

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **June 19, 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, Law Director Thomas O'Donnell, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, 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.

Agenda reviewed.

Mr. Willey said that he has questions on 07-66 and asked that it be removed from the Consent Agenda and referred to the Finance Committee.

Regarding a proposed amendment to 07-60, at&t presented amended language as follows:

Exhibit A, Page 14, Item 9.1, last sentence: The City shall act on the petition within thirty (30) days of **the date of the first council meeting following the filing of the petition** receipt and shall not unreasonably deny the Company's petition. It was agreed to amend the legislation on the floor of Council this evening.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **June 19, 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 Cathy Luks, Law Director Thomas O'Donnell, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, 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.

ABSENT: Finance Director Karen Fegan, Wastewater Supt. Charles Johnson.

CONSENT AGENDA:

- a. Approval of minutes: June 5, 2007
- b. 90 day extension Columbia Gas of Ohio installation of plastic distribution main on Bentley Drive, Richland Drive, and Yorkshire Way.
- c. 90 day extension Columbia Gas installation of plastic distribution main on Glen Drive S., Berkshire Way, and Bentley Drive.
- d. Legislation:

RESOLUTION 07-66

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, 2008, AND SUBMITTING THE SAME TO THE AUDITOR OF CUYAHOGA COUNTY, OHIO, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-67

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING A SURETY BOND FROM THE OHIO CASUALTY INSURANCE COMPANY IN THE AMOUNT OF \$10,000.00 AS A GUARANTEE FOR THE FUTURE INSTALLATION OF SIDEWALKS IN THE EAGLES WEST SUBDIVISION, AND DECLARING AN EMERGENCY.** Title read.

- Mr. Willey requested that **Resolution 07-66 be removed from the Consent Agenda** and considered in its normal sequence under the Regular Order of Business.
- No one in the audience requested to remove a legislative item from the Consent Agenda.

Moved by Mr. Gentile, seconded by Mr. Willey **to approve the Consent Agenda as presented and modified.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

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 of Council or committee meetings are noted below.**

- **Storm Water Committee** – July 18, 2007, 6:30 p.m. - changed to **5:30 p.m.**

PUBLIC DISCUSSION: No requests to speak.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-187, 07-10, 07-40, 07-57.

SECOND READING CONSIDERATION

ORDINANCE 07-60

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A VIDEO COMPETITION AGREEMENT WITH AT&T OHIO, 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 amend Ordinance 07-60 as follows:**

- Exhibit A, Page 14, Item 9.1, last sentence: The City shall act on the petition within thirty (30) days of **the date of the first council meeting following the filing of the petition receipt** and shall not unreasonably deny the Company's petition.

Mrs. Uffman-Kirsch said that she believes the amendment was to change the 30 days to 45 days. Mrs. Haller said that this is the language given to her by at&t at caucus this evening. Mrs. Uffman-Kirsch asked the Utilities Committee Chairman if the change was to be 45 days. Mr. Gentile said that he believes that the suggestion was to change it to 45 days and that the Law Director and at&t were going to discuss this. Mr. O'Donnell said the clarification was simply to accommodate Council when it is in recess in August. It will still be 30 days, but 30 days from the next Council meeting after the petition is filed. They won't be unreasonably held to a shorter time period because of Council recess.

Mr. Willey asked if it was more than 30 days. If they made a petition today and we don't meet until July, it would be more than 30 days.

Mr. O'Donnell said that at&t has pledged to work with the city on the timing.

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 07-60 as amended.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-65

Introduced by: Gentile. **AN ORDINANCE AMENDING ORDINANCE 06-113 ESTABLISHING AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 3, AS AN OVERLAY DISTRICT AS AMENDED BY ORDINANCE 06-114 PURSUANT TO CHAPTER 1268 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON BY EXTENDING IDC NO. 3 FOR AN ADDITIONAL SIX (6) MONTHS PURSUANT TO SECTION 1268.07(g), AND DECLARING AN EMERGENCY.** Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION

(Ordinance 07-67 was adopted under the approval of the Consent Agenda.)

RESOLUTION 07-66

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, 2008, AND SUBMITTING THE SAME TO THE AUDITOR OF CUYAHOGA COUNTY, OHIO, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 07-68

Introduced by: Mayor Luks. **AN ORDINANCE ACCEPTING A CONSERVATION EASEMENT FROM MANOR CARE HEALTH SERVICES, INC., 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 07-68**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-69

Introduced by: Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch. **AN ORDINANCE ACCEPTING THE BID OF THE SHELLY COMPANY FOR THE CONSTRUCTION OF THE EDGERTON ROAD RESURFACING PROJECT IN THE CITY OF NORTH ROYALTON IN THE AMOUNT OF \$2,113,784.23 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 Mrs. Uffman-Kirsch, 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 Mrs. Uffman-Kirsch, seconded by Mr. Gentile to **adopt Ordinance 07-69**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-70

Introduced by: Mayor Luks. **AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #1) RELATING TO THE WORK PERFORMED BY BARBICAS CONSTRUCTION COMPANY, INC. FOR THE OAKRIDGE DRIVE ROADWAY IMPROVEMENTS PROJECT, 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 07-70.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-71

Introduced by: Mayor Luks. **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 **second reading.**

ORDINANCE 07-72

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 07-24 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007, BY TRANSFERRING AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 07-73

Introduced by: Bobulsky, Gentile, Willey. **AN ORDINANCE ACCEPTING THE DEDICATION OF 1,621 FEET OF MAHICAN WAY, 649 FEET OF SHAWNEE CIRCLE, AND 822 FEET OF CHIPPEWA PATH IN THE PROPOSED INDIAN TRAILS SUBDIVISION, PHASE 1 FROM WOODHILL PROPERTIES, INC., AND DECLARING AN EMERGENCY.** Title read.

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

MISCELLANEOUS

Mr. McKee announced that the Royalton Players will performing Charlottes Web and those interested should contact the Royalton Players for more information.

ADJOURNMENT

Moved by Mr. Willey, seconded Mr. Gentile by **to adjourn the June 19, 2007, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting adjourned at 8:15 p.m.

APPROVED: _____ DATE APPROVED: ____/____/____
PRESIDENT OF COUNCIL

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES