

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **July 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, Community Development Director Thomas Jordan, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Police Chief Paul Bican, Fire Chief Michael Fabish, Building Commissioner Rito Alvarez, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

Agenda reviewed.

It was agreed to hold an Executive Session immediately following the regular order of business to discuss disputes involving the **public body that are the subject of pending or imminent court action [ORC 121.22 (G)(3)].**

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **July 1, 2008, to hold 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, Community Development Director Thomas Jordan, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Police Chief Paul Bican, Fire Chief Michael Fabish, Building Commissioner Rito Alvarez, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

PUBLIC HEARING

ORDINANCE 07-102

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1492 CONTROLLING RIPARIAN SETBACKS AND WETLANDS SETBACKS, SECTION 1492.11, VARIANCES WITHIN RIPARIAN SETBACK AND WETLAND SETBACK BY AMENDING PARAGRAPH (f) AND CREATING A NEW PARAGRAPH (h), AND DECLARING AN EMERGENCY. Title read.

- Notice of this Public Hearing was posted and published as required.
- No one in the audience wished to be heard on Ordinance 07-102.

Moved by Mr. Willey, seconded by Mr. Kasaris to **refer Ordinance 07-102 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. Kasaris, seconded by Mr. Willey to **adjourn the Public Hearing.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Public Hearing adjourned at 8:01 p.m.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **July 1, 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, 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, Community Development Director Thomas Jordan, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Police Chief Paul Bican, Fire Chief Michael Fabish, Building Commissioner Rito Alvarez, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

CONSENT AGENDA:

- a. Approval of minutes: June 17, 2008.
- b. 180 day extension revised sketch plan. Timberlane Estates Phase V.
- c. 180 day extension Ordinance 07-73 dedication of Indian Trails Subdivision, Phase 1.
- d. 180 day extension final plat approval. Woodcroft Glen Phase 2.
- e. Authorize the Mayor and Service Director to advertise for bids for Sprague Road Overlay Project (West 130th Street to York Road).
- f. Authorize the recess of all City Council and Council Committee meetings for August.
- g. Legislation:

RESOLUTION 08-142

Introduced by: Mayor Stefanik. **A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NORTH ROYALTON TO APPLY AS A CO-APPLICANT WITH THE CITY OF PARMA, OHIO TO THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT'S LOCAL SERVICES AND REGIONAL COLLABORATION GRANT PROGRAM, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-143

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 08-144

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 266 EMPLOYEES GENERALLY BY REPEALING SECTION 266.07 MANDATORY RETIREMENT, 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. Petrusky to **excuse Councilman McKee from voting on the minutes of June 17, 2008**. 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 **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: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Fire Chief Michael Fabish reported on fireworks safety.

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 disputes involving the public body that are the subject of pending or imminent court action [ORC 121.22 (G)(3)]**. 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.**

Issue 1 Committee: Mr. Gentile reported that the Issue 1 Committee met this evening and is recommending the submission of the following two projects:

1. Bennett Road Repaving and Storm Sewers (from SR 82 to Akins Road)
2. Akins Road Repaving (from Edgerton Road to Bennett Road)

LEGISLATION**THIRD READING CONSIDERATION:**

No Action: 05-187, 07-73, 07-107, 08-111, 08-112.

ORDINANCE 07-102

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, CHAPTER 1492 CONTROLLING RIPARIAN SETBACKS AND WETLANDS SETBACKS, SECTION 1492.11, VARIANCES WITHIN RIPARIAN SETBACK AND WETLAND SETBACK BY AMENDING PARAGRAPH (f) AND CREATING A NEW PARAGRAPH (h), AND DECLARING AN EMERGENCY. Title read.

The Director of Legislative services read the following proposed amendments to Section 2 as recommended by the Planning Commission:

- (h) (4) Mitigation or riparian and wetland setback losses shall consist of a minimum of ~~450%~~ **100%** of the area disturbed by the variance granted.
- (5) Mitigation of actual wetland losses shall be at the rate of ~~450%~~ **100%** of the area lost by the variance granted.

Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **amend Ordinance 07-102 as read**. 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 07-102 as amended**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

FIRST READING CONSIDERATION**ORDINANCE 08-145**

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF BEST EQUIPMENT FOR THE LEASE-PURCHASE OF TWO (2) 25 CUBIC YARD HIGH COMPACTION REAR LOADING BODY'S MOUNTED ON TWO (2) DUAL DRIVE, CAB-OVER, LOW-ENTRY CAB AND CHASSIS IN THE AMOUNT OF \$373,580.00 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 General Fund #1

Moved by Mr. Kasaris, 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 08-145**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

ORDINANCE 08-146

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE ACCEPTING THE BID OF CAMINO CONSTRUCTION FOR THE CONSTRUCTION OF THE GREGORY LANE DRAINAGE IMPROVEMENT PROJECT IN THE CITY OF NORTH ROYALTON IN THE AMOUNT OF \$216,435.50 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. 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. Petrusky to **adopt Ordinance 08-146.**

Mr. Gentile commended the Mayor for getting this project started.

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 the Council Meeting in to Executive Session to discuss disputes involving the public body that are the subject of pending or imminent court action [ORC 121.22 (G)(3)].** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

Council Meeting recessed at 8:11 p.m.

EXECUTIVE SESSION

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, Wastewater Supt. Timothy Tigue.

Executive Session called to order at 8:17 p.m.

- Matters of pending or imminent litigation discussed. [ORC 121.22 (G)(3)]

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

Executive Session adjourned at 8:58 p.m.

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

Council meeting reconvened at 8:58 p.m.

There was no further business pending before Council.

ADJOURNMENT

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

Meeting adjourned at 8:59 p.m.

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

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