

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **October 7, 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, Building Commissioner Rito Alvarez, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Fire Chief Michael Fabish, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **October 7, 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 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, Building Commissioner Rito Alvarez, Wastewater Supt. Timothy Tigue, City Engineer Mark Schmitzer, Fire Chief Michael Fabish, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

ABSENT: Police Chief Paul Bican, Service Director Kris Kamps.

CONSENT AGENDA:

- a. Approval of minutes: September 16 and 30, 2008.
- b. Legislation:

FIRST READING CONSIDERATION

RESOLUTION 08-195

Introduced by: Gentile, Nickell Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION IN SUPPORT OF THE CUYAHOGA COUNTY PUBLIC LIBRARY ISSUE 127.** Title read.

RESOLUTION 08-196

Introduced by: McKee, Petrusky, Gentile. **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-197

Introduced by: Gentile, McKee, Willey. **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PROVIDING FOR THE PUBLICATION OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-198

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TIMOTHY FINN, OWNER OF REAL ESTATE LOCATED AT 4741 BUNKER ROAD, PPN 489-16-039 FOR THE INSTALLATION, OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF A SANITARY SEWER CHECK VALVE LOCATED ON SAID PARCEL, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 08-199

Introduced by: Mayor Stefanik. **A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF JOSEPH KAPITAN AS A MEMBER OF THE CITY OF NORTH ROYALTON'S ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 08-200

Introduced by: Mayor Stefanik. **A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF ANTHONY L. SANDORA AS A MEMBER OF THE CITY OF NORTH ROYALTON'S PLANNING COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 08-201

Introduced by: Gentile, Nickell Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MICHAEL LEWIS TO THE POSITION OF FIREFIGHTER/PARAMEDIC FOR THE CITY OF NORTH ROYALTON FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

RESOLUTION 08-202

Introduced by: Gentile, Nickell Petrusky, Willey, McKee, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOSEPH WILKES TO THE POSITION OF FIREFIGHTER/PARAMEDIC FOR THE CITY OF NORTH ROYALTON FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 08-203

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF BRUCE G. CAMPBELL TO SERVE AS DIRECTOR OF PUBLIC SAFETY 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. Petrusky 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. Kasaris, seconded by Mr. Willey to **hold an Executive Session immediately following the regular order of business to discuss the purchase of property for public purposes.** 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.***

Streets Committee – Mr. Nickell reported that the two new rubbish trucks have arrived and should be out on the road in the next few weeks.

PUBLIC DISCUSSION

Paul Marnecheck, 18311 Oakbrook Drive, North Royalton, Ohio urged Council to adopt Resolution 08-195 which supports Issue 127 for the county library system.

LEGISLATION

THIRD READING CONSIDERATION: No Action: 05-187, 07-73, 08-112.

ORDINANCE 07-107

AN ORDINANCE LEVYING AN ADDITIONAL SPECIAL ASSESSMENT FOR THE IMPROVEMENT OF YORK-DELTA DRIVE IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.

Moved by Mr. Willey, seconded by Mr. Kasaris **to suspend Council Rule XIX requiring action within one year until such time as the Law Department advises that action can be taken on this legislation.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

FIRST READING CONSIDERATION (08-195 through 08-203 adopted under the approval of the Consent Agenda.)

ORDINANCE 08-204

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) 2005 WORKHORSE BOX VAN FOR THE STORM WATER DIVISION OF THE SERVICE DEPARTMENT FROM WHITESIDE CHEVROLET FOR AN AMOUNT NOT TO EXCEED \$24,999.00, 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 Sewer and 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: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky **to adopt Ordinance 08-204.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-205

Introduced by: Mayor Stefanik. **AN ORDINANCE ACCEPTING THE BID OF MR. EXCAVATOR, INC. FOR THE YORK ROAD FIELDS EXPANSION PHASE I IN THE AMOUNT OF \$225,322 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 Recreation Capital Improvement Fund #31.

Moved by Mr. Kasaris, 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. Petrusky **to adopt Ordinance 08-205.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 08-206

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 08-30 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008, AS AMENDED BY ORDINANCE 08-83, 08-106, 08-155 AND 08-178 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, 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: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt Ordinance 08-206.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

MISCELLANEOUS

Mr. Willey provided the students in the audience with a brief overview of Council meeting procedures.

RECESS

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

Council meeting recessed at 8:10 p.m.

EXECUTIVE SESSION

Executive Session called to order at 8:15 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, Recreation Director Ed Swim.

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

Moved by Mr. Willey, 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 8:25 p.m.

Moved by Mr. Willey, seconded by Mr. Kasaris to **reconvene the October 7, 2008, City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Council meeting reconvened at 8:25 p.m.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **authorize the Law Department to negotiate for the purchase of property at the location and price as discussed in Executive Session.** 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. Willey, seconded by Mr. Kasaris to **adjourn the October 7, 2008, City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, McKee, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Meeting adjourned at 8:27 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: October 21, 2008
PRESIDENT OF COUNCIL

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