

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **September 19, 2006, at 7:30 p.m.**

**PRESENT:** President of Council Robert Stefanik, Council Representatives Denise Bobulsky, Vincent Gentile, Don Willey, Kurt McKee, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller, 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, Economic Development Director Michael Kosdrosky, Office on Aging Director Debbie Duffy.

Agenda reviewed.

It was announced that sponsorship to Ordinance 06-59 has been withdrawn by Mr. Gentile and Mrs. Uffman-Kirsch.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 19, 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, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

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

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

**ABSENT:** Mayor Cathy Luks, Wastewater Supt. Charles Johnson.

- a. 90-day extension sign approval. Honeygirl Bake Shoppe, Inc. 5895 Royalton Road.
- b. 90-day extension Ordinance 06-111.
- c. 90-day extension revised preliminary plan approval. Indian Trail Subdivision.
- d. Legislation:

#### **RESOLUTION 06-133**

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch, Mayor Luks. **A RESOLUTION COMMENDING ROBIN ZACCARDELLI FOR OUTSTANDING COMMUNITY SERVICE.** Title read.

#### **RESOLUTION 06-134**

Introduced by: Gentile, Stefanik, Antoskiewicz. **A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 2 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, 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: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.**

**MAYOR'S REPORT:** No report.

**DEPARTMENT HEAD REPORTS:** No reports.

**PRESIDENT OF COUNCIL'S REPORT:** No report.

### 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.**

- Recreation Board – September 26, 2006, **changed from 7:00 p.m. to 6:00 p.m.**

**PUBLIC DISCUSSION:** No discussion.

### LEGISLATION

#### THIRD READING CONSIDERATION

**No Action:**, 05-181, 05-182, 05-183, 05-187, 06-45, 06-64, 06-89, 06-107, 06-111, 06-112, 06-114.

#### SECOND READING CONSIDERATION

##### ORDINANCE 06-130

**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.

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

The Director of Legislative Services read the following proposed amendments that were proposed by the Finance Committee:

#### **AMENDMENT #1**

Delete the following amendments:

- \$20,000 increase to General Fund, Fire Department, Personal Service.
- \$20,000 decrease to SCMR Fund, Street Construction Maintenance & Repair, Personal Services.

Moved by Mr. McKee, seconded by Mr. Willey to **amend Ordinance 06-130 as read.**

Mrs. Bobulsky said that the decision to delete this amendment is illogical. It may sound good politically but in reality the money that would be taken from streets is not going to resurface our roads, it's not going to patch our roads; it's going strictly for personnel. She cannot go along with jeopardizing the Fire Department's overall operational efficiency which is already getting to be bare bones, and therefore she will be voting no.

Mr. Willey said that lengthy discussion was held at last night's Finance Committee meeting regarding the transfer of these funds from one department to another. His position is that he certainly supports the Fire Department and he wants them to have adequate funds. However, he feels that we should have appropriated the \$20,000 from the excess we have as a result of the income from the inheritance tax.

Mr. Gentile said that he will be voting no on this amendment. This all comes from the General Fund and he thinks the Fire Chief is doing a good job running the department and holding down the overtime.

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

**AMENDMENT #2**

Delete the following amendments from the General Fund, Community Development Department:

- \$500 decrease to Personal Services
- \$1,000 increase to Travel & Transportation
- \$500 decrease to Capital Outlay

Moved by Mr. McKee, seconded by Mr. Willey to **amend Ordinance 06-130 as read.**

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

**AMENDMENT #3**

Delete the following amendment from the Issue 2-State and Wallings Intersection Fund:

- \$35,000 increase to Capital Outlay.

Moved by Mr. Willey, seconded by Mr. McKee to **amend Ordinance 06-130 as read.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.**

Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 06-130 as amended.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.**

**FIRST READING CONSIDERATION** (*Resolutions 06-133 and 06-134 were adopted under the approval of the Consent Agenda.*)

**RESOLUTION 06-135**

Introduced by: Gentile. **A RESOLUTION DECLARING IT NECESSARY TO REQUIRE THE CONSTRUCTION OR REPAIR OF CERTAIN SIDEWALKS IN THE CITY BY THE OWNERS OF THE LOT AND LAND ABUTTING THEREON, 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: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Resolution 06-135.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.**

**MISCELLANEOUS**

**Patty Phillips** from the Cuyahoga County Board of Elections addressed Council and the audience encouraging residents to sign up to be poll workers and election day technicians for the November election. Information on these positions is available in the Council Office.

**Ed Miller**, 10613 Tudor Circle, read a statement into the record regarding the proposed income tax increase, a copy of which is attached to these minutes.

Mrs. Fegan said that as Mr. Miller is aware, Council and the Administration had 8 different tax scenarios in front of them. It was decided as to which scenario Council felt they would support and what their residents would support. This increase will take our income tax from 1% to 2% but for over 70% of our residents will result in no increase. It will generate \$3.1 million. Part of the reason that this tax proposal was structured this way is that currently a resident who lives and works in North Royalton pays only 1% income tax. Their next door neighbor who works outside of the city may be paying up to 3.75% in combined tax to North Royalton and their work community. We can't control the work community rate for other communities, but taking the resident living and working here from 1% to 2% helps balance out what their neighbor may already be paying. The Finance Department is more than happy to answer any questions that any resident may have.

**James Rymut**, 10455 W. 130<sup>th</sup> Street, read a statement into the record regarding the appointment of the Ward 5 Council Representative and an article in the Royalton Recorder about the appointment. A copy of this statement is attached to these minutes.

Mrs. Bobulsky confirmed that she and Mr. Rymut did have a phone conversation. She said that she recalls him saying to her in that conversation that it was his understanding that it was “a done deal”. She said that Mr. Rymut thanked her for giving him the opportunity to share his views and giving him some hope. In terms of him stating that he feels that this issue is still open, Mrs. Bobulsky said that she is done with it. We have Mr. Antoskiewicz and that’s the way it is. But for Mr. Rymut to accuse her of what is differing opinions of what was said in that phone conversation, this she has an issue with. Regarding the Executive Session, the reason why she requested this was because Council did not have any adequate conversation amongst ourselves in terms of the candidates and she thought that it may be prudent to do so. It was nothing about being behind closed doors. Executive Session is something that is afforded to us as public officials by the Sunshine Law so we can have adequate discussion, which did not take place.

Mrs. Uffman-Kirsch said that she takes deep exception to Mr. Rymut’s comment that she was not prepared for the Work Session. She said that the reason she did not call Mr. Rymut was because she was hoping that her request for in-person interviews of the applicants would be granted by the Council President. She did not feel that this was by any means an extraordinary request for filling a vacancy on Council. She prefers not to conduct phone interviews; she likes to see to whom she is talking.

**ADJOURNMENT**

Moved by Mr. Willey, seconded by Mr. Gentile **to adjourn the September 19, 2006, City Council Meeting.** Roll Call: Yeas: **Six** (Stefanik, Bobulsky, Gentile, Willey, McKee, Uffman-Kirsch). Nays: **None.** (Absent: Antoskiewicz). **Motion carried.**

**Meeting adjourned at 8:29 p.m.**

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

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