

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **April 21, 2009, at 7:30 p.m.**

PRESENT: President of Council Vincent Gentile, Council Representatives John Nickell, Gary Petrusky, Don Willey, Mike Farrell, 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, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Office on Aging Director Judith Willey, Recreation Director Ed Swim.

Agenda reviewed.

It was reported that the Building & Building Codes Committee recommended approval at their meeting last evening of proposed Ordinances 09-45, 09-49, and 09-50.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 21, 2009, in regular session.** The meeting was called to order at 8:00 p.m. by President of Council Vincent Gentile and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Vincent Gentile, Council Representatives John Nickell, Gary Petrusky, Don Willey, Mike Farrell, 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, Police Chief Paul Bican, Fire Chief Michael Fabish, Service Director Kris Kamps, Office on Aging Director Judith Willey, Recreation Director Ed Swim.

ABSENT: Safety Director Bruce Campbell.

CONSENT AGENDA

- a. Approval of minutes: April 7, 2009
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a transfer permit for One Stop Sunoco, 13946 State Road.
- c. Legislation:

RESOLUTION 09-48

Introduced by: Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris, Mayor Stefanik.
A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF ROBERT J. JANKOVSKY. 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: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Farrell to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT: No report.

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

SECOND READING CONSIDERATION

ORDINANCE 09-45

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO TODD HUNTINGTON, GPD ASSOCIATES FOR A DRIVE-THRU WINDOW FOR A TACO BELL RESTAURANT TO BE LOCATED AT 6447 ROYALTON ROAD, PPN 487-05-009, TCD-1 ZONING, PROPERTY OWNER CHARLES A. ABOOKIRE, 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, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Farrell **to adopt Ordinance 09-45.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

FIRST READING CONSIDERATION

RESOLUTION 09-49

Introduced by: Willey, Farrell, Antoskiewicz. **A RESOLUTION APPROVING THE APPLICATION OF CHARLES AND DAVID MULLER FOR PLACEMENT OF FARM LAND IN AN AGRICULTURAL DISTRICT, 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, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky **to adopt Ordinance 09-49.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

RESOLUTION 09-50

Introduced by: Willey, Farrell, Antoskiewicz. **A RESOLUTION APPROVING THE APPLICATION OF CHARLES AND JANET MULLER FOR PLACEMENT OF FARM LAND IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY.** Title read.

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, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Farrell **to adopt Ordinance 09-50.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

ORDINANCE 09-51

Introduced by: Nickell, Antoskiewicz, Gentile. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$350,000 AGGREGATE PRINCIPAL AMOUNT OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING AND RECONSTRUCTING IMPROVEMENTS TO AKINS ROAD, GLENWILLOW DRIVE AND MARTIN DRIVE, INCLUDING GRADING, DRAINING, PAVING AND OTHER RELATED IMPROVEMENTS, 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 Ordinance 09-51 and is on file in the Council Office.

Moved by Mr. Kasaris, seconded by Mr. Farrell. to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 09-51**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 09-52

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 09-17 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2009, BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, 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: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 09-52**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 09-53

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE CITY OF NORTH ROYALTON TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA), STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED, 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, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 09-53**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 09-54

Introduced by: Gentile, Nickell, Petrusky, Farrell, Kasaris. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE VII COMMITTEES BY CREATING A NEW PARAGRAPH (h) ENTITLED EARTH AND ENVIRONMENT, AND DECLARING AN EMERGENCY**. Title read.

Moved by Mr. Kasaris, seconded by Mr. Farrell to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Five** (Gentile, Nickell, Petrusky, Farrell, Kasaris). Nays: **Two** (Willey, Antoskiewicz). **Motion defeated**. (*3/4 [6] affirmative vote required for adoption*).

Placed on **second reading**.

ADJOURNMENT

Moved by Mr. Willey, seconded by Mr. Petrusky to **adjourn the April 21, 2009, City Council Meeting**. Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried**.

Meeting adjourned at 8:11 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: May 6, 2009
PRESIDENT OF COUNCIL

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