

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **February 5, 2008, at 7:30 p.m.**

PRESENT: President of Council Vincent Gentile, Council Representatives Gary Petrusky, Don Willey, Kurt McKee, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan, Community Development Director Thomas Jordan, Building Commissioner Rito Alvarez, Wastewater Manager Thomas Kuehn, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim, Director of Office on Aging Judith Willey.

Agenda reviewed.

Legislative Services Director Laura Haller reported that the Building & Building Codes Committee removed Ordinance 07-121 from their committee without a recommendation based on their feeling that we already have codes in place to regulate outdoor portable storage containers. Based on this information, Mayor Stefanik has withdrawn his sponsorship to this legislation.

Mrs. Haller also reported that a request has been made by Medina Supply to remove Ordinance 08-27 from the Consent Agenda for discussion. It was agreed to remove this legislation from the Consent Agenda and refer it to the Streets Committee for discussion.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **February 5, 2008, in regular session.** The meeting was called to order at **8:00 p.m.** by President of Council Vince Gentile and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Vincent Gentile, Council Representatives Gary Petrusky, Don Willey, Kurt McKee, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller.

Moved by Mr. McKee, seconded by Mr. Willey **to excuse Mr. Nickell.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.**

EXCUSED: John Nickell

Administration: Mayor Robert A. Stefanik, Assistant Prosecutor Donna Vozar, Finance Director Karen Fegan, Community Development Director Thomas Jordan, Building Commissioner Rito Alvarez, Wastewater Manager Thomas Kuehn, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim, Director of Office on Aging Judith Willey.

ABSENT: Law Director Thomas O'Donnell.

CONSENT AGENDA:

- a. Approval of minutes: January 15, 2008.
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a new C1 and C2 permit for Daris Mart, Inc., 8653 Ridge Road.
- c. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a transfer permit for Royal Vine Wine Bar & Patio, 12766 Royalton Road.
- d. 90 day extension site plan approval. C & C Management Group, LLC. 8959 Ridge Road, PPN 489-04-004
- e. 90 day extension temporary real estate sign approval. Tony D'Abramo, D-5 LLC. Royalton Road, PPN 483-18-001
- f. 90 day extension site plan approval. Tony D'Abramo, D-5 LLC. Royalton Road, PPN 483-18-001
- g. 90 day extension revised sketch plan approval. Harry Hayes, Timberlane Estates Phase V.
- h. 90 day extension Ordinance 07-73 dedication of Indian Trails Subdivision, Phase 1.

- i. 90 day extension lot split and consolidations approval. Michael and Alice Walsh, PPN 482-03-005.
- j. 90 day extension Ordinance 07-103 amending the Codified Ordinances, Part 12 Planning and Zoning Code, Chapter 1284 Signs.
- k. Legislation:

ORDINANCE 08-18

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF LORETTA A. COYNE AS PUBLIC DEFENDER FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-19

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE ACCEPTING THE BID OF AND AUTHORIZING A CONTRACT WITH SMITH BROS., INC., FOR SAWDUST FOR THE NORTH ROYALTON COMPOST FACILITY, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-20

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF ALPHONSO AND SON, INC., FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-21

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF CP&S CEMENT CONSTRUCTION, INC., FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-22

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF CROSS ROADS ASPHALT RECYCLING, INC., FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-23

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF JADCO CONSTRUCTION SERVICES, INC., FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-24

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF KOKOSING MATERIALS, INC., FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-25

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF MEDINA SUPPLY CO. FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-26

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF SPECIALIZED CONSTRUCTION FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 08-28

Introduced by: Mayor Stefanik. **A RESOLUTION REAFFIRMING THAT THE CITY OF NORTH ROYALTON WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE FULL AND PART TIME EMPLOYEES OF THE CITY OF NORTH ROYALTON PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2), AND DECLARING AN EMERGENCY.** Title read.

- No one on Council wished to have an item removed 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. Antoskiewicz to **suspend the rules requiring 3 readings and referral to committee for those legislative items on the Consent Agenda.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Fire Chief **Michael Fabish** urged residents to support Issue 39, the EMS levy renewal. He stated that it would not increase taxes and is vital to the continued operation of the department.

Office on Aging Director **Judith Willey** encouraged Council to advise any senior citizens in their ward in need of assistance to contact her office.

PRESIDENT OF COUNCIL'S REPORT:

President of Council Vince Gentile urged residents to support Issue 39. He stressed that it is not a tax increase.

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:

Jack Shear, Medina Supply Co., 230 East Smith Road, Medina Ohio, addressed Council regarding Ordinance 08-27. He said on January 14, 2008, there was a public bid opening for the 2008 Road Maintenance Program, which included the purchase of concrete. There were two bidders and Medina Supply had the lowest quoted bid on each item with the exception of one. He said he left the bid opening confident that they had successfully secured the purchase of concrete. In a subsequent conversation with Service Director Kris Kamps, he was informed that the bid was going to be awarded to Tri-County. He said that there were three notes on the bid documents and he called then-Director Skip Mayer prior to bidding and questioned him regarding these notes because in his 24 years he has never seen a concrete purchase bound by a subsequent dumpsite location for broken concrete. Knowing the market like he knows it, he recognizes that this would set up an exclusive situation for Tri-County to supply the concrete for the city and he is not sure if this is in the spirit of open and competitive bidding. Director Mayer asked him where Medina Supply's recycling centers were located and he assured Mr. Shear that the one dumpsite they could offer in Medina was within the parameters that the city wanted and encouraged him to bid the concrete. Mr. Shear said that based on last year's numbers, Medina Supply is \$15,000-\$17,000 lower than Tri-County.

LEGISLATION

THIRD READING CONSIDERATION:

No Action: 05-187, 07-73, 07-102, 07-103, 07-107, 07-132. (Mayor Stefanik has withdrawn his sponsorship to Ordinance 07-121).

SECOND READING

ORDINANCE 08-17

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF PERMANENT PARCEL NO. 481-25-010 FROM ITS PRESENT RESEARCH OFFICE (RO) ZONING CLASSIFICATION TO RESIDENTIAL (R1A) ZONING CLASSIFICATION AS REQUESTED BY PROPERTY OWNER DARLENE BLONDIN, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading.**

FIRST READING CONSIDERATION

(Ordinances 08-18 through 08-26, and 08-28 were adopted under the approval of the Consent Agenda.)

ORDINANCE 08-27

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF TRI COUNTY CONCRETE FOR THE 2008 ROAD MAINTENANCE PROGRAM AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 08-29

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING ORDINANCE 90-217, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 10, PUBLIC SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.** Moved by Mr. Antoskiewicz, seconded by Mr. Willey to **adopt Ordinance 08-29.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.**

ORDINANCE 08-30

Introduced by: Mayor Stefanik. **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, 2008, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 08-31

Introduced by: Mayor Stefanik. **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 was 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. Antoskiewicz to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-31.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.**

ORDINANCE 08-32

Introduced by: Mayor Stefanik. **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 was 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. Petrusky to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-32**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**.

ORDINANCE 08-33

Introduced by: Mayor Stefanik. **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 Officer's Certificate was 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. Petrusky to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Kasaris to **adopt Ordinance 08-33**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**.

ORDINANCE 08-34

Introduced by: Mayor Stefanik. **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 Officer's Certificate was 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. McKee, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-34**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**.

ORDINANCE 08-35

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AND EXECUTE A CONTRACT WITH RICHARD L. BOWEN AND ASSOCIATES, INC., AS CONSULTING ENGINEER TO PROVIDE ENGINEERING SERVICES FOR THE CITY OF NORTH ROYALTON AND TO APPROVE THE APPOINTMENT OF KENNETH A. TYRPAK AS CITY ENGINEER AND DANIEL J. COLLINS AS ASSISTANT CITY ENGINEER, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Petrusky to **adopt Ordinance 08-35**. Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried**.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Antoskiewicz **to adjourn the February 5, 2008, City Council Meeting.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** (Excused: Nickell). **Motion carried.**

Meeting adjourned at 8:24 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: February 19, 2008
PRESIDENT OF COUNCIL

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES