Municipal functions of the City and..." and lines 5 and 6 by adding language "...storm water operating expenses **and general municipal functions of the City**, there is..."

Page 3, 880.26 Tax Credit, paragraph (d) amend last word as follows "~~adjustment~~ **reduction**"

Amend Page 5, ballot language, line 6 as follows: "...storm water operating expenses and ~~other~~ general municipal functions of the city..."

Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **adopt Ordinance 06-108 as amended.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

FIRST READING CONSIDERATION

ORDINANCE 06-111

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF PERMANENT PARCEL NO. 488-08-003 FROM ITS PRESENT RESIDENTIAL (R1A) ZONING CLASSIFICATION TO LOCAL BUSINESS (LB) ZONING CLASSIFICATION AS REQUESTED BY PROPERTY OWNER 138 DTS PROPERTIES, LLC, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 06-112

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTION 1284.04 MEASUREMENT STANDARDS, SECTION 1284.05 DESIGN STANDARDS, SECTION 1284.06 ILLUMINATION, SECTION 1284.13 PERMITS, AND SECTION 1284.17 PROHIBITED SIGNS, AND REPEALING SECTION 1284.18 BANNERS/PENNANTS IN LOCAL AND GENERAL BUSINESS DISTRICTS; PERMIT; FEE, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 06-113

Introduced by: Gentile. **AN ORDINANCE ESTABLISHING AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 3, AS AN OVERLAY DISTRICT FOR A PERIOD OF FOUR (4) MONTHS PURSUANT TO CHAPTER 1268 OF THE CODIFIED ORDINANCES OF THE CITY AND APPLYING TO PROPERTIES IN THE DESIGNATED CHIPPEWA CREEK WATERSHED AS IDENTIFIED ON THE MAP ATTACHED HERETO AS EXHIBIT A, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

MISCELLANEOUS

Don Harris, 15578 Martin Drive, presented the Mayor with a petition to preserve and protect Chippewa Creek. The original petition is on file in the Mayor's office and a copy is on file in the Council Office.

Lisa Ziegler, 11321 Villa Grande, addressed Council in opposition to building behind houses on Villa Grande by Zillich Builders.

Mayor Luks stated that she understands Mrs. Ziegler's concern, but said that the city does not own this land, it is owned by the School Board which is a separate entity. The only thing the city has control over is whether or not the plans meet our codes.

Moved by Mr. Gentile, seconded by Mr. Willey to **recess the July 18, 2006, City Council Meeting into Executive Session to discuss matters of pending or imminent court action.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Council Meeting recessed into Executive Session at 8:52 p.m.

Executive Session called to Order at 8:59 p.m.

PRESENT: President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Larry Antoskiewicz, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan.

- Matters of pending or imminent court action discussed.

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

Executive Session adjourned at 9:08 p.m.

Moved by Mr. Gentile, seconded by Mr. Willey to **reconvene the July 18, 2006, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

City Council Meeting Reconvened at 9:09 p.m.

Moved by Mr. Willey, seconded by Mr. Gentile to **authorize the Mayor and the Law Department to settle the Sposit litigation matter for an amount not to exceed the amount agreed to in Executive Session.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ADJOURNMENT

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

Meeting adjourned at 9:10 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES