

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **June 17, 2008, at 7:30 p.m.**

PRESENT: President of Council Vincent Gentile, Council Representatives, John Nickell, Gary Petrusky, Don Willey, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Community Development Director Thomas Jordan, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

Agenda reviewed.

It was agreed to suspend the rule requiring 24 hour posting of legislation in the Council Chambers and add Ordinance 08-141 to this evening's agenda.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **June 17, 2008, in regular session.** The meeting was called to order at 8:01 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, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller.

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

Administration: Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Community Development Director Thomas Jordan, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

Absent: Finance Director Karen Fegan, Building Commissioner Rito Alvarez.

CONSENT AGENDA:

- a. Approval of minutes: June 3, 2008.
- b. Authorize the Mayor and City Engineer to advertise for bids for the Chesapeake Drive Regional Retention Basin.
- c. Legislation:

FIRST READING CONSIDERATION

RESOLUTION 08-113

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF GEORGE CVIJOVIC.** Title read.

RESOLUTION 08-114

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF THOMAS GEDEON.** Title read.

RESOLUTION 08-115

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF FREDERICK KIDD.** Title read.

RESOLUTION 08-116

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF KEVIN MCDERMOTT.** Title read.

RESOLUTION 08-117

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF RICHARD PLANTAN.** Title read.

RESOLUTION 08-118

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF BOB SCHMITT.** Title read.

RESOLUTION 08-119

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF BRYAN SHEFFIELD.** Title read.

RESOLUTION 08-120

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF MIKE FARRELL.** Title read.

RESOLUTION 08-121

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF PATRICIA HARRIS.** Title read.

RESOLUTION 08-122

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF ROBERT J. JANKOVSKY.** Title read.

RESOLUTION 08-123

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF BART LENEGHAN.** Title read.

RESOLUTION 08-124

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF TIMOTHY MILLER.** Title read.

RESOLUTION 08-125

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF JIM ORR.** Title read.

RESOLUTION 08-126

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF TIMOTHY RASH.** Title read.

RESOLUTION 08-127

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF KATHLEEN TOMARO.** Title read.

RESOLUTION 08-128

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF JEAN ZIEMBA.** Title read.

RESOLUTION 08-129

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION IN SUPPORT OF THE CLEAN OHIO FUND.** Title read.

RESOLUTION 08-130

Introduced by: Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION URGING THE NATIONAL CREDIT UNION ADMINISTRATION, THE FEDERAL RESERVE BOARD AND THE OFFICE OF THRIFT SUPERVISION TO ADOPT THE REFORMS PROPOSED FOR THE FEDERAL TRADE COMMISSION ACT, TRUTH IN SAVINGS ACT, AND TRUTH IN LENDING ACT TO PROTECT CONSUMERS FROM UNFAIR AND ABUSIVE PRACTICES BY THE CREDIT CARD INDUSTRY.** 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: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Kasaris to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Law Director Thomas Kelly discussed proposed Ordinance 08-135 amending Section 618.12 of the Codified Ordinances pertaining to the prohibition of hunting. Mr. Kelly said he received a letter from a resident specifically asking him if the provisions adopted in 2006 were lawful. He discussed this with the President of Council and prepared a legal opinion on this matter. In summary, Mr. Kelly said that the home rule amendment under the Ohio Constitution is embodied in Article 18, Subsection 3 and provides in part that local home rule municipalities have authority to legislate so long as the law they are adopting does not conflict with the general law of the state. The State Legislature has adopted, in Sections 1531 and 1533, a variety of statutes with regard to hunting, fishing, trapping, etc. As part and parcel of those statutes the State of Ohio Division of Wildlife has the authority to grant deer damage and control permits. Our Ordinance was amended in 2006 to negate deer damage permits. The question is whether this is a direct conflict with a general law of the State of Ohio. The test for whether or not a conflict exists is determining if the ordinance prohibits that which is permitted by statute or does it permit that which is prohibited by statute. In this case, he said that there is no question that there is a direct conflict between our Ordinance and the general law of the State of Ohio as it relates to these permits. The state statute allows for these permits, our Ordinance prohibits them. Therefore, those particular amendments, which are severable from the basic ordinance itself, offend the Constitution and it is his opinion that they must be repealed. For the sake of those concerned with hunting and what this means to the community, he said that if Ordinance 08-135 is adopted, hunting will still be prohibited, there are still ordinances prohibiting the discharge of firearms, and the question of whether a deer damage permit will be issued falls back to the ODNR Division of Wildlife as it must under state law. The ODNR policy as he understands it is that they will not issue those permits without the consent of the municipality. So to the extent that the municipality chooses not to approve of the proposed issuance of a deer damage control permit, then no such permit will be issued. Mr. Kelly said that the narrow nature of his opinion is strictly on the question of whether there is or is not a conflict in the law. He said that there is a conflict, it needs to be fixed, and Ordinance 08-135 would be the appropriate fix.

PRESIDENT OF COUNCIL'S REPORT:

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 08-141 to this evening's agenda.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **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.***

Safety Committee: Mr. Kasaris said that the committee met this evening and recommended passage of Ordinance 08-109 regarding truck engine brakes. The committee approved 08-133 as well. There was a demonstration of the speed limit sign to be posted at various locations throughout the community in hopes of reducing speed on our roads.

Streets Committee: Mr. Nickell reported that the first phase of Lynn Drive was repaved and Rustic Drive should be finished next week. The July 3, 2008, meeting has been **rescheduled to July 7, 2008, at 6:30 p.m.**

Utilities Committee: The July 3, 2008, meeting has been **rescheduled to July 7, 2008, at 7:00 p.m.**

PUBLIC DISCUSSION

Al Clapp, 11094 Woodbury Lane, North Royalton, Ohio addressed Council in opposition to Ordinance 08-135. During the discussions on Ordinance 06-129 when it was first introduced, it was determined that the Police Department was understaffed and did not have the manpower to oversee hunting in our city. If Strongsville, Broadview Hts., Parma Hts., Middleburgh Hts., and others are capable of exercising their home rule powers of self government in regard to preventing state issued deer permit hunting in their communities, he does not understand why North Royalton is not able to do the same. He felt that it would be in our best interest to perform additional legal research to identify statutes and case law that would indicate that the initial legal opinion regarding this issue has a sound legal basis and is in fact valid.

Paul Marnecheck, 11500 Sommerset Drive, addressed Council in favor of Resolution 08-130 and the regulations it addresses. He said that most of us have signed up for a credit card not understanding the terms. He appreciates that Council has lent its support to this issue.

Des Wertheimer, Shriner Oil and Gas, 3808 Fairway Park Drive, Copely, Ohio, addressed Council regarding Ordinance 08-134. He said that he has had numerous meetings with members of Council and the Mayor concerning legislation about oil and gas wells. After receiving a legal opinion from their attorney and members of the Oil and Gas Association regarding Ordinance 08-134, he said the legislation can be completely enforced if it involves city owned land, but there are a lot of issues concerning the legislation as written regarding non-city land. He said that they won't fight the issue of notification to the city government and providing a copy of the permit to the city, but the resident notification makes it difficult and the state thought the process through very carefully. He said that there are a number of parts of this Ordinance that he feels are unenforceable when it comes to land that the city does not own such as is issue of bonds, distance of a well from locations such as playgrounds, etc. Mr. Wertheimer asked Council to reconsider some of these issues.

John Raiter, 19497 Bennett Road addressed Council in favor of Ordinance 08-135. Mr. Raiter said that not only are the deer destroying the yards but they are a hazard to people who ride motorcycles. He felt that maybe allowing bow hunting in controlled areas could control some of the herd.

Elena Wilson, 14256 Bennett Road, addressed Council in opposition of Ordinance 08-135. She said that she was here two years ago when this issue was first discussed. She understands the concerns of those who own businesses that are being impacted by deer, but says that other communities have been able to uphold this law. She said that if we are forced to allow hunting because businesses are at risk, she asked that we be very rigid and look very seriously at who we are allowing to hunt and where it is being done. Safety is big issue. The deer are everywhere because they have nowhere else to go. We should be concerned about making other efforts to control the problem such as leaving more green space.

David Blank, 9337 Chesapeake Drive, addressed Council in opposition of Ordinance 08-135. He said that he realizes that the Law Director is making this a constitutional issue and therefore Council will probably vote in favor as such, but he felt that more needs to be considered. He asked if the ODNR has been contacted to see how they deal with issues like this in other communities because we are not the only community that has an Ordinance like this. He also asked what we would require as proof of damage for the issuance of a permit, how would we enforce them, and how is the municipality notified that a permit has been issued. He said that this was a problem in the past; pets were being killed and people were finding dead deer in their

yards. He said that it is a safety issue and asked Council if they wanted to have to take their child to the hospital because someone shot them. Council needs to look at the effect of this on the community. He thinks this is going to pit neighbor against neighbor and when this hits the press this is going to make us look bad. He said there are real moral issues here as well. You are talking about the price of a plant vs. the death of a deer. He said before Council votes on this they need to determine what is in place to deal with these safety issues. He said that if Council votes on this tonight and something happens, there will be blood on the hands of those who vote to rescind this legislation.

LEGISLATION

THIRD READING CONSIDERATION:

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

SECOND READING CONSIDERATION

ORDINANCE 08-109

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 438 SAFETY AND EQUIPMENT, SECTION 438.21 MUFFLER; MUFFLER CUTOUT; EXCESSIVE SMOKE, GAS OR NOISE, PARAGRAPH (a), BY CREATING A NEW ITEM (3), AND DECLARING AN EMERGENCY.

Title read.

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

Mrs. Haller read the following proposed amendments as recommended this evening by the Safety Committee:

3rd **WHEREAS:** It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 4 Traffic Code, Chapter 438 Safety and Equipment, Section 438.21 Muffler; Muffler Cutout; Excessive Smoke, Gas or Noise, Paragraph (a) by creating a new Item (3) to restrict the use of engine compression brakes ~~on Royalton Road (S.R. 82)~~ **in the City of North Royalton.**

Section 1. Part 4 Traffic Code, Chapter 438 Safety and Equipment, Section 438.21 Muffler; Muffler Cutout; Excessive Smoke, Gas or Noise, Paragraph (a) of the Codified Ordinances of the City of North Royalton is hereby amended by creating a new Item (3) which shall hereinafter read as follows:

~~(a)(3) No person on Royalton Road (S.R. 82) shall use or operate, except in an emergency situation, any vehicle engine compression brake, commonly known as a "Jake Brake".~~

(a)(3) Engine Brakes.

- A. The use of a "Jake" brake or similar braking equipment shall constitute a public nuisance within the city.**
- B. No person shall use while operating any commercial car, trailer, semi-trailer or vehicle, a special brake or "Jake" brake. This section shall not apply in an emergency situation or to emergency vehicles.**

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton in order to restrict the use of engine compression brakes ~~on Royalton Road (S.R. 82)~~ **in the City of North Royalton** so as not to disturb the quiet, comfort and repose of North Royalton residents.

Moved by Mr. Kasaris, seconded by Mr. Willey to **amend Ordinance 08-109 as read.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-109 as amended.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **Motion carried.**

ORDINANCE 08-111

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, BY REPEALING THE EXISTING CHAPTER 1282 OFF STREET PARKING AND LOADING, AND REPLACING WITH A NEW CHAPTER 1282 OFF STREET PARKING AND LOADING, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

ORDINANCE 08-112

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1286 NONCONFORMING USES, SECTION 1286.06 EXTENSION PROHIBITED, AND DECLARING AN EMERGENCY. Title read.

Placed on **third reading**.

FIRST READING CONSIDERATION**ORDINANCE 08-131**

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF AERO MARK, INC. FOR THE 2008 STREET STRIPING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$60,267.00 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 SCM&R Fund #11 and the State Highway Fund #12.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-131**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-132

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF PRECISION EXCAVATING AND GRADING FOR THE CONSTRUCTION OF THE MAPLE LANE DRAINAGE IMPROVEMENT PROJECT IN THE CITY OF NORTH ROYALTON IN THE AMOUNT OF \$112,276.25 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 Storm Water Drainage Fund #33.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-132**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-133

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #1) RELATING TO THE WORK PERFORMED BY SAFE AIR CONTRACTORS, INC. FOR ASBESTOS CONTAINING MATERIAL ABATEMENT, 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 Future Capital Improvement Fund #32.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Petrusky to **adopt Ordinance 08-133**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-134

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 8 BUSINESS REGULATION AND TAXATION CODE, CHAPTER 830 OIL AND GAS WELLS, 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: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-134**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-135

Introduced by: Gentile. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 618 ANIMALS, SECTION 618.12 HUNTING AND KILLING PROHIBITED, AND REPEALING ORDINANCE 06-129, 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: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-135**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-136

Introduced by: Mayor Stefanik. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,568,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTH ROYALTON, 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 has been 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. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Antoskiewicz, seconded by Mr. Petrusky to **adopt Ordinance 08-136**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-137

Introduced by: Mayor Stefanik. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,615,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTH ROYALTON, 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 Ordinance and is on file in the Council Office.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-137**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-138

Introduced by: Mayor Stefanik. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$278,039 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTH ROYALTON, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, 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 Ordinance and is on file in the Council Office.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Antoskiewicz, seconded by Mr. Willey to **adopt Ordinance 08-138**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-139

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, CHAPTER 884, ENTERPRISE ZONE GUIDELINES, SECTION 884.12 TAX INCENTIVE REVIEW COUNCIL, PARAGRAPHS (a) AND (b), AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Willey, seconded by Mr. Petrusky to **adopt Ordinance 08-139**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-140

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING ORDINANCE 08-93 PROVIDING FOR THE COMPOSITION OF THE TAX INCENTIVE REVIEW COUNCIL ESTABLISHED PURSUANT TO THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, CHAPTER 884, ENTERPRISE ZONE GUIDELINES, SECTION 884.12 TAX INCENTIVE REVIEW COUNCIL, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-140**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ORDINANCE 08-141

Introduced by: Mayor Stefanik. **AN ORDINANCE ACCEPTING THE PROPOSAL OF BAUMANN ENTERPRISES, INC., FOR THE DEMOLITION AND REMOVAL OF SIX HOUSES IN THE CITY OF NORTH ROYALTON FOR AN AMOUNT NOT TO EXCEED \$24,800.00, AND DECLARING AN EMERGENCY**. Title read.

Certificate of Availability of Funds has been signed by the Finance Dir. stating that funds are available or are in the process of being collected in the Future Capital Improvement Fund #32.

Moved by Mr. Kasaris, seconded by Mr. Willey to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 08-141**. Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Excused: McKee). **Motion carried**.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Antoskiewicz **to adjourn the June 17, 2008, City Council Meeting.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Excused: McKee). **Motion carried.**

Meeting adjourned at 8:42 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: July 1, 2008
PRESIDENT OF COUNCIL

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