

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **February 20, 2007, 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, 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 Michael Kosdrosky.

Agenda reviewed.

Mr. Stefanik asked Council if they wanted any of the department heads to attend the Special Finance Committee meeting on March 26, 2007. The Service Director was the only one requested to attend the meeting.

Regarding Ordinance 07-26, Mr. Willey said that he had some questions and would like this referred to the Streets Committee.

Community Development Director Mike Kosdrosky said that he would like to get this approved as soon as possible. This is just a technicality and the legislation simply amends the original agreement by stating that the property owner is Stuehr Properties, LLC. It is a housekeeping matter to correctly reflect the current status of the property. The original conditions of the agreement do not change.

Mr. Willey asked if they can add other property. He asked Mr. Kosdrosky if he has seen this LLC.

Mr. Kosdrosky said yes. They are required to reflect that Induction Tooling has moved the property into the name of Stuehr Properties, LLC. Induction Tooling is still required to meet all obligations of the agreement.

Mr. Gentile asked if there was a legal description of the property that states exactly who the owner is. He felt that this should be attached to the legislation.

Mr. Kosdrosky said that the DTE 24 form only applies to the PPN contained in the original agreement. He said that they cannot get their tax abatement because the property is under Stuehr Properties. Stuehr did not know of all the red tape involved and did not know that it would affect their abatement because it was no longer in the name of Induction Tooling.

It was suggested that rather than refer this to committee, that an Enterprise Zone Committee meeting could be scheduled to discuss this matter. It was agreed to place this legislation on second reading.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **February 20, 2007**, 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, Larry Antoskiewicz, Lisa Uffman-Kirsch; Legislative Services Director Laura Haller.

Administration: Mayor 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 Michael Kosdrosky.

ABSENT: Building Commissioner Rito Alvarez, Wastewater Supt. Charles Johnson.

CONSENT AGENDA

- a. Approval of minutes: February 6, 2007
- b. 90-day extension Ordinance 05-151.
- c. 90-day extension Site Plan Approval; Elizabeth Orosz, 13846 Bennett Road.
- d. 90-day extension Site Plan Approval; Joseph A. Golubic, 11241 Royalton Road.
- e. Legislation:

ORDINANCE 07-11

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF ALLIED CORPORATION FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-12

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF C & S LIMESTONE LTD., FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-13

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF CROSS ROADS ASPHALT RECYCLING, INC., FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-14

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF ERIE POINT CONSTRUCTION FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-15

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF KONSTRUCTION KING FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-16

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF MARTIN ENTERPRISES FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-17

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF NEENAH FOUNDRY CO, FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-18

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF SPECIALIZED CONSTRUCTION FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-19

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF TRI COUNTY CONCRETE FOR THE 2007 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-20

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING & ZONING CODE, CHAPTER 1224, SECTION 1224.08(f) REVIEW PROCEDURES, AND DECLARING AN EMERGENCY.** Title read.

No one on Council wished to have an item removed from the Consent Agenda for discussion.

No one in the audience wished to have a legislative 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 the 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 **approve the consent agenda as presented and read.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None.** **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT:

Mayor Luks reported on the downtown project. She said that we reached another milestone in the project last week. The period of due diligence for the developer expired and at this juncture it was up to the developer to either make a further commitment to the project and move forward, or to walk away with no expense to the city. The developer has given us a written commitment to move into the next phase. This phase will focus on site development and property acquisition. Mayor Luks said that this is encouraging and positive. She said that the developer is scheduled to meet with some of us on February 27th with an iteration of a site plan. The intention is that we will begin signing retailers and others to the project in the near future. This also means that we will begin serious compilation of all of the data that we need to move forward on the TIF and we will begin negotiations rather quickly with the Board of Education on this.

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 of Council or committee meetings are noted below.***

PUBLIC DISCUSSION: No one requested to speak.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-187, 06-151.

SECOND READING CONSIDERATION

ORDINANCE 07-10

AN ORDINANCE ADOPTING THE NORTH ROYALTON GREENWAYS PLAN TO PROVIDE FOR THE CREATION OF A PUBLIC PARK AND TRAIL WAY SYSTEM THAT TRAVERSES THROUGH THE CITY OF NORTH ROYALTON AS RECOMMENDED BY THE NORTH ROYALTON MASTER PLAN, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

FIRST READING CONSIDERATION

ORDINANCE 07-21

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE BID OF BARBICAS CONSTRUCTION COMPANY, INC. FOR THE OAKRIDGE DRIVE ROADWAY IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$185,000 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 SCM&R Fund #11.

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. Willey, seconded by Mr. Gentile to **adopt Ordinance 07-21**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-22

Introduced by: Mayor Luks. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$5,000,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF THE CHESAPEAKE AREA DETENTION BASIN PROJECT, CHESAPEAKE AREA GREGORY CULVERT REPLACEMENT PROJECT, CEDAR ESTATES SEWER REPLACEMENT/UPSIZING PROJECT, PAMELA AND PARKDALE SEWER PROJECT, AVALON AREA CULVERT REPLACEMENT PROJECT, BIRO DITCH PROJECT, CADY ROAD DRAINAGE PROJECT, AND STATE AND ROYALTON GOODMAN DRIVE CULVERT PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY**. Title read.

The Fiscal Officers Certificate has been signed by the Finance Director, was presented to Council prior to their consideration of this Ordinance and is on file in the Council Office.

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 07-22**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-23

Introduced by: Mayor Luks. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$5,000,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF THE EDGERTON ROAD PROJECT, WALLINGS ROAD PROJECT, DRAKE ROAD PROJECT AND OAKRIDGE DRIVE PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY**. Title read.

The Fiscal Officers Certificate has been signed by the Finance Director, was presented to Council prior to their consideration of this Ordinance and is on file in the Council Office.

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. Willey, seconded by Mr. Antoskiewicz to **adopt Ordinance 07-23**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-24

Introduced by: Mayor Luks. **AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH ROYALTON, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2007, AND DECLARING AN EMERGENCY**. Title read.

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

ORDINANCE 07-25

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE DEDICATION OF 1,680 FEET OF BENTLEY DRIVE AND 200 FEET OF COVENTRY COURT IN THE VILLAS OF WORTHINGTON SUBDIVISION PHASE 1 FROM YORK/ROYALTON LLC, AND DECLARING AN EMERGENCY**. Title read.

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

ORDINANCE 07-26

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING AMENDMENT OF THE OHIO ENTERPRISE ZONE AGREEMENT WITH INDUCTION TOOLING, INC., AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

ORDINANCE 07-27

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING ORDINANCE 06-153 PROVIDING FOR TEMPORARY APPROPRIATIONS FOR THE FIRST QUARTER OF THE YEAR 2007 FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF 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, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Gentile to **adopt Ordinance 07-27.** Yeas: Two (Bobulsky, Uffman-Kirsch). Nays: Five (Stefanik, Gentile, Willey, McKee, Antoskiewicz). **Motion defeated.**

ADJOURNMENT

Moved by Mr. McKee, seconded by Mr. Antoskiewicz to **adjourn the February 20, 2007, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting adjourned at 8:12 p.m.

APPROVED: _____ DATE APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES