

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **November 4, 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, 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.

Mr. Nickell explained that since he is employed by the North Royalton School District, he is asking permission to abstain from voting on Ordinance 09-113 to avoid any appearance of impropriety.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **November 4, 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: October 20, 2009
  - b. 180 day extension final plat approval. Woodcroft Glen Phase 2.
- 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 **approve 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:**

Mr. Gentile reported that there will be a Ward 5-6 meeting on November 9, 2009 at 7:00 p.m.

#### **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 announced that the time for the next meeting has been moved to 6:00 p.m. in order to allow enough time to fully discuss the issues regarding cell phone use while driving.

**Streets Committee** – Mr. Nickell reported that the Service Department is hot patching on a daily basis weather permitting and said that the snow plows are ready for the upcoming winter season.

## LEGISLATION

### FIRST READING CONSIDERATION

#### RESOLUTION 09-110

Introduced by: Mayor Stefanik. **A RESOLUTION ASSENTING TO AMENDMENT NO. 1 TO THE DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR CRYSTAL CREEK SUBDIVISION AND ITS EXHIBITS E AND F, 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 09-110.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

#### ORDINANCE 09-111

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY PROVIDING HEALTH SERVICES FOR THE YEAR 2010, APPROPRIATING THE SUM OF \$105,998.00, 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 General Fund #1. These funds will be deducted by the County Auditor from the regular tax settlements of the City of North Royalton for the tax year 2009, collection year 2010.

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. Antoskiewicz to **adopt Ordinance 09-111.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

#### ORDINANCE 09-112

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING CHAPTER 880 EARNED INCOME TAX, SECTION 880.27 DISBURSEMENT OF FUNDS, OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, 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. Willey to **adopt Ordinance 09-112.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

#### ORDINANCE 09-113

Introduced by: Willey. **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO AT&T/JOHN SINDYLA, NORTH ROYALTON CITY SCHOOL DISTRICT, FOR THE INSTALLATION OF A MONOPOLE TOWER AND EQUIPMENT SHELTER WITHIN A FENCED COMPOUND TO BE LOCATED AT ALBION ELEMENTARY SCHOOL 9360 ALBION ROAD, PUBLIC FACILITY ZONING, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Willey, seconded by Mr. Farrell to **allow Mr. Nickell to abstain from voting on Ordinance 09-113.**

Mr. Nickell explained that this legislation will serve to benefit his employer and he therefore wishes to abstain from voting in order to avoid any appearance of impropriety.

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

Moved by Mr. Kasaris, seconded by Mr. Farrell to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Six** (Gentile, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None**. (Abstain: Nickell). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Farrell to **adopt Ordinance 09-113.**

Mr. Kasaris said that this application came before the BZA and he feels that this will be a good thing not only for the schools but for the residents who use this phone service. It will help to clear up some dead spots in North Royalton and Strongsville as well.

Mr. Willey stated that this request came before the Planning Commission as well and technically they did not have to come to the city for approval, but we appreciate the fact that they submitted their plans for our consideration.

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

#### **ORDINANCE 09-114**

Introduced by: Kasaris, Petrusky, Nickell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 476 SNOWMOBILES AND ALL-PURPOSE VEHICLES, SECTION 476.045 ENTITLED OPERATION OF ALL-PURPOSE VEHICLES ON PRIVATE PROPERTY, 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. Petrusky to **adopt Ordinance 09-114.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

#### **MISCELLANEOUS**

For the benefit of those in the audience, Mr. Willey provided an overview of the Council Committee and Council Meeting process.

#### **ADJOURNMENT**

Moved by Mr. Antoskiewicz, seconded by Mr. Petrusky to **adjourn the November 4, 2009 City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None**. **Motion carried.**

**Meeting adjourned at 8:10 p.m.**

APPROVED /s/ Vincent A. Gentile DATE APPROVED: November 17, 2009  
PRESIDENT OF COUNCIL

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