

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 14, 2013 to hold a Public Meeting**. The meeting was called to order at 6:00 p.m. by President of Council Larry Antoskiewicz and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller. **Administration:** Mayor Robert A. Stefanik, Law Director Thomas Kelly.

ABSENT: John Nickell

MEETING ITEMS:

- **Cutter Oil Company has proposed a non-drill oil and gas lease agreement with the City of North Royalton for land owned by the city, specifically a portion of Saturn Drive, Jupiter Drive, Royalwood Road, and Athena Drive, North Royalton, Ohio, containing approximately 7.604 acres. The city is considering entering into this oil/gas lease agreement (Ordinance 13-54).**
- Notice of this Public Meeting was mailed and posted as required by law.

COMMENTS FROM ADMINISTRATION AND COUNCIL:

Mr. Antoskiewicz reviewed the rules of conduct for the meeting this evening.

Mr. Antoskiewicz said that the city met with the Technical Advisory Council (TAC) in Columbus this morning. Based on the city's argument of due process the TAC, as well as Mr. Cutter, agreed to table the hearing until the next meeting on Tuesday, August 13, 2013. This hearing will only occur if Council decides against Ordinance 13-54.

Mr. Kasaris said this hearing was created by the State Legislature to afford residents the opportunity to be heard. He encouraged all residents wishing to speak to do so and make your voices heard. Mr. Kasaris said that what happened in Columbus today was the right thing. You can't have a decision to force pool a city without having what we are having here tonight.

PUBLIC COMMENTS:

The following residents addressed Council and **expressed their opposition to this well**, citing such reasons as health, safety and welfare, reduced property values, lower than promised royalty checks, lack of response from oil driller to problems, noise from oil trucks and damages to the roads from same:

Ivan Hack/Donmar Road, Edward Sabo/Royal Valley Drive, Peter Maizitis/ Silverleaf Drive, Irene Maizitis/Silverleaf Drive, Patty Simmons/Forestwood Lane, Fred Schriever/Foxwood Drive, Larry Crowl/Mercury Drive, Sue Schriever/Foxwood Drive, Julie Prock/Titan Drive, Brian Stopar/Royalwood Road, Shirley Schewzow/Athena Drive.

Mr. Kelly explained that state laws prevail as to oil and gas drilling even if they are against whatever ordinances we might conceive of or might already have on the books. Any municipality including charter municipalities are but an arm of the sovereign and the state is sovereign in government. We must bow to state law when the state makes a determination that it will preempt any local rule, regulation, ordinance, resolution or custom. In this instance the State of Ohio has determined through the legislature that oil and gas drilling will be held to a uniform state wide standard governed by the ODNR. So to a very large extent, no local regulation may interfere with that experience.

Mr. Kelly said in order for the law to change the state legislature would have to modify the current laws on the books and that is highly improbable largely due to the fact that Ohio is still a rural agricultural state and much of the support for oil and gas drilling comes from the state reps and senators south of Rt. 18. So even if our representatives were to make a great effort, it is not all together likely that they would be successful. The public policy of this state is to drill, drill, drill and they plainly do not care how it effects people in urbanized areas.

Mayor Stefanik thanked everyone for coming out this evening and was happy to see how focused the crowd is with the issue at hand. He also thanked the Law Department for presenting an excellent case in Columbus today.

Mayor Stefanik said that this boils down to two simple facts. It's the safety concerns of drilling in North Royalton and it's our property values, which we have all seen go down in the areas where wells are located. In 2008 the ODNR told us this was safe and we had nothing to worry about. Fast forward to 2013 and we have gone through several huge oil issues, including one at an elementary school. Knowing what we know now, everyone agrees that this is not for our community and we don't want it here. Mayor Stefanik said that he does not like the way Cutter Oil does business in North Royalton.

We are an urban community and we need to get on the legislators' backs on this issue, and he said he thinks Mike Dovilla is in our corner and he thinks Tom Patton is now in our corner as well. Mayor Stefanik encouraged residents to keep up the good fight, talk to neighbors and friends and to remember that the easiest way to stop this from spreading throughout the city is to say no to the drillers and their leases. If they keep pestering you, let us know and we will take your complaint.

Mr. Langshaw entered several documents into the record that he said sums up Cutter Oil's actions and why we are here today:

- A copy of an affidavit by Cutter Oil's attorney dated April 4, 2013;
 - A copy of Cutter Oil's letter to the city dated April 3, 2013 threatening to mandatory pool the city;
 - A copy of Cutter Oil's permit to mandatory pool the City of North Royalton dated April 5, 2013;
 - A copy of the North Royalton Post article dated May 2, 2013.
- (These documents are on file in the Council Office)

Mr. Langshaw said that Cutter Oil acts like a bully. He is glad that the Mayor, Council President and Law Director went to Columbus and fought hard for us. He said it was unfortunate that Cutter Oil did not speak today. We don't appreciate bullies in this city and will not tolerate it when it comes to our safety, environment and our rights of due process and to live freely. Mr. Langshaw said that he is opposed to this lease and will vote no and urged Council to send a unanimous message. He agreed that we need to keep the pressure on our state law makers regarding this issue and urged them to come and talk to us about urbanized drilling.

Mr. Kasaris urged everyone in the room to contact their state representatives about this matter.

Mr. Marnecheck thanked the Law Department for their efforts on this matter and the education they have provided to Council. Mr. Marnecheck said that if residents are approached about an oil well, they should get an attorney and educate themselves on this matter. He will be opposing this well.

Mr. Antoskiewicz said that the city has learned from experience that these wells are not what they appear to be and said that no one he has ever talked to that signed one of these leases said they would do it again. We cannot undo what has been done, all we can do is move forward with the knowledge we now have.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the Public Meeting**. Roll Call: Yeas: **Six** (Antoskiewicz, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. (Absent: Nickell). **Motion carried.**

Meeting adjourned at 6:44 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: June 18, 2013
PRESIDENT OF COUNCIL

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