

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **May 21, 2013, 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.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 21, 2013 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. (*Department Heads were previously excused due to the light agenda*)

#### **CONSENT AGENDA**

- a. Approval of Minutes: May 7, 2013.
- b. Legislation:

##### **RESOLUTION 13-71**

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris, Mayor Stefanik. **A RESOLUTION COMMENDING COREY ALEXANDER NEHODA ON THE ATTAINMENT OF THE RANK OF EAGLE SCOUT.** Title read.

##### **RESOLUTION 13-72**

Introduced by: Mayor Stefanik. **AN ORDINANCE AMENDING A NON-EXCLUSIVE EASEMENT AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND NEW PAR, A DELAWARE PARTNERSHIP, DBA VERIZON WIRELESS, ASSIGNEE AND/OR SUCCESSOR IN INTEREST OF NORTHERN OHIO CELLULAR TELEPHONE COMPANY, 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** (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:** No report.

**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.***

**LEGISLATION****THIRD READING CONSIDERATION****ORDINANCE 13-54****AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OIL AND GAS LEASE AGREEMENT WITH CUTTER OIL COMPANY FOR THE LEASE OF CERTAIN CITY OWNED REAL ESTATE, AND DECLARING AN EMERGENCY.**

Moved by Mr. Kasaris, seconded by Mr. Petrusky **to adopt Ordinance 13-54.**

Mr. Kasaris said that our duty as Council is to protect the health, safety and welfare of the residents. We have in front of us an issue that has had weeks of discussion. This one issue does not bind us to other similar issues that we may encounter later on. Facts and circumstances may arise again that will cause us to act differently. He said that people have the right to extract minerals from their land. However based on what the residents have told us, and with the history of safety and environmental issues in this area, this is more than just an inconvenience, but a real threat to public health, safety and welfare. Based on all this, he will be voting no on this.

Mr. Muller said that as he mentioned at the April 2013 Utilities Committee meeting he feels that the property owners have mineral rights, but he does hesitate to allow this in a more densely populated suburban area. In regards to this particular well he was hoping that he would have heard from some of the residents that had signed the leases. He recognizes the need for input from all the residents surrounding the area of this well, but he did want to hear from the residents who actually signed the lease. He said the only one that showed up at a meeting stated that they no longer wished to pursue the well. He said that he has heard that some of the residents who signed are rather indifferent to the well, and some are still in favor. But not hearing their viewpoint at any of the meetings and the fact that the overwhelming discussion at the meetings was against the well, he will be voting no this evening.

Mr. Nickell said that Mr. Muller made a good point in that the residents who actually signed the lease did not come to the meetings to tell us that they wanted us to support this well. He said the matter before us is if we want to include city owned streets in this lease, however with the forced pooling, the well will most likely go in anyway. Having seen the overwhelming number of residents against this particular well, he will be voting no.

Mr. Langshaw said that he too will be voting against this issue based on the overwhelming resident response as well as the safety and environmental impact. We need reform in Columbus but we are sending a message tonight that this Council does not condone this.

Mr. Marnecheck said that for the reasons he has expressed at earlier hearings and meetings, he will also be voting no this evening.

Mr. Antoskiewicz said he recalls that the first time we went through something like this a few years ago, we had a room full of people that were in favor of the well and they wanted our help in making it happen. But what he has learned since then is that once those who have signed up for these leases actually see their royalty checks, they now wish that they had never done it. He suspects that this well will be no different. For this reason, he opposes and will continue to oppose the use of city streets. He feels that the use of city streets is not just a mandatory pool of a small stretch of street, but rather a mandatory pool of 35,000 residents that really don't want an oil well.

Mr. Petrusky said that while he was walking through his ward, he only spoke with one resident that signed this lease that was still in favor of it. Residents in his ward who have signed leases in the past now regret doing so. He has also received many calls over the years from residents with concerns they have with the safety of these wells. For all these reasons, he will be voting no.

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

#### **FIRST READING CONSIDERATION**

##### **ORDINANCE 13-73**

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FRATERNAL ORDER OF POLICE LODGE #15 (PATROL OFFICERS), AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Petrusky, seconded by Mr. Kasaris 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 13-73.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

##### **ORDINANCE 13-74**

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FRATERNAL ORDER OF POLICE LODGE #15 (SERGEANTS), 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 13-74.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

#### **MISCELLANEOUS**

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 May 21, 2013 City Council Meeting.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

**Meeting adjourned at 7:46 p.m.**

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: June 4, 2013  
PRESIDENT OF COUNCIL

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