

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **April 1, 2008, at 7:30 p.m.**

PRESENT: President of Council Vincent Gentile, Council Representatives John Nickell, Gary Petrusky, Don Willey, Kurt McKee, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Finance Director Karen Fegan, City Engineer Ken Tyrpak, 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.

It was decided that Ordinance 08-69 would be placed on second reading and referred to the Safety Committee. Mayor Stefanik asked Council to get any questions they may have to the Law Director by next week so that he would be able to provide answers at the next Safety Committee meeting.

Council agreed to hold an Executive Session this evening to discuss the purchase of property.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 1, 2008, to conduct a Public Hearing.** The hearing was called to order at **8:00 p.m.** by President of Council Vince Gentile.

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

Administration: Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Finance Director Karen Fegan, City Engineer Ken Tyrpak, 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.

PUBLIC HEARING

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.

- Notice of this Public Hearing was posted and published as required.

Paul Marnecheck, 11500 Somerset Drive, North Royalton, Ohio addressed Council regarding this Ordinance. Mr. Marnecheck felt that this legislation was good for North Royalton. He said it would make the city more business friendly and would help streamline the sign approval process. He encouraged Council adoption of this Ordinance.

No one else in the audience wished to be heard on this matter.

Moved by Mr. Kasaris, seconded by Mr. Willey to **refer Ordinance 07-103 to the Regular Order of Business.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ADJOURNMENT

Moved by Mr. Antoskiewicz, seconded by Mr. Petrusky to **adjourn the Public Hearing**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Public Hearing adjourned at 8:02 p.m.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 1, 2008, in regular session**. The meeting was called to order at **8:02 p.m.** by President of Council Vince Gentile and opened with the Pledge of Allegiance.

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

Administration: Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Finance Director Karen Fegan, City Engineer Ken Tyrpak, 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.

CONSENT AGENDA:

- a. Approval of minutes: March 18, 2008.
 - b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a new C1 and C2 permit for Rego Royalton LLC, 9199 Sprague Road.
 - c. Authorize the Mayor and Fire Chief to advertise for bids for the ACM removal from the FEMA North Royalton projects #1519 and #1580.
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Willey, seconded by Mr. Kasaris to **adopt the Consent Agenda as presented and read**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mr. Willey, seconded by Mr. Kasaris to hold **an Executive Session immediately following the regular order of business to discuss the purchase of property for public purpose**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Mr. Gentile announced that there would be a joint Ward 3 and Ward 4 residents meeting on April 7, 2008 at 7:00 p.m. in Council Chambers.

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.**

LEGISLATION**THIRD READING CONSIDERATION:**

No Action: 05-187, 07-73, 07-102, 07-107, 08-43.

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.

The Director of Legislative Services read the following proposed amendments as recommended by the Planning Commission:

- Add Mr. Antoskiewicz as a sponsor.
- Amend language "Building Commissioner/Architectural Review Board" to read "Building Commissioner and/or Architectural Review Board" throughout legislation.
- Amend Section 1284.13(a) by adding a new sentence at the end of the paragraph as follows:

Applications for approval of a temporary sign shall be subject to review only by the Building Commissioner without further board review, except for any appeal. The Building Commissioner shall approve or reject the temporary sign application within 5 business days of filing.
- Amend Section 1284.03 by adding a new subsection (d) as follows:

(d) For the purpose of this Chapter 1284, when reference is made to the Building Commissioner, that shall mean and include his or her designee.
- Amend Section 1284.10(e) by deleting language "not exceeding 100 square feet in area per side" and add language "where the area per side does not exceed the area as defined in Section 1284.03(c)(2)(C)."
- Amend Section 1284.17(b) by deleting language "Section 3-1804" and add language "as defined in Chapter 1284".
- Amend Section 1284.25 by deleting language "structure or premises" and add language "sign".
- Amend Section 1284.25 by deleting language "in Section 1339.02" and add language "for by law".
- Amend Section 1284.26 by deleting language "assistant" and add language "designee".
- Amend Section 1284.2 by change language "or his" to read "or his/her".

Moved by Mr. Willey, seconded by Mr. Petrusky to **amend Ordinance 07-103 as read**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Willey, seconded by Mr. Petrusky to **adopt Ordinance 07-103 as amended**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

FIRST READING CONSIDERATION**ORDINANCE 08-69**

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, BY REPEALING CHAPTER 620 ENTITLED CLEAN INDOOR AIR AND REPLACING WITH A NEW CHAPTER 620 ENTITLED SMOKING PROHIBITED, AND DECLARING AN EMERGENCY.** Title read.

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

ORDINANCE 08-70

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 476 SNOWMOBILES AND ALL PURPOSE VEHICLES, SECTION 476.03 CODE APPLICATION; PROHIBITED OPERATION, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Petrusky to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-70.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-71

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 476 SNOWMOBILES AND ALL PURPOSE VEHICLES, BY CREATING A NEW SECTION 476.045 ENTITLED OPERATION OF ALL PURPOSE VEHICLES ON PRIVATE PROPERTY, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 08-71.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-72

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 642 OFFENSES RELATING TO PROPERTY, BY CREATING A NEW SECTION 642.126 ENTITLED TRESPASS UPON SCHOOL GROUNDS OR FACILITIES, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Kasaris, seconded Mr. Willey by to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-72.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-73

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 648 PEACE DISTURBANCES, BY CREATING A NEW SECTION 648.135 ENTITLED CHILDREN SUSPENDED OR EXPELLED FROM SCHOOL TO REMAIN UNDER SUPERVISION; PARENTAL DUTIES IMPOSED, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-73.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-74

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 648 PEACE DISTURBANCES, BY CREATING A NEW SECTION 648.16 ENTITLED CRIMINAL ACTIVITY ON SCHOOL PROPERTY, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee,

Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-74.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

MISCELLANEOUS

Moved by Mr. Willey, seconded by Mr. Petrusky to **recess into an Executive Session to consider the purchase of property for public purposes [ORC 121.22(G)(3)].** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Council meeting recessed at 8:15 p.m.

EXECUTIVE SESSION

Executive Session called to order at 8:21 p.m.

PRESENT: President of Council Vincent Gentile, Council Representatives John Nickell Gary Petrusky, Don Willey, Kurt McKee, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Law Director Thomas Kelly, Finance Director Karen Fegan, First Assistant Prosecutor Donna Vozar, Fire Chief Michael Fabish, Community Development Director Thomas Jordan.

- **The purchase of property for public purposes was discussed. [ORC 121.22(G)(3)].**

Moved by Mr. Gentile, seconded by Mr. Kasaris to **adjourn the Executive Session.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Executive Session adjourned at 8:51 p.m.

Moved by Mr. Petrusky, seconded by Mr. Gentile to **reconvene the April 1, 2008, City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Council meeting reconvened at 8:51 p.m.

There was no further business before Council.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Gentile to **adjourn the April 1, 2008, City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Meeting adjourned at 8:51 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: April 15, 2008
PRESIDENT OF COUNCIL

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