

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **October 16, 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, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Skip Mayer, Wastewater Supt. Charles Johnson, Office on Aging Director Debbie Duffy.

Agenda reviewed.

Mrs. Uffman-Kirsch asked the City Engineer about proposed Ordinance 07-129. She asked if the legislation was only for this year's maintenance of certain bridges, and if not, then why were bridges such as those on Bennett, Edgerton, Akins, etc. not included. Mr. Merdes said that comes down to the definition of a bridge. Mr. Willey said that bridges are scheduled for maintenance on a rotating basis, but agreed that this legislation does not state that it is only for 2007-2008. It was agreed to place this legislation on second reading in order to allow for the City Engineer to address these questions.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **October 16, 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, City Engineer Clark Merdes, Police Chief Paul Bican, Fire Chief Michael Fabish, Wastewater Supt. Charles Johnson, Service Director Skip Mayer, Office on Aging Director Debbie Duffy, Finance Director Karen Fegan, Community Dev. Director Michael Kosdrosky, Building Commissioner Rito Alvarez, Recreation Director Ed Swim.

ABSENT: Law Director Thomas O'Donnell.

CONSENT AGENDA:

- a. Approval of minutes: October 3, 2007
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a new C1 and C2 permit for Romano's Farmers Market LLC, 8875 Ridge Road.
- c. 90 day extension: Recreation Allocation-11349 Abbey Road, PPN 481-27-021; Preliminary Plan Approval Abbeyville Townhouses; Columbia Gas of Ohio-installation of 2" new plastic distribution main on Bentley Drive, Berkshire Way, and Bentley Drive; Columbia Gas of Ohio-installation of 2" new plastic distribution main on Glen Drive, S., Berkshire Way, and Bentley Drive; Villas of Worthington-revision to final plan.
- d. Legislation:

RESOLUTION 07-113

Introduced by: McKee, Stefanik, Willey. **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 07-114

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 07-115

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2, ADMINISTRATION CODE, CHAPTER 232, DEPARTMENT OF FINANCE, SECTION 232.07, PETTY CASH FUNDS, PARAGRAPH (a) ITEM (1)(C), AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 07-116

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LINDA ZALENKA TO FILL THE UNEXPIRED TERM OF PATRICIA RILEY TO THE CITY OF NORTH ROYALTON'S PARMA HOSPITAL REVIEW BOARD, AND DECLARING AN EMERGENCY.** Title read.

- Mr. Willey requested that **Resolution 07-116 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. 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. Gentile, seconded by Mr. Willey 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:

Office on Aging/Human Services Director **Debby Duffy** announced that the flu shot program will be held on October 26, 2007, starting at 9:00 a.m. at the Senior Center. Appointments are needed and can be made by contacting her office.

Fire Chief **Michael Fabish** announced that the CERT Team will be holding a mock mass immunization drill on October 27, 2007, at Valley Vista School. Volunteers are needed and those interested can contact the Mayor's Office for details.

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

Kathy Fogg, 11112 Glenn Valley, Brecksville, Ohio, addressed Council in opposition of Ordinance 07-107. She felt that any additional financial burden placed on the property owners would make it more difficult to sell their property. She said that it is in the best interest of all involved to have the grant extended in order to have more time to meet the grant requirements. She said that assessment method is unfair because it is based on land that many of the property owners no longer own.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-187, 07-10, 07-73, 07-102, 07-103, 07-107.

ORDINANCE 07-98

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

Moved by Mr. Willey, seconded by Mr. Gentile to amend Ordinance 07-98 by replacing the original Exhibit A with the final version of 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. Gentile to **adopt Ordinance 07-98 as amended.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

FIRST READING CONSIDERATION

(Resolution 07-113, and Ordinances 07-114 and 07-115 were adopted under the approval of the Consent Agenda.)

RESOLUTION 07-116

Introduced by: Mayor Luks. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LINDA ZALENKA TO FILL THE UNEXPIRED TERM OF PATRICIA RILEY TO THE CITY OF NORTH ROYALTON'S PARMA HOSPITAL REVIEW BOARD, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Rules & Ordinances Committee.**

ORDINANCE 07-117

Introduced by: Mayor Luks. **AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT AND REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA BY ITS BOARD OF COUNTY COMMISSIONERS, HEREINAFTER REFERRED TO AS THE COUNTY. (Royalton Road/West 130th Street Intersection)** Title read.

Moved by Mr. Willey, seconded by Mr. Gentile to **suspend the rules requiring three 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 07-117 by adding Mrs. Bobulsky as a sponsor.** 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 07-117 as amended.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-118

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE NO. 07-24 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007, AS AMENDED BY ORDINANCES 07-40, 07-72, AND 07-100 BY TRANSFERRING AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Gentile to **suspend the rules requiring three 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 07-118.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-119

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY PROVIDING HEALTH SERVICES FOR THE YEAR 2008, APPROPRIATING THE SUM OF \$103,133.00, AND DECLARING AN EMERGENCY.** Title read.

Certificate of Availability has been signed by the Finance Director stating that funds are available or are in the process of being collected in the General Fund #1. These funds will be deducted by the County Auditor from the regular tax settlements of the city for tax year 2007, collection year 2008.

Moved by Mr. Willey, seconded by Mr. Gentile to **suspend the rules requiring three 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 07-119**. Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried**.

ORDINANCE 07-120

Introduced by: Mayor Luks. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF A NEW TELEPHONE SYSTEM FOR THE POLICE DEPARTMENT FROM THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$35,000, AND DECLARING AN EMERGENCY**. Title read.

Certificate of Availability has been signed by the Finance Director stating that funds are available or are in the process of being collected in the General Fund #1.

Moved by Mr. Gentile, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. 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 07-120**. Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried**.

ORDINANCE 07-121

Introduced by: Mayor Luks. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON PART 8 BUSINESS REGULATION AND TAXATION CODE, BY CREATING CHAPTER 846, OUTDOOR PORTABLE STORAGE CONTAINERS, AND DECLARING AN EMERGENCY**. Title read.

Placed on **second reading** and referred to the **Building & Building Codes Committee**.

ORDINANCE 07-122

Introduced by: Mayor Luks. **AN ORDINANCE DETERMINING THE FEES TO BE PAID BY ANY PERSON OFFERING VIDEO SERVICE IN THE CITY PURSUANT TO A STATE-ISSUED VIDEO SERVICE AUTHORIZATION; AUTHORIZING THE MAYOR TO GIVE NOTICE OF THE FEE TO THE VIDEO SERVICE PROVIDER; AND DECLARING AN EMERGENCY**. Title read.

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

ORDINANCE 07-123

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS AND RATES OF COMPENSATION FOR PAID CALL FIREFIGHTERS, RESERVE POLICE OFFICERS AND PART-TIME POLICE DISPATCHERS IN THE CITY OF NORTH ROYALTON DURING CALENDAR YEARS 2007, 2008, AND 2009, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Gentile, seconded by Mr. Willey to **suspend the rules requiring three 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 07-123**. Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried**.

ORDINANCE 07-124

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS AND WAGES FOR FULL-TIME CIVILIAN JAIL MANAGER NOT COVERED BY ANY COLLECTIVE BARGAINING AGREEMENT, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Gentile, seconded by Mr. Willey to **suspend the rules requiring three 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 07-124**. Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None**. **Motion carried**.

ORDINANCE 07-125

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING RATES OF COMPENSATION FOR THE CITY OF NORTH ROYALTON NON-UNION EMPLOYEES DURING CALENDAR YEARS 2007, 2008 AND 2009, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Gentile, seconded by Mr. Willey to **suspend the rules requiring three 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 07-125.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-126

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS FOR ALL FULL-TIME NON-UNION EMPLOYEES 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 three 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 07-126.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-127

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS FOR THE CHIEF OF POLICE, CHIEF OF FIRE, POLICE CAPTAIN, AND ANY OTHER FULL-TIME CERTIFIED OFFICER NOT COVERED BY A BARGAINING UNIT AGREEMENT 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 three readings and referral to committee.** 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 07-127.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-128

Introduced by: Mayor Luks. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS FOR THE POLICE LIEUTENANT NOT COVERED BY A BARGAINING UNIT AGREEMENT 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 three 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 07-128.** Roll call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

ORDINANCE 07-129

Introduced by: Mayor Luks. **AN ORDINANCE CONSENTING TO THE ROUTINE MAINTENANCE OF CERTAIN BRIDGES BY THE BOARD OF COUNTY COMMISSIONERS OF CUYAHOGA COUNTY, OHIO, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

ORDINANCE 07-130

Introduced by: Bobulsky, Uffman-Kirsch. **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE III COUNCIL, OF THE CHARTER OF THE CITY OF NORTH ROYALTON, BY AMENDING SUBSECTION (e) VACANCY, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Rules & Ordinances Committee.**

ORDINANCE 07-131

Introduced by: Bobulsky, Uffman-Kirsch. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE XXIII, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Rules & Ordinances Committee.**

ORDINANCE 07-132

Introduced by: Mayor Luks. **AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO NEGOTIATE THE PURCHASE OF REAL PROPERTY FOR THE PUBLIC PURPOSE OF SPORTS AND RECREATION, AND DECLARING AN EMERGENCY.** Title read.

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

ADJOURNMENT

Moved by Mr. Antoskiewicz, seconded by Mr. Gentile **to adjourn the October 16, 2007, City Council Meeting.** Roll Call: Yeas: **Seven** (Stefanik, Bobulsky, Gentile, Willey, McKee, Antoskiewicz, Uffman-Kirsch). Nays: **None. Motion carried.**

Meeting adjourned at 8:24 p.m.

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

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES