

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **March 19, 2019, at 7:40 p.m.**

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Cheryl Hannan, Dan Kasaris, Legislative Services Director Laura Haller; **Administration:** Mayor Robert Stefanik, Law Director Tom Kelly, Finance Director Eric Dean, Police Chief Ken Bilinovich.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **March 19, 2019 to conduct a Public Hearing.** The hearing was called to order at **7:42 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, Cheryl Hannan, Dan Kasaris, Legislative Services Director Laura Haller; **Administration:** Mayor Robert Stefanik, Law Director Tom Kelly, Finance Director Eric Dean, Police Chief Ken Bilinovich.

PUBLIC HEARING

1. APPLICATION SUBMITTED BY MARK & CINDY ELLIS FOR PLACEMENT OF APPROXIMATELY 26 ACRES LOCATED AT 18375 STATE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-19-004 AND PPN 486-19-008, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.

- Notice of Public Hearing posted, published and mailed as required.
- No one in the audience wished to be heard on this subject.

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to refer this item to the regular order of business.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

2. APPLICATION SUBMITTED BY CHARLES & DAVID MULLER FOR PLACEMENT OF APPROXIMATELY 4 ACRES LOCATED AT 12584 DRAKE ROAD IN THE CITY OF NORTH ROYALTON, PPN 484-09-004, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.

- Notice of Public Hearing posted, published and mailed as required.
- No one in the audience wished to be heard on this subject.

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to refer this item to the regular order of business.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

3. APPLICATION SUBMITTED BY CHARLES & JANET MULLER FOR PLACEMENT OF APPROXIMATELY 17 ACRES LOCATED AT 3333 WILTSHIRE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-30-007, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.

- Notice of Public Hearing posted, published and mailed as required.
- No one in the audience wished to be heard on this subject.

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to refer this item to the regular order of business.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to adjourn the Public Hearing.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

Public Hearing adjourned at 7:44 p.m.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **March 19, 2019 in regular session**. The meeting was called to order at **7:44 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, Dan Kasaris, Legislative Services Director Laura Haller; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Finance Director Eric Dean. Police Chief Ken Bilinovich.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **excuse Mrs. Hannan from voting on the March 5, 2019 minutes**. Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Kasaris). Nays: **None**. (Excused: Hannan). **Motion carried.**

CONSENT AGENDA

- a. Approval of Minutes: March 5, 2019
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D5 and D6 transfer permit for Kavana LLC, 13570 Ridge Road, North Royalton, Ohio 44133.
- b. Legislation:

FIRST READING CONSIDERATION

RESOLUTION 19-25

Introduced by Nickell, Kasaris, Antoskiewicz. **A RESOLUTION APPROVING THE APPLICATION OF MARK AND CINDY ELLIS (APPLETREE HOME INVESTMENTS, LLC) FOR PLACEMENT OF FARM LAND IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY**. Title read.

RESOLUTION 19-26

Introduced by Nickell, Kasaris, Antoskiewicz. **A RESOLUTION APPROVING THE APPLICATION OF CHARLES AND DAVID MULLER FOR PLACEMENT OF FARM LAND IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY**. Title read.

RESOLUTION 19-27

Introduced by Nickell, Kasaris, Antoskiewicz. **A RESOLUTION APPROVING THE APPLICATION OF CHARLES AND JANET MULLER FOR PLACEMENT OF FARM LAND IN AN AGRICULTURAL DISTRICT, 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, Hannan, Kasaris). Nays: **None**. **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **approve the Consent Agenda as presented and read**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None**. **Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT:

Regarding the short term rental issue, Mayor Stefanik said that he has not spoken to one resident who has said that they would want to live next door to one of these businesses. He said that Council seems pretty divided on this issue and it reminds him of the deer hunting issue. He suggested that maybe Council would want to consider putting this issue on the November ballot and let the residents decide the course that they think we should take on this issue.

DEPARTMENT HEAD REPORTS: No reports.

PRESIDENT OF COUNCIL'S REPORT:

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **hold an Executive Session immediately following the Regular Order of Business to consider the discipline of a public employee and to discuss disputes involving the public body that are subject to pending or imminent court action**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None**. **Motion carried.**

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.**

LEGISLATION**THIRD READING CONSIDERATION**

Moved by Mr. Langshaw, seconded by Mr. Kasaris to **remove Ordinance 19-13 from the Building & Building Codes Committee.**

Discussion ensued on the moratorium that is in place on short term rentals and it was determined that the moratorium is in effect until September 30, 2019. Mr. Petrusky asked if this legislation will in effect end the moratorium. Mrs. Haller explained that the legislation tonight is just an amendment to the Codified Ordinances regulating short term rentals and felt that we would still need to repeal the moratorium legislation separately. Mr. Kasaris said that if we pass the legislation tonight, the moratorium would have no effect because you have to read the two pieces of legislation together. Mr. Kelly said that adoption of Ordinance 19-13 would by implication effectively negate the moratorium.

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

ORDINANCE 19-13

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 14 BUILDING AND HOUSING CODE, BY AMENDING CHAPTER 1485 RESIDENTIAL RENTAL FOR ONE, TWO AND THREE FAMILY DWELLING UNITS TO INCLUDE TRANSIENT RENTAL REGULATIONS, AND DECLARING AN EMERGENCY. Title read.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **amend Ordinance 19-13 by replacing the current Exhibit A with the final version of Exhibit A.** Roll Call: Yeas: **Six** (Antoskiewicz, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **One** (Nickell). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-13 as amended.**

Mr. Kasaris said that what this legislation does is similar to what we did with the Internet Cafes. It makes it very difficult for these businesses to operate in North Royalton. He feels that government has the obligation to protect the property values of its residents, as well as their health, safety and welfare. We balance this sometimes with the property rights of the land owner who this legislation would affect. With this piece of legislation, we are regulating these businesses so that we do not have them throughout our city and he supports this legislation.

Mr. Marnecheck agrees that we need balance and we have had robust discussion on this. He does not feel that this is the right fit for our community.

Roll Call: Yeas: **Five** (Antoskiewicz, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **Two** (Nickell, Petrusky). **Motion carried.**

SECOND READING CONSIDERATION**ORDINANCE 19-24**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE CONTRACT WITH LEOPARDO, AND DECLARING AN EMERGENCY. Title read. Placed on **Third Reading.**

FIRST READING CONSIDERATION**RESOLUTION 19-28**

Introduced by: Mayor Stefanik. **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE FINAL CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A SIDEWALK BETWEEN 14244 STATE ROAD AND 14600 STATE ROAD, INCLUDING STORM SEWER INSTALLATION AND DRIVEWAY CULVERT REMOVAL, LYING WITHIN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

Certificate of Availability of Funds has been signed by the Finance Director stating that these funds are available or are in the process of being collected in the **SCM&R Fund #211 and the Storm Sewer and Drainage Fund #433**.

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, Hannan, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-28**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 19-29

Introduced by: Mayor Stefanik. **AN ORDINANCE APPROVING A LOT CONSOLIDATION OF PPN'S 483-22-002, 483-23-005, AND 483-23-009 LOCATED IN THE CITY OF NORTH ROYALTON INTO ONE PARCEL, AND APPROVING A LOT SPLIT OF THE CONSOLIDATED PARCEL INTO PARCEL 1 AND PARCEL 2 AS REQUESTED BY PROPERTY OWNER THE CITY OF NORTH ROYALTON, 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, Hannan, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-29**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 19-30

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH THE NORTH ROYALTON CITY SCHOOL DISTRICT FOR CERTAIN REAL ESTATE DEFINED AS PARCEL 1 FOR THE AMOUNT OF \$775,000, 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, Hannan, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-30**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 19-31

Introduced by Nickell, Kasaris, Antoskiewicz. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE USE AGREEMENT FOR A GRANT IN THE AMOUNT OF \$100,000.00 WITH THE OHIO FACILITIES CONSTRUCTION COMMISSION FOR WORK TO BE PERFORMED ON THE NORTH ROYALTON CEMETERY RECEIVING VAULT, 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, Hannan, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-31**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 19-32

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON, OHIO AND SAFE BUILT OHIO, LLC, 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, Hannan, Kasaris). Nays: **None. Motion carried**. Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-32**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried**.

ORDINANCE 19-33

Introduced by Marnecheck, Nickell, Kasaris. **AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE PROPOSAL OF EVOQUA WATER TECHNOLOGIES FOR THE INTERNAL LIFT SCREW PUMP RETROFIT PROJECT, AND DECLARING AN EMERGENCY**. Title read.

Certificate of Availability of Funds has been signed by the Finance Director stating that these funds are available or are in the process of being collected in the **Wastewater R&R Fund #555**.

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, Hannan, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **amend Ordinance 19-33 by attaching Exhibit A**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 19-33 as amended**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

EXECUTIVE SESSION

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **recess into an Executive Session to consider the discipline of a public employee and to discuss disputes involving the public body that are subject to pending or imminent court action**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None. Motion carried.**

Council meeting recessed at 8:03 p.m.

EXECUTIVE SESSION

Executive Session called to order at 8:06 p.m.

PRESENT: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Cheryl Hannan, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Police Chief Ken Bilinovich.

- **Matters considering the discipline of a public employee and disputes involving the public body that are subject to pending or imminent court action were discussed.**

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

Executive Session adjourned at 8:28 p.m.

RECONVENE

Moved by Mr. Marnecheck, seconded by Mr. Langshaw to **reconvene the March 19, 2019 City Council Meeting**. Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Langshaw, Marnecheck, Hannan, Kasaris). (Mr. Petrusky was not present). Nays: **None. Motion carried.**

Council meeting reconvened at 8:29 p.m.

There was no further business pending before Council.

ADJOURNMENT

Moved by Mr. Marnecheck, seconded by Mr. Langshaw to **adjourn the March 19, 2019 City Council meeting**. Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Langshaw, Marnecheck, Hannan, Kasaris). (Mr. Petrusky was not present). Nays: **None. Motion carried.**

Meeting adjourned at 8:29 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: April 2, 2019
PRESIDENT OF COUNCIL PRO TEM

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