

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **April 19, 2016, at 7:34 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 Stefanik, Law Director Thomas Kelly.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **April 19, 2016 in regular session.** The meeting was called to order at **7:36 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 Stefanik, Law Director Thomas Kelly.

CONSENT AGENDA

- a. Approval of Minutes: April 5, 2016.
- b. Legislation:

FIRST READING CONSIDERATION

RESOLUTION 16-69

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF GENE BAXENDALE.** Title read.

RESOLUTION 16-70

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF JEANNE CILENTI.** Title read.

RESOLUTION 16-71

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF MICHAEL DAMIANO.** Title read.

RESOLUTION 16-72

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF RAY HABIAN.** Title read.

RESOLUTION 16-73

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF GEORGE HEINEMANN.** Title read.

RESOLUTION 16-74

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF LOU KRZEPINA.** Title read.

RESOLUTION 16-75

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF AMY KUNTZ.** Title read.

RESOLUTION 16-76

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF JUDITH MATSKO.** Title read.

RESOLUTION 16-77

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF WAYNE REPKO.** Title read.

ORDINANCE 16-78

Introduced by Muller, Antoskiewicz, Nickell. **AN ORDINANCE ACCEPTING THE BID OF KOKOSING MATERIALS, INC., FOR THE PURCHASE OF ASPHALT FOR THE 2016 SEASON AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.** Title read.

- No one on Council wished to have an item removed from the Consent Agenda for discussion.
- No one in the audience wished to have a legislative 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** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.** 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 said that the semiannual business breakfast will take place tomorrow morning at 7:00 a.m. at Carrier Cerino's and is being sponsored by Parma/UH.

Mayor Stefanik also reported that on April 25, 2016 there will be a regional storm water workshop at City Hall at 7:00 p.m. Representatives from the NEORS and the Cuyahoga County Soil and Water Conservation District will be in attendance. The purpose of this workshop is to inform the residents of certain credits that they can apply for under the storm water program for things such as rain barrels, rain gardens, etc. He said that they will also talk about retention and detention basins in subdivisions.

DEPARTMENT HEAD REPORTS:

Mr. Kelly said that on behalf of the Charter Review Commission, he wished to thank Mrs. Haller for her assistance to the commission.

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 and reviewed items currently on their agendas. All meetings are held at City Hall, 14600 State 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. None.

LEGISLATION**THIRD READING CONSIDERATION****ORDINANCE 16-60**

AN ORDINANCE AMENDING ORDINANCE 13-25 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO SETTLE ONGOING LITIGATION AND TO RESOLVE THE ISSUES OF BILLING FOR NORTH ROYALTON SEWER DISTRICT "C" CUSTOMERS IN ORDER TO INCLUDE ALL CITY STORM WATER DISTRICTS WITHIN THE NEORS REGIONAL STORM WATER MANAGEMENT PROGRAM, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 16-60.**

Mr. Kasaris said that all 8 of the elected officials in this room have witnessed what storm water has done in this city. He said all 8 of us have been in flooded basements, all 8 of us have bailed water and all 8 of us are deeply concerned about storm water issues. He said that he asked Mr. Kelly questions in the Finance Committee because he did not think they had been asked before. He said that he is a realist and sooner or later we are going to be ordered to pay this anyway. He said we can do two things; we can sit here and do nothing and get nothing in return, or we can act to benefit our residents. He said in the face of reality, the sewer district won at the Supreme Court and based upon this and prior litigation from the early 2000's, the Mayor and the Law Director have brought us the best possible deal they could. When people look back on this Council and look at why we did what we did on this day, he would like it to be seen as making the best choice for the residents in the city. We have 21 miles of creeks and rivers that have the ability to be serviced by the sewer district. He said the responsible thing to do is to act on this to get something rather than nothing and he supports both of these pieces of legislation.

Mr. Langshaw said that it really comes down to getting nothing, or paying a little and get something. He said that he does not like that the residents have to pay a little more, however this has been imposed upon us by the courts and this proposed agreement will address one of the top issues our city faces which are storm water and flooding issues. He said that he looks forward to getting to work on this program.

Mr. Antoskiewicz this has been on three readings and the sewer district has been out to the city on three different occasions. He said that Council has done their due diligence and given the residents an opportunity to come out and voice their opinions on the topic and to gather information in order to help them see the value of what we are doing tonight.

Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Kasaris). Nays: **One** (Muller) **Motion carried.**

ORDINANCE 16-61

AN ORDINANCE AMENDING ORDINANCE 13-91 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR A REGIONAL STORMWATER MANAGEMENT PROGRAM IN ORDER TO INCLUDE ALL CITY STORM WATER DISTRICTS WITHIN THE NEORSR REGIONAL STORM WATER MANAGEMENT PROGRAM, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to adopt Ordinance 16-61.**

Mr. Kasaris asked that his comments on Ordinance 16-60 be incorporated into Ordinance 16-61.

Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Kasaris). Nays: **One** (Muller) **Motion carried.**

FIRST READING CONSIDERATION

ORDINANCE 16-79

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris. **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE III, THE COUNCIL, SUBSECTION (g) SPECIAL MEETINGS, OF THE CHARTER OF THE CITY OF NORTH ROYALTON TO REQUIRE 24 HOUR ADVANCE NOTICE OF SPECIAL MEETINGS TO EACH COUNCIL MEMBER IN PLACE OF THE 12 HOUR ADVANCE NOTICE CURRENTLY REQUIRED, 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 16-79.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 16-80

Introduced by: Antoskiewicz, Nickell, Petrusky, Marnecheck, Muller, Kasaris. **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE III, THE COUNCIL, SUBSECTION (o) EFFECTIVE DATE OF OFFICE, OF THE CHARTER OF THE CITY OF NORTH ROYALTON IN ORDER TO ESTABLISH THAT COUNCIL, INCLUDING THE PRESIDENT OF COUNCIL, SHALL TAKE OFFICE EFFECTIVE ON THE FIRST DAY OF JANUARY NEXT FOLLOWING THEIR ELECTION, 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 16-80**.

Mr. Kasaris said that back in 2007, the problem with the current Charter language was fully exposed when we had a recount in Ward 6 and the possibility existed that a Council meeting could have occurred without a Ward 6 representative. He said if it could happen with one ward, it could happen with multiple wards and in his mind this amendment makes complete sense by putting a date certain on the term of office.

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

ORDINANCE 16-81

Introduced by: Antoskiewicz, Nickell, Petrusky, Marnecheck, Muller, Kasaris. **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE IV, THE MAYOR, SUBSECTION (h) EFFECTIVE DATE OF OFFICE, OF THE CHARTER OF THE CITY OF NORTH ROYALTON IN ORDER TO ESTABLISH THAT THE MAYOR SHALL TAKE OFFICE EFFECTIVE ON THE FIRST DAY OF JANUARY NEXT FOLLOWING HIS/HER ELECTION, 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 16-81**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**.

ORDINANCE 16-82

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris. **AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE XVIII, MISCELLANEOUS, BY CREATING A NEW SUBSECTION (g) ENTITLED DELETION OF OBSOLETE LANGUAGE, REARRANGEMENT OF NUMBERS AND TITLES, AND CORRECTION OF TYPOGRAPHICAL ERRORS, OF THE CHARTER OF THE CITY OF NORTH ROYALTON TO ALLOW FOR COUNCIL TO MAKE CERTAIN CORRECTIONS TO THE CHARTER BY ORDINANCE, 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 16-82**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**.

MISCELLANEOUS

Dave Perry, 10681 Ridge Road, addressed Council regarding Department Head attendance at Council meetings.

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

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the April 19, 2016 City Council Meeting**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried**.

Meeting adjourned at 8:00 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: May 3, 2016
PRESIDENT OF COUNCIL

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