

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **November 17, 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.

Mrs. Haller advised that she is removing Ordinance 09-118 from the Consent Agenda due to the fact that the easement has not yet been received. This legislation will be handled in its normal sequence under the regular order of business and will be placed on second reading.

Mr. Kasaris reported that the Safety Committee met this evening and recommended placing proposed Ordinance 09-121 on this evening's Council agenda in order to receive its first reading. Mrs. Haller explained that it will be necessary to suspend the 24 hour posting rule.

Mrs. Haller reported that the Law Department has requested an Executive Session to discuss the purchase of property and matters of pending litigation.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **November 17, 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, Safety Director Bruce Campbell.

CONSENT AGENDA

- a. Approval of minutes: November 4, 2009
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a C1, C2, and D6 transfer permit for Romano's Farmers Market Inc., 8875 Ridge Road.
- c. Legislation:

RESOLUTION 09-115

Introduced by: Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris, Mayor Stefanik.
A RESOLUTION OFFERING A PICK UP FOR THE VOLUNTARY PURCHASE OF SERVICE CREDIT, AS PROVIDED FOR IN SECTION 742.56 OF THE OHIO REVISED CODE AND 742-5-08 OF THE OHIO ADMINISTRATIVE CODE, FOR PARTICIPATING EMPLOYEES OF THE CITY OF NORTH ROYALTON FIRE DEPARTMENT WHO ARE MEMBERS OF THE OP&F, AND DECLARING AN EMERGENCY. Title read.

RESOLUTION 09-116

Introduced by: Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris, Mayor Stefanik. **A RESOLUTION OFFERING A PICK UP FOR THE VOLUNTARY PURCHASE OF SERVICE CREDIT, AS PROVIDED FOR IN SECTION 742.56 OF THE OHIO REVISED CODE AND 742-5-08 OF THE OHIO ADMINISTRATIVE CODE, FOR PARTICIPATING EMPLOYEES OF THE CITY OF NORTH ROYALTON POLICE DEPARTMENT WHO ARE MEMBERS OF THE OP&F, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 09-117

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.

- 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. Kasaris, seconded by Mr. Petrusky 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. Willey, seconded by Mr. Kasaris 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:

Mayor Stefanik thanked Mr. Farrell for stepping up to the plate when there was a vacancy in Ward 4 and serving out the remainder of Kurt McKee's term. He said that Mr. Farrell jumped right in and did a great job for the city. Mayor Stefanik said he hopes Mr. Farrell stays involved in the community and maybe even serve the city on a board or commission sometime in the future.

DEPARTMENT HEAD REPORTS:

Office on Aging Director Judith Willey reported that the Thanksgiving food drive will be on November 21, 2009 from 9:00-11:00 a.m., and they estimate they will be providing food for 116 families. The Christmas food drive will be held on December 19, 2009.

PRESIDENT OF COUNCIL'S REPORT:

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 09-121 to this evening's agenda.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

Moved by Mr. Kasaris seconded by Mr. Willey 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)] and consider the purchase of property for public purposes [ORC 121.22(G)(3)].** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None.** **Motion carried.**

Mr. Gentile thanked Mr. Farrell for serving on Council. He said it has been a pleasure to serve with him. Mr. Gentile said that he has learned a lot from Mr. Farrell over the past 11 months.

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 reported that the Safety Committee met this evening and voted to place Ordinance 09-121 dealing with cell phones and texting on this evenings agenda.

LEGISLATION

FIRST READING CONSIDERATION

ORDINANCE 09-118

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE ACCEPTING AN EASEMENT FOR THE 20 FOOT EXTENSION OF A STORM SEWER AT 9400 CHESAPEAKE DRIVE OWNED BY CARMELO AND ANGELA CARIO, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

ORDINANCE 09-119

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, BY CREATING NEW CHAPTERS 1040, 1041, 1042, 1043, 1044, 1045, 1046, AND 1047 AND REPEALING EXISTING CHAPTERS 1040 AND 1045, AND RENUMBERING CHAPTER 1046 TO 1052, 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 09-119.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 09-120

Introduced by: Petrusky, Willey, Kasaris. **AN ORDINANCE ACCEPTING THE BID OF AND AUTHORIZING A CONTRACT WITH KEMIRA WATER SOLUTIONS, INC. FOR FERROUS CHLORIDE FOR THE NORTH ROYALTON WASTEWATER DEPARTMENT AS THE LOWEST AND BEST BID, 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. Antoskiewicz **to adopt Ordinance 09-120.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 09-121

Introduced by: Kasaris, Petrusky, Nickell, Gentile, Farrell. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, CHAPTER 434 OVI/RECKLESS OPERATION/SPEED, BY CREATING A NEW SECTION 434.026 TEXTING OR TYPING ON MOBILE COMMUNICATION DEVICES DRIVING PROHIBITED, HAND HELD WIRELESS TELEPHONE, MINORS PROHIBITED, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading.**

MISCELLANEOUS

Mr. Willey, Mr. Kasaris, Mr. Antoskiewicz, Mr. Nickell, and Mrs. Haller all thanked Mr. Farrell for his service on Council, for stepping in to fill the vacancy in Ward 4, and for doing a great job for his residents.

Mr. Willey offered condolences to the family and friends of Joe Hartman. Joe was a long time valued employee of the city and he will be missed.

Mr. Farrell said that it has been a very interesting year. He thanked all of the Department Heads for their help and willingness to step up when needed. Mr. Farrell also thanked Council. He said he is proud of what has been accomplished this year and confident that his successor will continue this path.

EXECUTIVE SESSION

Moved by Mr. Farrell, seconded by Mr. Willey to **recess into an Executive Session to discuss disputes involving the public body that are the subject of pending or imminent court action; [ORC 121.22 (G)(3)] and consider the purchase of property for public purposes [ORC 121.22(G)(3)].** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Council meeting recessed at 8:15 p.m.

EXECUTIVE SESSION

Executive Session called to order at 8:21 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, Ward 4 Councilman-elect Paul Marnecheck.

- Matters of disputes involving the public body that are the subject of pending or imminent court action were discussed. [ORC 121.22 (G)(3)]
- The purchase of property for public purposes was discussed. [ORC 121.22(G)(3)]

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

Executive Session adjourned at 8:41 p.m.

Moved by Mr. Gentile, seconded by Mr. Petrusky to **reconvene the November 17 ,2009 City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Council meeting reconvened at 8:41 p.m.

There was no further business pending before Council.

ADJOURNMENT

Moved by Mr. Gentile, seconded by Mr. Antoskiewicz to **adjourn the November 17, 2009 City Council Meeting.** Roll Call: Yeas: **Seven** (Gentile, Nickell, Petrusky, Willey, Farrell, Antoskiewicz, Kasaris). Nays: **None. Motion carried.**

Meeting adjourned at 8:42 p.m.

APPROVED /s/ Vincent A. Gentile DATE APPROVED: December 1, 2009
PRESIDENT OF COUNCIL

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