

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **September 18, 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, Finance Director Karen Fegan, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, City Engineer Clark Merdes, Police Chief Paul Bican, Service Director Skip Mayer, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Mr. O'Donnell requested that no action be taken on Ordinance 07-98. He said that there was discussion among other municipal Law Directors that there may be a better version of this policy available. It was determined to place this legislation on third reading pending receipt of this additional information.

Mrs. Haller reported that Mrs. Bobulsky has requested to be added as a sponsor to Ordinance 07-110. It was agreed to add all of Council as sponsors as well.

Discussion regarding the National Incident Management System (NIMS) training requirements for Council representatives was discussed. Mayor Luks reviewed the need for this training and stated that the September 30, 2007, deadline to take this training was a "goal" and stated that there would be more time allowed for Council to complete this training. Mr. Willey asked if there was a plan and or a diagram showing the criteria for these courses. It was stated that we would reach a point in the future where we would not qualify for federal funding if we are not certified in this training.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **September 18, 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, Finance Director Karen Fegan, Community Development Director Michael Kosdrosky, Building Commissioner Rito Alvarez, City Engineer Clark Merdes, Police Chief Paul Bican, Service Director Skip Mayer, Office on Aging Director Debbie Duffy, Recreation Director Ed Swim.

ABSENT: Wastewater Supt. Charles Johnson, Fire Chief Michael Fabish.

CONSENT AGENDA:

- a. Approval of minutes: September 4, 2007
- b. 90-day extension site plan approval. Gary Moyse, Royalton Road, PPN 483-31-008, 483 -31-009.
- c. 90 day extension revised sketch plan approval. Harry Hayes, Timberlane Estates Phase V.
- d. 90 day extension Ordinance 07-73 dedication of Indian Trails Subdivision, Phase 1.
- e. 90 day extension site plan approval Dr. Nagel Brayer, Chiropractic Clinic PPN 488-08-016.
- f. 90 day extension revision to Final Plan. York/Royalton, LLC Villas of Worthington
- g. Authorize the Mayor and Wastewater Superintendent to advertise for bids for Sawdust and Ferrous Chloride.
- h. Legislation:

RESOLUTION 07-104

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

ORDINANCE 07-105

Introduced by: Gentile, Bobulsky, Antoskiewicz. **AN ORDINANCE ACCEPTING AN EASEMENT FROM THE CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR THE INSTALLATION AND MAINTENANCE OF A STORM SEWER ON PPN 455-30-001 IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

- No one on Council wished to remove an item from the Consent Agenda.
- No one in the audience requested to remove a legislative item from the Consent Agenda.

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: 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.***

- Building & Building Codes Committee – October 15, 2007, 7:30 p.m. **6:30 p.m.**
- Finance Committee – October 15, 2007, 6:30 p.m. **5:30 p.m.**
- Stormwater Committee – ***Possible change*** from October 10, 2007, 6:30 p.m. to ***October 11, 2007 at 5:30 p.m.*** Confirmation forthcoming.

PUBLIC DISCUSSION: No requests to speak.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-187, 07-10, 07-73.

SECOND READING CONSIDERATION**ORDINANCE 07-98**

AN ORDINANCE ADOPTING A PUBLIC RECORD POLICY IN COMPLIANCE WITH OHIO HOUSE BILL 9, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 07-102

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 1492.11, VARIANCES WITHIN RIPARIAN SETBACK AND WETLAND SETBACK BY AMENDING PARAGRAPH (f) AND CREATING A NEW PARAGRAPH (h), AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

ORDINANCE 07-103

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, SECTIONS 1284.01, 1284.03, 1284.05, 1284.07, 1284.10, 1284.13, 1284.14, 1284.15, 1284.16, 1284.17, 1284.21, 1284.23, 1284.24 AND CREATING NEW SECTIONS 1284.25 THROUGH 1284.29, AND DECLARING AN EMERGENCY. Title read.

Mrs. Haller read the following proposed amendments to Ordinance 07-103:

- Section 3, amend title from “Design Standards” to “Design **and Construction** Standards”.
- Section 4, paragraph (e), first sentence, change word “local” to “total”.
- Section 10, amend paragraph (b) to read as follows:

(b) Banners, balloons, cold air inflatables, pennants, streamers, festoons and searchlights, except same shall be allowed as governmental and public purpose signs if the Building Commissioner finds that the sign type meets the following criteria:

(1) the sign type is for a special event, (2) the special event is for a limited time, (3) the special event is for a limited frequency, and (4) the sign type, if allowed for a limited time and frequency, will meet the following purposes to wit: (a) the signs will not conceal or obstruct adjacent land uses or signs (b) the signs will not conflict with the principal permitted use of the site or adjoining sites (c) the signs will not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians, and (d) the signs will be installed and maintained in a safe manner. Consistent with the general standards in Section 3-1804, the approval or disapproval shall not be based on the content of the message contained (i.e., the viewpoint expressed) on any such sign. The Building Commissioner shall render a decision within 10 days after an application is made for utilizing this sign type at a special event. Such a decision shall be deemed an administrative interpretation and any person adversely affected has the right to appeal the decision to the BZA pursuant to Section 1264.04.

Moved by Mr. Willey, seconded by Mr. Gentile to **amend Ordinance 07-103 as read**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Placed on **third reading** and referred to the **Planning Commission**.

FIRST READING CONSIDERATION

(Resolution 07-104 and Ordinance 07-105 were adopted under the approval of the Consent Agenda.)

ORDINANCE 07-106

Introduced by: Willey. **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR RYAN HOMES, PROPERTY OWNER YORK ROYALTON LLC, FOR A PARKING AREA ON THE LOT ADJACENT TO THEIR MODEL HOME IN THE VILLAS OF WORTHINGTON SUBDIVISION, 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 07-106**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-107

Introduced by: Mayor Luks. **AN ORDINANCE LEVYING AN ADDITIONAL SPECIAL ASSESSMENT FOR THE IMPROVEMENT OF YORK-DELTA DRIVE IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 07-108

Introduced by: Mayor Luks. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$305,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, TO PAY COSTS OF THE IMPROVEMENT OF RIDGE ROAD IN THE CITY OF NORTH ROYALTON BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.** Title read.

The Fiscal Officer's Certificate has been signed by the Finance Director, was presented to Council prior to their consideration of this legislation 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. Gentile to **adopt Ordinance 07-108**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

ORDINANCE 07-109

Introduced by: Mayor Luks. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,043,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING ROAD IMPROVEMENTS AT THE INTERSECTION OF STATE ROAD AND WALLINGS ROAD, INCLUDING PAVING AND CURBING IMPROVEMENTS AND CONSTRUCTING AND INSTALLING STORM SEWER IMPROVEMENTS, WATERLINE IMPROVEMENTS, SIDEWALKS, FIRE HYDRANTS, AND INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.** Title read.

The Fiscal Officer's Certificate has been signed by the Finance Director, was presented to Council prior to their consideration of this legislation 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. Gentile to **adopt Ordinance 07-109**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**.

RESOLUTION 07-110

Introduced by: Gentile, Stefanik, Antoskiewicz. **A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, 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 07-110 by adding all of Council as sponsors of this legislation**. Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried**. Moved by Mr. McKee, seconded by Mr. Gentile to **adopt Ordinance 07-110 as amended**. 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 18, 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