

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **September 5, 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, 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, Recreation Director Ed Swim, Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson.

Agenda reviewed.

Mrs. Uffman-Kirsch proposed amendments to the July 3, 2006, Work Session minutes to add the word "present" in several locations when referring to Ward 5 applicants at the Work Session. She said that since all applicants were not present, it was important to make this distinction. Lengthy discussion ensued with Mr. Willey stating that maybe it should read "all those who chose to be present", since all applicants were aware of the Work Session. Mrs. Haller explained that she would not use a speculative phrase such as that when preparing minutes; only what actually occurred at the meeting. To that end, Mrs. Haller also felt that the fact that the minutes accurately reflected who was actually in attendance at the Work Session should be sufficient for the purpose of indicating who was present and who was not. It was agreed to discuss further when the minutes are up for approval.

Discussion was held regarding Ordinance 06-130, an Ordinance which amends the appropriation Ordinance. Questions were asked and answered regarding the proposed amendment to the Department of Community Development. When asked if this legislation needed to be adopted this evening, Mrs. Fegan responded that one of the amendments was for a seminar which was being held on September 21, so placing this on second reading would not allow for sufficient time to register for this seminar. Mr. Willey said that he wanted more time to review this legislation and would like to have it referred to the Finance Committee. Finance Committee Chairman Mr. McKee agreed to take this into the Finance Committee for review.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 5, 2006, to conduct a Public Hearing.** The hearing was called to order at 8:05 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, Law Director Thomas O'Donnell, Finance Director Karen Fegan, City Engineer Clark Merdes, Building Commissioner Rito Alvarez, Police Chief Paul Bican, Service Director Skip Mayer, Recreation Director Ed Swim, Wastewater Supt. Charles Johnson.

ABSENT: Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy, Community Development Director Mike Kosdrosky.

PUBLIC HEARING

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.

- Notice of this Public hearing posted and published as required.
- No one in the audience wished to be heard on 06-89.

Moved by Mr. Willey, seconded by Mr. Gentile to **refer Ordinance 06-89 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 8:06

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 5, 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, Law Director Thomas O'Donnell, Finance Director Karen Fegan, City Engineer Clark Merdes, Building Commissioner Rito Alvarez, Police Chief Paul Bican, Service Director Skip Mayer, Recreation Director Ed Swim, Wastewater Supt. Charles Johnson.

ABSENT: Fire Chief Michael Fabish, Office on Aging Director Debbie Duffy, Community Development Director Mike Kosdrosky.

APPROVAL OF CONSENT AGENDA

- Approval of minutes: July 3, 2006; July 18, 2006; July 20, 2006; August 8, 2006, August 24, 2006.
- Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a transfer of D2, D2X, D3, D3A permit for Kornerstone Pub 10009 West 130th Street.
- Legislation:

ORDINANCE 06-116

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM HARLEY HILLS DEVELOPMENT CORP., PPN 482-27-040, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 06-117

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM ROSEMARY E. HEARN, PPN 482-27-041, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 06-118

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM ERIC PITSCHMANN AND JAMES E. JOHNSON, PPN 482-27-042, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 06-119

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM LAWRENCE J. BOCZEK, PPN 482-27-043, AND DECLARING AN EMERGENCY**. Title read.

ORDINANCE 06-120

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM DONALD E. LEE, PPN 482-27-044, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-121

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM GAYLE D. AND WALTER T. MCGLUMPHY, PPN 482-27-045, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-122

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SIDEWALK EASEMENT FROM DIANE J. MATTS, PPN 482-27-046, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 06-123

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF JOSEPH T. SADIE AS A MEMBER OF THE CITY OF NORTH ROYALTON'S CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-124

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY THE UNPAID COST OF CUTTING OF WEEDS, GRASS AND WOODY VEGETATION FOR LEVY AND COLLECTION, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-125

Introduced by: Stefanik, McKee, Antoskiewicz. **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 06-126

Introduced by: Gentile, Bobulsky, Antoskiewicz. **AN ORDINANCE ACCEPTING THE BID OF AND AUTHORIZING A CONTRACT WITH KEMIRON FOR FERROUS CHLORIDE FOR THE NORTH ROYALTON WASTEWATER DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 06-127

Introduced by: Gentile, Bobulsky, Antoskiewicz. **AN ORDINANCE ACCEPTING THE BID OF AND AUTHORIZING A CONTRACT WITH SMITH BROS., INC. FOR SAWDUST FOR THE NORTH ROYALTON COMPOST FACILITY, AND DECLARING AN EMERGENCY.** Title read.

- No one in the audience wished to have a legislative item removed from the Consent Agenda for discussion.
- Council wished to have the **July 3, 2006, Work Session minutes 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.**

COMMUNICATIONS:

- **Approval of the July 3 ,2006, Work Session Minutes.**

Mrs. Haller read the following proposed amendments to the minutes:

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At this point in the meeting, there was a lengthy question and answer period between members of Council and the applicants for the Ward 5 position **who were present** including, but not limited to, their qualifications, views on attending committee meetings, reason for seeking office at this time, what they can bring to Council, their views on the city income tax, etc.

All Council representatives were given an opportunity to ask questions of the applicants **present**.

All applicants **present** were given an opportunity to address Council regarding their interest in the position.

Moved by Mrs. Uffman-Kirsch, seconded by Mrs. Bobulsky to **amend the July 3, 2006, Work Session minutes as read**.

Mrs. Uffman-Kirsch said that she is asking that these minutes be amended because she feels they more clearly reflect the fact that not all applicants were present at this Work Session on July 3rd. It has been stated on the record that she had requested an in-person interview process and she knows that at least one applicant told her that they were not aware that there would be questions asked or that they would have the opportunity to speak at this meeting. She thinks it would be clearer and more accurate to have the minutes reflect that all the applicants *present* were given the opportunity to address Council.

Mr. Willey said that contrary to this, all applicants were invited and therefore the inference may be that all applicants did not know that they were invited. As far as he can determine the applicant that was not there who was invited was indeed out of state with a preplanned family commitment. The inference should not be that this applicant was excluded.

Mrs. Bobulsky agrees with the proposed amendments due to the fact that there were five applicants and three were present, two were missing. She had conversations with the two that were missing and they were communicated about the Work Session, but she thinks it was not necessarily clarified about the discussion that was going to take place that evening. Therefore she thinks that the amendments are pertinent.

Mr. McKee said that if you look at Page 1 of the minutes, it lists who was present at the meeting. The three applicants who were there were listed on the first page. If you are not present, how would you be asked questions at a meeting. He will be voting no on this.

Mr. Gentile asked Council to vote no on these amendments. He said that the applicants present were listed. He feels that this all stems from a letter in the newspaper and cautioned Council not to govern based on what is printed in the paper. He thinks that the minutes were clear.

Mrs. Uffman-Kirsch wished to clarify her position. She said that the minutes state all applicants were given an opportunity. There were 5 applications submitted, so when we say all applicants that would be a total of 5 people. All applicants were not given an opportunity to address Council regarding their interest in the position at the Work Session. They were not told that there was going to be conversation back and forth. Therefore, that is why she feels that all applicants *present* were given an opportunity. She said that the person who was out of town specifically asked if it would be important for him to be there and said he would be happy to change his plans. The response given to the applicant was no, it was not deemed to be important to be present.

Mr. McKee said that we can talk all we want about what someone thought they said, but he said to let the record speak, it shows in black and white who was at the meeting. You don't put something in the minutes that refers to something outside of the meeting. He said that you don't need to put the word "present" in; it's obvious. He said that you don't ask questions at a meeting of people who were not present and put it in the minutes. He said that it is unbelievable that we are wasting our time on this.

Moved by Mr. McKee, seconded by Mr. Willey to **excuse Mr. Antoskiewicz from voting on the July 3, 2006, Work Session minutes**. Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None**. (Excused: Antoskiewicz). **Motion carried**.

Roll Call: Yeas: **Two** (Bobulsky, Uffman-Kirsch). Nays: **Four**. (Stefanik, Gentile, Willey, McKee). (Excused: Antoskiewicz). **Motion defeated**.

Moved by Mr. Willey, seconded by Mr. McKee to **approve the minutes of the July 3, 2006, Work Session**. Roll Call: Yeas: **Four**. (Stefanik, Gentile, Willey, McKee). Nays: **Two** (Bobulsky, Uffman-Kirsch). (Excused: Antoskiewicz). **Motion carried.**

MAYOR'S REPORT:

Mayor Luks wished to commend our Fire Department for the excellent job they do everyday and for the care she received during her recent illness. She said that it is a wonderful thing for this community to have paramedics that are as professional and excellent at what they do. We are also fortunate to be a community member of Parma Hospital where there is now the new heart center. She honestly feels that she could not have received better care anywhere. Mayor Luks thanked all in the community who extended support to her during the past few weeks.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Stefanik announced that the Ward 4 Meeting will be held on September 12, 2006, 7:00 p.m.

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: No discussion.

LEGISLATION

THIRD READING CONSIDERATION

No Action: 05-181, 05-182, 05-183, 05-187, 06-45, 06-59, 06-64, 06-89, 06-107.

Mr. Stefanik announced that Ordinances 05-82, 05-83, 05-84 and 05-166 have all had sponsorship withdrawn this evening.

Mrs. Uffman-Kirsch wished to explain her reasons for removing sponsorship. These ordinances dealt with temporary signs and banners for the community and we have since introduced legislation specific to the town center district which would be considered contradictory to these pieces of legislation. It seems that there is not going to be majority support of Council for these 4 pieces of legislation. Since three of these pieces would require public hearings with an associated cost for posting, publishing, etc., she is choosing to withdraw her sponsorship rather than have the city incur these expenses.

Mr. Willey stated that these ordinances were also not recommended by the Building & Building codes Committee, nor the Planning Commission.

Mrs. Uffman-Kirsch wished to clarify that these were removed from the Building & Building Codes Committee without recommendation; they were not recommended for defeat, just so the record is clear. Planning Commission recommended defeat, but not Building & Building Codes.

Mr. Willey stated that he said they were not recommended for approval.

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 06-102 by replacing the original Exhibit A with an updated Exhibit A**. 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 06-102 as amended**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-103**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried.**

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-104**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried.**

ORDINANCE 06-105

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-105**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried.**

ORDINANCE 06-106

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.

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-106**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried.**

SECOND READING CONSIDERATION**ORDINANCE 06-111**

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 **third reading**.

ORDINANCE 06-112

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 **third reading**.

ORDINANCE 06-114

AN ORDINANCE AMENDING ORDINANCE 06-113 WHICH ESTABLISHED 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 OF NORTH ROYALTON BY EXTENDING IDC NO. 3 FOR AN ADDITIONAL EIGHT (8) MONTHS PURSUANT TO SECTION 1268.07(e), AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION (06-116 through 06-127 adopted under the approval of the Consent Agenda)

ORDINANCE 06-128

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch, Mayor Luks. **AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT WITH NORTH ROYALTON CITY SCHOOLS AND WESTERN RESERVE LAND CONSERVANCY AND AUTHORIZING APPLICATION FOR A GRANT THROUGH CLEAN OHIO CONSERVATION GRANT PROGRAM FOR PURCHASE OF LAND 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, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-128.**

Mayor Luks wished to thank Chris Bunch from the Western Reserve Land Conservancy who has been working with the city in developing the Clean Ohio application and putting all the pieces in place. Mayor Luks also thanked the School Administration and School Board who have also gone the extra mile to work with the city to put this together. It has been a true collaborative effort and one that she feels will benefit everyone.

Mr. Willey stated that this was an initiative by a number of residents and they are to be applauded for their efforts in assisting with this endeavor.

Mr. Gentile thanked the Mayor for pulling this all together, bringing everyone together on this and getting it done.

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

ORDINANCE 06-129

Introduced by: Uffman-Kirsch, Stefanik, Bobulsky. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 618 ANIMALS, SECTION 618.12 HUNTING PROHIBITED, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Antoskiewicz, seconded by Mrs. Uffman-Kirsch 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 Mrs. Uffman-Kirsch, seconded by Mrs. Bobulsky to **adopt Ordinance 06-129.** Roll Call: Yeas: **Four** (Stefanik, Bobulsky, Antoskiewicz, Uffman-Kirsch). Nays: **Three** (Gentile, Willey, McKee). **Motion carried.** *(The emergency clause requires a 2/3 [5] affirmative vote to passage. Therefore this legislation will be effective 30 days after approval by the Mayor.)*

ORDINANCE 06-130

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, 06-90, AND 06-94 BY MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 06-131

Introduced by: Willey. **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR RYAN HOMES, WORTHINGTON SUBDIVISION, PROPERTY OWNER LAURIE PRIBISH, ABBEY/ROYALTON LLC, 11622 WORTHINGTON WAY, SL 36, R1B ZONING, FOR A PARKING AREA ON THE LOT ADJACENT TO THEIR MODEL HOME IN THE WORTHINGTON COMMUNITY, 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, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-131.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 06-132

Introduced by: Mayor Luks. **AN ORDINANCE ACCEPTING THE BID OF DIGIOIA-SUBURBAN EXCAVATING, LLC FOR THE RIDGE ROAD SANITARY SEWER EXTENSION PROJECT FOR AN AMOUNT NOT TO EXCEED \$201,373.00 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 Ridge Road Sewer Improvement Fund #43.

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, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Gentile, seconded by Mr. Willey to **adopt Ordinance 06-132.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ADJOURNMENT

Moved by Mr. Gentile, seconded by Mr. Willey to **adjourn the September 5, 2006, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** .

Meeting adjourned at 8:38 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES