

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **May 6, 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, Community Development Director Thomas Jordan, City Engineer Ken Tyrpak, Wastewater Supt. Timothy Tigue, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim.

Agenda reviewed.

It was agreed to hold an Executive Session immediately following the regular order of business to discuss the purchase of property for public purpose.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 6, 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, Wastewater Supt. Timothy Tigue, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim.

**ABSENT:** Director of Office on Aging Judith Willey, Building Commissioner Rito Alvarez.

## **PUBLIC HEARING**

### **A. APPLICATION SUBMITTED BY PHYLLIS ZAJICEK FOR PLACEMENT OF APPROXIMATELY 28 ACRES LOCATED AT 18051 RIDGE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-04-002, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.**

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

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

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **refer this item to the Building and Building Codes Committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

### **B. APPLICATION SUBMITTED BY JERRY ZAJICEK FOR PLACEMENT OF APPROXIMATELY 10 ACRES LOCATED AT 18107 RIDGE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-04-003, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.**

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

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

Moved by Mr. Kasaris, seconded by Mr. Willey to **refer this item to the Building and Building Codes Committee.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

**ADJOURNMENT**

Moved by Mr. Willey, seconded by Mr. Antoskiewicz 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 **May 6, 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, Wastewater Supt. Timothy Tigue, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim.

**ABSENT:** Director of Office on Aging Judith Willey, Building Commissioner Rito Alvarez.

**CONSENT AGENDA:**

- a. Approval of minutes: April 15, 2008.
- b. Authorize the Mayor and Service Director to advertise for bids for the 2008 Street Striping Program.
- c. Authorize the Mayor and City Engineer to advertise for bids for the Retrofit project for 4 Abbey Road residential structures.
- d. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (\*).

**FIRST READING CONSIDERATION****ORDINANCE 08-79**

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY THE UNPAID COST OF CUTTING OF WEEDS, GRASS AND WOODY VEGETATION FOR LEVY AND COLLECTION, AND DECLARING AN EMERGENCY.** Title read.

**ORDINANCE 08-80**

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF TIMOTHY M. TIGUE TO SERVE AS WASTEWATER SUPERINTENDENT FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

**ORDINANCE 08-81**

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING ORDINANCE 08-35 AND THE AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND THE FIRM OF RICHARD L. BOWEN AND ASSOCIATES, INC. BY APPOINTING MARK A. SCHMITZER AS CITY ENGINEER FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

- No one in the audience wished to have a legislative item removed from the Consent Agenda for discussion.
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee for those legislative items on the consent agenda**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried**. Moved by Mr. Willey, seconded by Mr. Antoskiewicz 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:**

Letter from the Ohio Environmental Council submitted for reading by resident Ivan Hack. A copy of this letter is attached to the original minutes on file in the Council Office.

**MAYOR'S REPORT:** No report.

#### **DEPARTMENT HEAD REPORTS:**

**Fire Chief Michael Fabish** announced that the annual Fire Station Open House and Safety Fair will be held on May 17, 2008 from 10:00 a.m. to 2:00 p.m.

#### **PRESIDENT OF COUNCIL'S REPORT:**

Moved by Mr. Willey, seconded by Mr. Antoskiewicz 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**.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rule requiring 24 hour posting of legislation in the Council Chambers and add Ordinance 08-86 to this evening's agenda**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried**.

#### **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.

##### **FIRST READING CONSIDERATION**

###### **ORDINANCE 08-82**

Introduced by: Mayor Stefanik. **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.** (Sprague Road CR-67). Title read.

Moved by Mr. Willey, seconded by Mr. Kasaris 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. Willey, seconded by Mr. Kasaris to **adopt Ordinance 08-82**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried**.

**ORDINANCE 08-83**

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 08-30 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008, BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Kasaris 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. Antoskiewicz, seconded by Mr. Kasaris to **adopt Ordinance 08-83.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

**ORDINANCE 08-84**

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF A CRAFTO SUPERSHOT 125DC MELTER FOR THE SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$40,539.28, AND DECLARING AN EMERGENCY.** Title read.

**Certificate of Availability of Funds** has been signed by 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. Antoskiewicz 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. Antoskiewicz to **adopt Ordinance 08-84.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

**ORDINANCE 08-85**

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE ACCEPTING THE BID OF JACK DOHENY SUPPLIES FOR THE PURCHASE OF A LUGGER TRUCK FOR THE WASTEWATER DEPARTMENT IN THE AMOUNT OF \$159,750.00 AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

**Certificate of Availability of Funds** has been signed by the Finance Director stating that funds are available or are in the process of being collected in the Wastewater Repair and Replacement Fund #55.

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. Willey, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-85.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

**ORDINANCE 08-86**

Introduced by: Mayor Stefanik. **AN ORDINANCE ACCEPTING THE BID OF SAFE AIR CONTRACTORS, INC., FOR ASBESTOS CONTAINING MATERIAL ABATEMENT FOR AN AMOUNT NOT TO EXCEED \$43,027.00, AS THE LOWEST AND BEST BID, 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. Antoskiewicz to **adopt Ordinance 08-86.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

**MISCELLANEOUS**

Moved by Mr. Willey, seconded by Mr. Antoskiewicz 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 8:16 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, Recreation Director Ed Swim, Community Development Director Thomas Jordan.

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

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

**Executive Session adjourned at 8:52 p.m.**

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **reconvene the May 6, 2008, City Council Meeting**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

**Council meeting reconvened at 8:53 p.m.**

Moved by Mr. Kasaris, seconded by Mr. Willey to **authorize the Mayor to negotiate the purchase of at least 14.79 acres of property at the location discussed in Executive Session for the amount agreed to in Executive Session and as part and parcel of this authorization the understanding that the seller shall be permitted to reserve an easement in perpetuity alongside and adjacent to the rear of the house from the rear building line of the house in the form of a "U" shape not to exceed 30 feet in width from the property line upon the purchased property**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

There was no further business pending before Council.

**ADJOURNMENT**

Moved by Mr. Gentile, seconded by Mr. Willey to **adjourn the May 6, 2008, City Council Meeting**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

**Meeting adjourned at 8:57 p.m.**

APPROVED /s/ Vincent A. Gentile DATE APPROVED: May 20, 2008  
PRESIDENT OF COUNCIL

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