

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **February 4, 2014, at 7:15 p.m.**

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller. **Administration:** Mayor Robert A. Stefanik, Law Director Thomas Kelly, Finance Director Eric Dean, Community Development Director Thomas Jordan, Police Chief John Elek, Fire Chief Robert Chegan, Safety Director Bruce Campbell.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **February 4, 2014 in regular session.** The meeting was called to order at **7:30 p.m.** by President of Council Larry Antoskiewicz and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller. **Administration:** Mayor Robert A. Stefanik, Law Director Thomas Kelly, Finance Director Eric Dean, Community Development Director Thomas Jordan, Police Chief John Elek, Fire Chief Robert Chegan, Safety Director Bruce Campbell.

CONSENT AGENDA

- a. Approval of Minutes: January 21, 2014.
 - b. Authorize the Mayor and Service Director to advertise for bids for Road Supplies for 2014.
- 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 adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT:

Mayor Stefanik reported that we are ready for any future storms and currently our salt barn is full to capacity with more on order.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL REPORT: No report.

COMMITTEE REPORTS:

All Committees, Boards, and Commissions announced the dates and times of their next regularly scheduled meetings and reviewed items currently on their agendas. 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.**

PUBLIC DISCUSSION

Jacci Fiser, 5143 Autumn Wood, Brunswick, Ohio addressed Council regarding the dispatchers. She said she is one of the dispatchers that is losing their job. She said they all knew that regionalization was coming, but they thought the projected date was 2015. She said that this was thrown to them a lot earlier than they thought it was going to happen. Her issue personally was how this whole matter took place. She said they learned that this was happening in March by a press release that was thrown in the dispatch office on a Friday afternoon. There was no follow up to it, it was just left for us on a counter to read. She asked why there wasn't a meeting called to explain what is going on; why did they have to learn about it like that? This is her big issue with this. Now that this has all had time to settle in, no one is going to fight against this, but it was a heartless way to do it and that is what makes it such a difficult situation for her personally.

Marie Stolarski, 1972 Mattingly Road, Hinckley Ohio also addressed Council regarding the dispatchers. She said that she is also one of the dispatchers who is losing their job. She said that the administration should be ashamed of themselves for the way they handled this. Nobody came to talk to us and we have a Police Chief and a Safety Director in our building 3 offices away from us, as well as two lieutenants, but nobody came to talk to us. She said that there are a lot of young families in the dispatch office. We knew it was coming but were told in negotiations that it wasn't coming until December 2015. This was thrown at us with no time to react or research how to get health insurance or another full time job in two months. There was a meeting with the administration where the dispatchers were offered 160 hours of sick time or paid health insurance for two months if they agree to sign a contract that says they will not sue the city or hold anyone responsible for their release from employment. She said another stipulation was that they could not call in sick from the date of the meeting until the date of the turnover to Strongsville. If they did, they lost everything. She said this does not currently affect her because she is out on FMLA, but it affects her coworkers who are really upset about this. She said they asked questions and Mr. Kelly stood up and started yelling at one of the dispatchers. She said that she interrupted and then the Mayor told our union representative to take them down the hall. She said that they were told that everything had to go through Council and that the administration would have a hard time getting the 160 hours or the 2 months passed through Council. She said that they were told that if this deal was brought to Council that they would probably say no, but the administration was going to give it a fighting chance for the dispatchers. She said that the dispatchers countered with 3 months pay, 3 months sick leave. The administration said absolutely not, you are done, get out. Ms. Stolarski asked if it was true that the administration would have to come to Council to beg for them to pass something for employees who have worked with the city for 15, 22, 24 years? She said she knows that this is wrong, she knows that it's the administration manipulating. She reiterated that she felt it was handled incorrectly and that the administration should have come to Council to ask what they were willing to give to the dispatchers that have given so much to this community.

Dale Germano, 5631 Goodman Drive addressed Council regarding the dispatchers. He said that he is the Information Services Manager for the City of Stow. He said that they did this 6 years ago. He understands the need to consolidate dispatch centers. Small dispatch centers cannot afford the technology and staffing that is needed to run a dispatch center well. He said they merged with Tallmadge, Mogador and Randolph Township, whose combined populations are less than what Strongsville and North Royalton have. He said that 6 years later, they are still paying for the technology. He said if they are lucky it will still be operational when they make the final payment. He agrees that this is a good move for the city to do in order to share expenses. He said that what he is hearing is a bit disturbing because technology is only part of the issue. The dispatchers who run that technology are a huge part. He said that a dispatchers' familiarity with the area is vital in assisting people who are not familiar with the area. He said they are also familiar with the voices of the police and fire fighters they are talking to, which makes communication smoother. He said that the proposal from Cuyahoga County to get down to 4 dispatch centers for the entire county is ridiculous. With that big of a center, they are not going to know anything about North Royalton and they are not going to care if North Royalton is happy with the service or not because we will not be a big enough member of the center to matter. He said that it is not a simple transition between the two departments and doesn't think we should lose the knowledge of our dispatchers because it is important to the residents.

Ms. Stolarski interjected that Strongsville has not been designated by the county as a regional dispatch center. So moving everything over there now may mean that a year from now, it may all have to be moved somewhere else.

Mayor Stefanik suggested that Mr. Germano set up an appointment with our Safety Director to tour the Strongsville dispatch center to see what type of operation and technology they have. We believe it to be state of the art technology. Strongsville has done a fine job in preparing for this situation.

Mayor Stefanik said that there will be at least one dispatcher at all times at the Strongsville center designated for North Royalton. Within the agreement that was crafted, we got the assurances that our employees would have the first chance at four positions in Strongsville. He said that he believes 7 or possibly all 8 of our current dispatchers have applied for those positions. They would be brought in at a mid to top level of pay. Strongsville understands how important this experience is for North Royalton and they are taking that into consideration. Mayor Stefanik said the one person missing tonight is Mr. Kevin Powers, the union representative for the North Royalton dispatchers. The Mayor said that he has butted heads with Mr. Powers and told him that he needs to represent his members a lot better than he has done. He could have been a part of these discussions for the regionalization starting a year and a half ago. Mayor Stefanik said that Mr. Powers was begged to go to these meetings and he never showed up to one meeting that had anything to do with consolidating dispatch in Cuyahoga County. The Mayor felt that Mr. Powers does a disservice to the union by not representing the dispatchers.

Mayor Stefanik said that Strongsville will not hire any of our dispatchers unless the current union decertifies. They want to hire employees without the possibility of the union coming back and trying to claim those positions because they will now be a member of the FOP. Regarding the settlement, we did not have to offer the dispatchers anything. The Mayor felt that it would be the right thing to do. Two months of health care would really be a benefit while looking for another job. The hope is that 4 of the dispatchers will be hired by Strongsville and go over there with a clean slate without any baggage of having the old union hanging over them. This will help the case for being hired. By not accepting the fact that Strongsville will not hire anyone without that decertification, you are jeopardizing getting a position over there. Mayor Stefanik said that the reason the dispatchers were asked to step out of the room was so that we could caucus and try to give something in the way of severance knowing that we did not have to do anything. He said that Mr. Powers should be here tonight speaking on the dispatchers' behalf. We offered Mr. Powers a package to consider. He does not return phone calls. We asked Mr. Powers to schedule a meeting before we were going to let everyone know this was going to happen. Mr. Powers did not return phone calls, didn't think it was important enough to make time to meet with us before we told the dispatchers that we were working on this with Strongsville. Mayor Stefanik said that the dispatchers' problem lies with their union representation. He said that two of the dispatchers present tonight sat in on union negotiations a year and a half ago and they know that Mr. Powers was told this. One of those dispatchers even asked how they could be a part of those meetings. The Mayor said he told them that all they have to do is call him and he will make sure that you get a voice at the table. All the meetings were open to the public and the dispatchers were more than welcome.

Mayor Stefanik said that we have been told that we must do this by 2018. He said that right now we are getting what we believe to be the best deal for our community. We don't want to get thrown into a dispatch center a year from now where we don't have any say in how it is going to operate. We are setting up a board with Strongsville where we are going to have input on the dispatch center regarding future spending, etc. We wanted our residents to get the high level of dispatch service that has been provided for them for so many years. Mayor Stefanik said that we do appreciate the service we have been receiving. He feels the level of dispatch service we will be getting out of Strongsville will be even better than the level we have now.

Mr. Kelly addressed the issue. He said much of what has been brought to Council's attention this evening was the subject of some rather difficult and confidential negotiations between the bargaining unit and the administration. It is unfortunate that the members of the bargaining unit chose to negotiate in this forum, when in fact we thought we were making some reasonable effort to bargain with them as the law requires. Mr. Kelly said that the collective bargaining agreement between the dispatchers and the city has always provided that the administration has the right at any point to outsource, terminate or contract for the same services. So the decision to move in that direction, being forced by the pressures from the state and the county, brought the administration to the point where they began searching to find the right partnership to bring these services to the community in the way that makes the most sense. This most recent effort, which is the legislation before Council this evening, is the product of rather recent negotiations between the Chief, the Safety Director and the Strongsville representatives. It was Strongsville's insistence that we keep this under wraps until it was appropriate to bring it to everyone's attention. We made an effort to try to reach Mr. Powers and we made it very clear to him that we wanted a meeting with him the same morning that it was going to be publicly

announced so that the members of the unit would be in a position to know it before it became publicly exposed. He said they didn't want them to be the last to find out, we wanted them to be the first to find out. Mr. Kelly said that Mr. Powers would not make himself available for that meeting. The announcement was therefore made the way it was made. The issue of collective bargaining, based upon recommendations from our labor counsel, called for us to engage in a effort to negotiate with the unit over the effects, not the decision to change, of that decision in terms of the repercussions. We have tried to do that diligently. Mr. Kelly said that he suspects that there is a certain level of anger and resentment that often times clouds people's thought process. The Mayor and the administration in offering a plan for separation have gone as far as it can go and it is subject to Council's consideration and approval. So whatever offer is on the table, and it's still on the table, calls for a thoughtful reflection on the part of the union and their membership. Unfortunately we don't think that that is being given a fair opportunity. Nonetheless, if the union and its membership choose to reject what is on the table, we are not in any position to do anything about that. We would like to separate with a good feeling and with as good a send off as we can possibly give them, bearing in mind that we are dealing with taxpayers dollars which are not subject to be thrown around. Mr. Kelly said that the administration feels it has done every reasonable thing that can be done. Mr. Kelly said that we are not going to negotiate this in a public forum. This is a matter for confidential labor negotiations and that is where it should remain. Those negotiations are not over, so in terms of where we go from here, Strongsville has approved their legislation for this agreement last night, Strongsville's Civil Service Commission approved the proposal that their rules should be waived and set aside so as to give preference to 4 of our employees, which had they not done so the preferential language that we created and imposed into the terms of this agreement would not have been in play. Mr. Kelly said that right now, the agreement calls for preferential consideration for our people. Mr. Goss, Strongsville's Safety Director, has assured us that 4 of our dispatchers are likely to be hired. However at Strongsville's insistence, there is a provision in the agreement that the union decertify and allow the new hires to proceed without the potential baggage for further litigation or grievance proceedings. If this is not the case, then we will deal with what comes. He said that he wants Council to know that there was a considerable and reasonable offer made, but this is not the forum to negotiate.

Chief Elek said that due to the emotionally charged situation he knew that some animosity would be directed towards him. But as you all heard, there were certain protocols that the Law Department wanted them to follow. The information was passed on to dispatch in the manner that it was because we wanted to notify them in some way before they found through the media. Chief Elek said that he would be remiss if he did not plan towards the future and he thinks that this deal with Strongsville is a good deal for North Royalton. The IT support that is needed for this cannot be provided by our current department. We only have one IT employee, Strongsville has a whole department with a \$6 million budget. He feels that overall it will be a better service for our residents.

Mr. Campbell said that he can empathize with the dispatchers because all of us at one time or another have been in a position similar to downsizing or outsourcing. He said that he and the Chief talked with the staff in the dispatch center on that Friday morning and gave out the press release because it was going out on the agenda. He said he knew that probably very shortly after they left the room that everyone who works there was contacted. He said that he went in on the afternoon shift as well to speak with them. He said that by the time he spoke with the afternoon shift, a meeting had been scheduled for Tuesday. He said that this is coming down from the county and the state. We felt that we should be proactive to get ourselves in a position to have a state of the art dispatch center with a city that does not cut corners. It is a very impressive dispatch center and their IT services are second to none. He said that Strongsville's system will allow for the location of cell phone calls to show up on a map and will also allow for texting to 911. We wanted to position ourselves in what we felt was going to be the best for our residents as the most cost effective and efficient manner.

LEGISLATION

THIRD READING CONSIDERATION

ORDINANCE 13-152

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON BY AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES IN ORDER TO ELIMINATE THE ARCHITECTURAL REVIEW BOARD AND ASSIGN THOSE DUTIES TO OTHER BOARDS AND CITY OFFICIALS, AND DECLARING AN EMERGENCY.

Title read.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 13-152**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.**

SECOND READING CONSIDERATION

ORDINANCE 14-14

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF STRONGSVILLE, OHIO FOR PUBLIC SAFETY DISPATCH SERVICES, 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** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-14**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.**

FIRST READING CONSIDERATION

ORDINANCE 14-15

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT (CLEVELAND METROPARKS), 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 **Future Capital Improvement Fund #432**.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-15**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.**

ORDINANCE 14-16

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$3,000,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, RENOVATING, FURNISHING, AND EQUIPPING A NEW MUNICIPAL BUILDING, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO; APPROVING RELATED MATTERS, 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 this Ordinance and is on file in the Council Office.

Placed on **second reading**.

ORDINANCE 14-17

Introduced by: Mayor Stefanik, Langshaw. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1220 PLANNING COMMISSION, SECTION 1220.14 SECRETARY, PARAGRAPH (b), AND CHAPTER 1264 BOARD OF ZONING APPEALS, SECTION 1264.13 SECRETARY, PARAGRAPH (b), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Building & Building Codes Committee**.

ORDINANCE 14-18

Introduced by: Petrusky, Langshaw, Kasaris. **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) FORD F-550 UTILITY VEHICLE FOR THE NORTH ROYALTON WASTEWATER DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$101,369.00, 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** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-18**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**.

ORDINANCE 14-19

Introduced by: Mayor Stefanik, Langshaw. **AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 7, POLICE DEPARTMENT, 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** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-19**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**.

ORDINANCE 14-20

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AUTHORIZING THE TERMINATION/ELIMINATION AND TRANSFER OF THE POLICE DISPATCH FUNCTION TO THE CITY OF STRONGSVILLE AND THE RESULTING ABOLISHMENTS OF THE POSITIONS AND LAYOFF OF ALL NORTH ROYALTON DISPATCHERS, AND AMENDING ORDINANCE 10-103 STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 7, POLICE DEPARTMENT, 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** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **amend Ordinance 14-20** by:

- **adding Exhibit A as part of the legislation;** and
- **amending Section 1 as follows:**

Section 1. Pursuant to its authority under the Charter and ordinances of the City of North Royalton, Council hereby determines that the termination/elimination and transfer of the police dispatch function to ~~North Royalton~~ **Strongsville** is necessary for the efficient operation of city services and hereby abolishes the position of dispatchers effective on March 17, 2014, or upon the commencement of services date, whichever date occurs later.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **amended Ordinance 14-20 as read**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-20 as amended**.

Mr. Langshaw entered into the record a copy of the analysis by the Ohio Legislative Service Commission which details everything that has been said here this evening regarding the requirements for regional dispatch centers (copy on file in the Council Office). He said that the circumstances are unfortunate but as leaders we have to make tough decisions and at the end of the day we must serve the best interest of the community. He felt that safety is the most important thing we do as officials in this community. It is difficult to see anyone lose their job, but it's good to see that preference will be given to our dispatchers for hiring and that we will maintain some control over the operations of the center. He felt that with the advance training that the new center will provide, this decision will save lives.

Mr. Kasaris said that this is a very difficult situation. He feels that the administration is moving appropriately in doing what is best for the city. He also feels that we should not have heard what we heard tonight about the negotiations, but in a way he is glad we did because it speaks volumes that the administration does in fact respect the dispatchers and the job that they have performed for us over the years by offering them a severance package. It is certainly something he would consider supporting. He applauds the administration for reaching out and making this uncomfortable situation a little easier for those that have to go through it.

Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

MISCELLANEOUS

Mr. Marnecheck also said that the decision made tonight about the dispatchers was very difficult for all of Council.

ADJOURNMENT

Moved by Mr. Petrusky, seconded by Mr. Kasaris to **adjourn the February 4, 2014 City Council meeting.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

Meeting adjourned at 8:15 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: February 18, 2014
PRESIDENT OF COUNCIL

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