

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **December 16, 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, Council Office Assistant Dana Weiss; 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, Police Chief Paul Bican, Safety Director Bruce Campbell, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey, Human Services Coordinator Pat Jones.

Agenda reviewed.

Mr. Gentile announced that he is again asking permission to abstain from voting on legislation involving Cutter Oil due to a potential business agreement with Cutter Oil Company. Mr. Kelly said that the amendments proposed to this agreement as discussed in the Utilities Committee are acceptable to Cutter Oil.

It was agreed to add Ordinance 08-231 pertaining to a new health insurance carrier to this evening's agenda. Human Services Coordinator Pat Jones explained that United Health Care's proposal presented a 39.24% increase over last year, whereas Aetna's proposal presented a 14.3% increase.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **December 16, 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, Larry Antoskiewicz, Dan Kasaris, Legislative Services Director Laura Haller, Council Office Assistant Dana Weiss.

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

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, Police Chief Paul Bican, Safety Director Bruce Campbell, Service Director Kris Kamps, Recreation Director Ed Swim, Office on Aging Director Judith Willey.

ABSENT: Fire Chief Michael Fabish.

CONSENT AGENDA

- a. Approval of minutes: December 2, 2008.
- b. Authorize the Mayor and Service Director to advertise for bids for the 2009 Road Maintenance Program.
- c. Legislation:

ORDINANCE 08-227

Introduced by: Mayor Stefanik. **A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LAURA TWORZYDLO TO FILL THE UNEXPIRED TERM OF RAYMOND PRIEST AS THE ALTERNATE MEMBER OF THE CITY OF NORTH ROYALTON'S ARCHITECTURAL REVIEW BOARD, 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. Kasaris 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.** (Absent: McKee). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Willey to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Director of the Office on Aging Judith Willey thanked Council and the community for their assistance and donations for the Christmas food basket program. The Christmas food basket distribution will be held on December 20, 2008.

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 matters of pending or imminent litigation [ORC 121.22 (G)(3)]. and to consider the purchase of property for public purposes [ORC 121.22(G)(3)].** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **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 08-231 to this evening's agenda.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: 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.**

LEGISLATION

THIRD READING CONSIDERATION: No Action: 07-107.

- Mr. Gentile announced that **sponsorship to Ordinance 05-187 had been withdrawn by Mayor Stefanik.**

SECOND READING CONSIDERATION**ORDINANCE 08-223**

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OIL AND GAS LEASE AGREEMENT WITH CUTTER OIL COMPANY FOR THE LEASE OF CERTAIN CITY OWNED REAL ESTATE, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Kasaris, seconded by Mr. Willey to **permit Mr. Gentile to abstain from voting on this legislation.**

Mr. Gentile stated that his reason for abstaining from this vote is due to a potential business agreement with Cutter Oil Company.

Roll Call: Yeas: **Five** (Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Abstain: Gentile). (Absent: McKee). **Motion carried.**

Moved by Mr. Petrusky, seconded by Mr. Kasaris to **remove Ordinance 08-223 from the Utilities Committee.** **Roll Call:** Yeas: **Five** (Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Abstain: Gentile). (Absent: McKee). **Motion carried.**

Moved by Mr. Willey, seconded by Mr. Kasaris to **amend Ordinance 08-223 by replacing the original Exhibit A with the final version of Exhibit A.** **Roll Call:** Yeas: **Five** (Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Abstain: Gentile). (Absent: McKee). **Motion carried.**

It was determined that since Mr. Gentile is abstaining from voting on all issues relating to this legislation, there are insufficient votes to allow for the suspension of the 3 reading rule (3/4 or 6 votes are required.)

Placed on third reading.

FIRST READING CONSIDERATION

ORDINANCE 08-228

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, 08-178, 08-206, 08-210 AND 08-224 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, 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**. (Absent: McKee). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-228.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Absent: McKee). **Motion carried.**

ORDINANCE 08-229

Introduced by: Gentile, McKee, Willey. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL BY AMENDING RULE 1A, 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**. (Absent: McKee). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Kasaris to **adopt Ordinance 08-229.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Absent: McKee). **Motion carried.**

ORDINANCE 08-230

Introduced by: Gentile, McKee, Willey. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 212 PUBLIC MEETINGS, SECTION 212.04 NOTICE OF MEETINGS, PARAGRAPH (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**. (Absent: McKee). **Motion carried.** Moved by Mr. Willey, seconded by Mr. Kasaris to **adopt Ordinance 08-230.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None**. (Absent: McKee). **Motion carried.**

ORDINANCE 08-231

Introduced by: Mayor Stefanik. **AN ORDINANCE ACCEPTING THE PROPOSAL OF AETNA TO PROVIDE A COMPREHENSIVE GROUP MEDICAL HEALTH CARE BENEFIT PLAN FOR ELIGIBLE EMPLOYEES OF THE CITY, 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.** (Absent: McKee). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **adopt Ordinance 08-231.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

MISCELLANEOUS

Mr. Willey announced that Mr. McKee's absence this evening is due to the fact that his wife gave birth to a daughter, Alicia Noel, early this morning. He offered congratulations and wishes of good health to the McKee family.

Mr. Nickell said that it has been one year since he took office and wished to thank his colleagues on Council, the Mayor and the Legislative Director. He said that we had a very good year; a lot of things were accomplished. We have a wide variety of opinions and ideology that invite discussion, but we conducted these discussions professionally and came to agreements. Mr. Nickell said that it has been a very positive experience for him and thanked everyone involved.

Mr. Gentile said that he too wished to thank Council; it has been a pleasure and an honor serving as President of Council.

Moved by Mr. Willey, seconded by Mr. Kasaris to **recess into an Executive Session to discuss matters of pending or imminent litigation [ORC 121.22 (G)(3)]. and consider the purchase of property for public purposes [ORC 121.22(G)(3)]**

Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

Council meeting recessed at 8:15 p.m.

EXECUTIVE SESSION

Executive Session called to order at 8:20 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, Council Office Assistant Dana Weiss, Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Finance Director Karen Fegan, Recreation Director Ed Swim, Community Development Director Thomas Jordan.

- Matters of pending or imminent litigation [ORC 121.22 (G)(3)] and the purchase of property for public purposes were discussed. [ORC 121.22(G)(3)]

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

Executive Session adjourned at 8:41 p.m.

Moved by Mr. Willey, seconded by Mr. Kasaris to **reconvene the December 16, 2008, City Council Meeting.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

Council meeting reconvened at 8:41 p.m.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **authorize the Mayor and Law Director to proceed with the purchase of property as discussed in Executive Session for the amount agreed to in Executive Session.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

Moved by Mr. Gentile, seconded by Mr. Petrusky to **authorize the Mayor and Law Director to settle a Worker's Compensation Case as discussed in Executive Session for the amount agreed to in Executive Session.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

There was no further business before Council.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the December 16, 2008, City Council Meeting.** Roll Call: Yeas: **Six** (Gentile, Nickell, Petrusky, Willey, Antoskiewicz, Kasaris). Nays: **None.** (Absent: McKee). **Motion carried.**

Council Meeting adjourned at 8:43 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: January 6, 2008
PRESIDENT OF COUNCIL

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