

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **April 16, 2013, at 8:25 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, Fire Chief Robert Chegan.

Agenda reviewed.

Based on discussion at this evening's Utilities Committee meeting, it was agreed to amend Ordinance 13-54 by attaching the Version 2 map to this legislation.

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, Fire Chief Robert Chegan.

The Department Heads had been previously excused from this meeting due to light agenda and anticipated late start due to this evening's Utilities Committee meeting.

PUBLIC HEARING

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 16, 2013 to conduct a Public Hearing**. The hearing was called to order at **8:30 p.m.** by President of Council Larry Antoskiewicz.

APPLICATION SUBMITTED BY PHYLLIS ZAJICEK FOR PLACEMENT OF APPROXIMATELY 28 ACRES LOCATED AT 18107 RIDGE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-04-002, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.

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

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **refer this item to the Building & Building Codes Committee**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

APPLICATION SUBMITTED BY JERRY ZAJICEK FOR PLACEMENT OF APPROXIMATELY 10 ACRES LOCATED AT 18107 RIDGE ROAD IN THE CITY OF NORTH ROYALTON, PPN 486-04-003, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.

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

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **refer this item to the Building & Building Codes Committee**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, 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, Muller, Kasaris). Nays: **None. Motion carried.**

Public Hearing adjourned at 8:33 p.m.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **April 16, 2013 in regular session**. The meeting was called to order at **8:33 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, Fire Chief Robert Chegan.

CONSENT AGENDA

- a. Approval of Minutes: March 25, 2013, March 28, 2013 and April 2, 2013.
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D5 transfer permit for Nikos Bar & Gyros 12766 Royalton Road and Patio.
- c. 180 day extension, Woodcroft Glen Phase 2 Final Plat
- d. Authorize the reduction of the sidewalk performance bond for Timberlane Estates Subdivision, Phase 4 from \$52,000 to \$26,000 as authorized by the City Engineer.
- e. Authorize the Mayor and City Engineer to advertise for bids for the 2013 Street Maintenance Program.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to excuse **Mr. Langshaw from voting on the March 25, and March 28, 2013 minutes**. Roll Call: Yeas: **Six** (Antoskiewicz, Nickell, Petrusky, Marnecheck, Muller, Kasaris). Nays: **None**. (Excused: Langshaw). **Motion carried.**

Moved by Mr. Kasaris, seconded by Mr. Petrusky to excuse **Mr. Nickell from voting on the April 2, 2013 minutes**. Roll Call: Yeas: **Six** (Antoskiewicz, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. (Excused: Nickell). **Motion carried.**

- 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 **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:

Fire Chief Robert Chegan announced that the Fire Department's annual Safety Fair will be held on Saturday, May 18, 2013 from 10:00 a.m. to 2:00 p.m.

Chief Chegan also reported that hydrant flushing will begin on April 30, 2013 and residents will be notified via reverse 911 when it will be taking place in their wards.

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

SECOND 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. Title read.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **amend Ordinance 13-54 by attaching the Version 2 map to this legislation as discussed at the Utilities Committee meeting this evening.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

Placed on **third reading.**

FIRST READING CONSIDERATION

ORDINANCE 13-55

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT FOR THE RESOLUTION OF LITIGATION AND AUTHORIZING THE LAW DIRECTOR TO CONCLUDE THE LAWSUIT CAPTIONED CITY OF NORTH ROYALTON VS. GREG PAPPAS ET AL, CUYAHOGA COUNTY PROBATE COURT CASE NUMBER 2012ADV181574, 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 free of previous encumbrances in the **Stormwater 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, Muller, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Langshaw to **adopt Ordinance 13-55.**

Mr. Kasaris commended the administration for getting this approved and being able to provide the residents of Ward 1 with much needed storm water relief.

Mr. Nickell offered his condolences to the Pappas family on the passing of Mr. Pappas and stated that this agreement will do a lot of good for the residents in Ward 1.

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

ORDINANCE 13-56

Introduced by: Mayor Stefanik. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT OF NOTES NOT TO EXCEED \$1,369,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING AND RECONSTRUCTING IMPROVEMENTS TO STATE ROAD, RIDGE ROAD AND BENNETT ROAD, INCLUDING RESURFACING AND OTHER RELATED IMPROVEMENTS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.** Title read.

The **Fiscal Officer's Certificate** was signed by the Finance Director, was presented to Council prior to their consideration of this Ordinance and is on file in the Council Office.

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 13-56.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 13-57

Introduced by: Mayor Stefanik. **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT OF NOTES NOT TO EXCEED \$8,519,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COST OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING A MUNICIPAL RECREATIONAL FACILITY AT 11409 STATE ROAD, NORTH ROYALTON, OHIO (THE "YMCA PROJECT"), AND DECLARING AN EMERGENCY.**

The **Fiscal Officer's Certificate** was signed by the Finance Director, was presented to Council prior to their consideration of this Ordinance and is on file in the Council Office.

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 13-57**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the April 16, 2013 City Council Meeting**.

Meeting adjourned at 8:43 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: May 7, 2013
PRESIDENT OF COUNCIL

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