

September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 LABOR DAY 	6 COUNCIL 7:30 CAUCUS 7:15 STREETS, STORM WATER, UTILITIES &-R&Θ 6:00	7 PLANNING COMMISSION 7:00 CAUCUS 6:45	8	9	10
11	12 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	13 Fair Housing Board 5:00 p.m. Community Room #2)	14	15	16	17
18	19	20 COUNCIL 7:30 CAUCUS 7:15 B&BC, FINANCE AND SAFETY 6:00	21 PLANNING COMMISSION 7:00 CAUCUS 6:45	22 FALL BEGINS 	23	24
25	26	27 REC BOARD 6:00	28	29 BZA 7:00 CAUCUS 6:45	30	

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

**NORTH ROYALTON CITY COUNCIL
A G E N D A
SEPTEMBER 6, 2016**

7:15 p.m. Caucus

Council Meeting 7:30 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: July 19, 2016.
 - b. 6 month extension – Matteo Business Park site plan approval
 - c. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	John Nickell
Finance	Larry Antoskiewicz
Review & Oversight	Dan Kasaris
Safety	Gary Petrusky
Storm Water	Dan Langshaw
Streets	Steve Muller
Utilities	Paul Marnecheck
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Dan Kasaris
Planning Commission	Larry Antoskiewicz
Recreation Board	Paul Marnecheck
11. Public Discussion: Five minute maximum, on current agenda legislation only.

12. LEGISLATION

THIRD READING CONSIDERATION

1. **16-98 - AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY THE UNPAID DELINQUENT SEWER CHARGES FOR LEVY AND COLLECTION, AND DECLARING AN EMERGENCY. First reading July 5, 2016. Second reading July 19, 2016.**

SECOND READING CONSIDERATION

1. **16-112** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1276 BUSINESS DISTRICTS, SECTION 1276.03 USE REGULATIONS FOR LOCAL BUSINESS DISTRICTS BY CREATING A NEW PARAGRAPH (d) ENTITLED CONDITIONAL USES PERMITTED TO ALLOW FOR THE COMMERCIAL OPERATION OF NURSING FACILITIES AND ASSISTED LIVING FACILITIES, AND DECLARING AN EMERGENCY. **First reading July 19, 2016 and referred to Planning Commission. Planning Commission recommended approval with amendments August 10, 2016.**
2. **16-113** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1281 TRADITIONAL TOWN CENTER/MAIN STREET DISTRICT (TCD), SECTION 1281.03 USE REGULATIONS, SCHEDULE OF PERMITTED USES IN TCD 1, 2, 3, 4, AND 5 TO ALLOW FOR THE COMMERCIAL OPERATION OF NURSING FACILITIES AND ASSISTED LIVING FACILITIES, AND DECLARING AN EMERGENCY. **First reading July 19, 2016 and referred to Planning Commission. Planning Commission recommended approval with amendments August 10, 2016.**

FIRST READING CONSIDERATION

- * 1. **16-115** - A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF GARY GALKA.
- * 2. **16-116** - A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF LOU GNEZDA.
- * 3. **16-117** - A RESOLUTION COMMENDING BENJAMIN DONALD TAKITCH ON THE ATTAINMENT OF THE RANK OF EAGLE SCOUT.
- * 4. **16-118** - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF OWEN J. LYNCH AS A FIGHTER/PARAMEDIC IN THE CITY OF NORTH ROYALTON FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
- * 5. **16-119** - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF RYAN C. MILLIGAN AS A FIREFIGHTER/PARAMEDIC IN THE CITY OF NORTH ROYALTON FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
- * 6. **16-120** - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.
- * 7. **16-121** - AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO THE AUDITOR OF CUYAHOGA COUNTY THE UNPAID COST OF CUTTING OF WEEDS, GRASS AND WOODY VEGETATION FOR LEVY AND COLLECTION, AND DECLARING AN EMERGENCY.
- * 8. **16-122** - AN ORDINANCE AMENDING ORDINANCE 16-38 WHICH AUTHORIZED THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF FOUR (4) 2016 FORD INTERCEPTOR SUV'S FOR THE NORTH ROYALTON POLICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$120,000, AND DECLARING AN EMERGENCY.
- * 9. **16-123** - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF IAN M. ANDERSON AS A FIREFIGHTER/PARAMEDIC IN THE CITY OF NORTH ROYALTON FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
10. **16-124** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART EIGHT BUSINESS REGULATION AND TAXATION CODE, BY CREATING A NEW CHAPTER 878 WAGE ENFORCEMENT, AND DECLARING AN EMERGENCY.

11. **16-125** - AN ORDINANCE ACCEPTING A PERMANENT ROADWAY EASEMENT FROM MICHAEL AND ANGELA BUTCH, PPN 485-17-005, FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, REPAIRING AND OPERATING A PUBLIC ROADWAY AND ASSOCIATED IMPROVEMENTS, AND DECLARING AN EMERGENCY.
 12. **16-126** - AN ORDINANCE ACCEPTING THE BID OF SET IN STONE CONTRACTING, LLC FOR THE STORM WATER IMPROVEMENTS FOR THE YORK ROAD/TILBY ROAD STREAMBANK IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$77,635.25 AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.
 13. **16-127** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1260 GENERAL PROVISIONS AND DEFINITIONS, SECTION 1260.07 DEFINITIONS TO ADD APPROPRIATE DEFINITIONS FOR THE COMMERCIAL OPERATION OF NURSING FACILITIES AND ASSISTED LIVING FACILITIES, AND DECLARING AN EMERGENCY.
 14. **16-128** - AN ORDINANCE IMPOSING A MORATORIUM OF SIX MONTHS ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF NORTH ROYALTON, OHIO, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
 14. Adjournment.

RESOLUTION NO. 16-120

INTRODUCED BY: Antoskiewicz, Petrusky, Marnecheck

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY

(See pdf version)

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of North Royalton, Cuyahoga
County, Ohio, met in _____ session on the _____ day of _____
(Regular Or Special)
2016, at the office of _____ with the following members
present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st,
2017; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of North Royalton,
Cuyahoga County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			1.50	0.00
General Bond Retirement Fund			0.40	0.00
Police Pension			0.30	
Park Fund				0.00
Recreation Fund				
Paramedic Fund				1.70
Fire Pension Fund			0.30	
Police Levy Fund				2.25
Fire Levy Fund				1.75
TOTAL	\$0	\$0	2.50	5.70

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.		
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the Fiscal Officer of said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs _____

Mr./Mrs _____

Mr./Mrs _____

Adopted the _____ day of _____, 20_____.

Attest:

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the City

of _____ within and for said County, and in whose custody the Files

and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby

certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document,

and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

_____ County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY FISCAL OFFICER

(City Council)

Adopted _____, 20 ____

Clerk of Council

Filed _____, 20 ____

County Fiscal Officer

By _____
Deputy

Special Assessment Certification - Weeds and Grass

Section 660.14 of the Codified Ordinances of the City of North Royalton

The following list of Special Assessment charges is hereby certified in one (1) installment to be collected in Tax Year 2016

	Parcel Number	Name	Address	Lien
1	482-28-030	John & Wieslaw Sroka	Vacant Land	\$ 170.00
2	482-30-002	Anthony & Kelly Wuensch	12704 Ridge Rd,	\$ 394.00
3	482-33-005	Donald Callahan	7782 Royalton Rd.	\$ 308.00
4	483-19-003	Kathleen Masson	11714 Akins Road	\$ 154.00
5	483-21-001	EK Online Trading LLC	11690 Akins Rd.	\$ 548.00
6	484-16-045	Shirley Dennis	12801 N. Star	\$ 154.00
7	485-01-019	Frank Boysko	10428 Edgerton	\$ 154.00
8	485-12-031	John and Arlene Josie	16641 Bennett Rd.	\$ 308.00
9	485-12-040	Charles & Sherlyn Jackson	16851 Bennett Rd.	\$ 308.00
10	486-28-034	Rene & Deborah Fernandez	19540 State Rd.	\$ 308.00
11	487-22-019	Bank of America	16830 State Rd.	\$ 136.00
12	488-01-020	Joel Zarlenga	12503 Ridge Rd.	\$ 240.00
13	488-08-011	Michael Diggioia	11371 State Rd.	\$ 510.00
14	488-20-013	William & Maureen Loyd	4867 Royalwood	\$ 462.00
15	488-23-095	Daniel Koscinski	13900 Stoney Creek	\$ 394.00
16	489-03-012	Donna Walker	8200 State Road	\$ 570.00
17	489-04-053	Kyle & Melanie Cancian	6420 Glenwollow Dr.	\$ 308.00
18	489-08-015	Karl Fleischer	10773 Ridge Rd.	\$ 154.00
	Total			\$ 5,580.00

ORDINANCE 16-124

INTRODUCED BY: Mayor Stefanik
Co-Sponsor: Langshaw, Antoskiewicz, Kasaris

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART EIGHT BUSINESS REGULATION AND TAXATION CODE, BY CREATING A NEW CHAPTER 878 WAGE ENFORCEMENT, AND DECLARING AN EMERGENCY

- WHEREAS: The city has an interest in ensuring that workers within its corporation limits, particularly individuals working on city supported projects, are paid in compliance with all federal, state, and local laws; and
- WHEREAS: A study by the National Employment Law Project found that some amount of pay is illegally withheld, routinely; from paychecks over sixty percent of low-wage workers in major cities across the United States; and
- WHEREAS: The Ohio Attorney General's Office has estimated that more than 90,000 Ohio workers were illegally misclassified as independent contractors rather than their real legal status as full employees, resulting in a cost to the state of Ohio and local governments of hundreds of millions of dollars in lost unemployment compensation, workers' compensation premiums, and state and local income taxes; and
- WHEREAS: When employers in the City of North Royalton commit this type of wage theft or payroll fraud, their illegal activity costs the City income tax revenue, negatively impacting the City's ability to pay for basic services; and
- WHEREAS: It is necessary to clarify the city's interest in protecting workers from wage theft and payroll fraud in contracts from wage theft and payroll fraud in which the city enters; and
- WHEREAS: Payroll fraud refers to when a business conceals its true tax or other financial liability to a government agency, most commonly by misclassifying employees or paying for business transactions in cash or its equivalent without keeping appropriate records; and
- WHEREAS: Wage theft means not properly paying workers for all work performed, most commonly by paying less than minimum wage, not paying for all hours works, failing to pay prevailing wage, or failing to pay overtime, in violation of local, state, or federal law; and
- WHEREAS: Council also desires that the city take all possible actions to recover any incentives that were offered to parties doing business with the City as a market participant if those parties, or their contractors or subcontractors, are found to have committed wage theft or payroll fraud; and
- WHEREAS: Council deems it appropriate to clarify by ordinance that commission of wage theft or payroll fraud may be grounds for debarment from future contractors with the city; and
- WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Eight Business Regulation and Taxation Code, by creating a new Chapter 878 Wage Enforcement; and
- WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Codified Ordinances of the City of North Royalton, Part Eight Business Regulation and Taxation Code is hereby amended by creating a new Chapter 878 entitled Wage Enforcement as described in Exhibit A and attached hereto as if fully rewritten.

Section 2. Part Eight Business Regulation and Taxation Code of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Part Eight shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Eight Business Regulation and Taxation Code, by creating a new Chapter 878 Wage Enforcement for the reasons stated above.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

Chapter 878 WAGE ENFORCEMENT

878.01 Legislative Intent and Purpose

It is the purpose of this Chapter to assure that when the City provides incentives to private parties or entities to support development within the City, those private parties or entities fully comply with state and federal payroll and wage and hour laws, thereby ensuring that workers receive proper compensation for their work. Where there are violations of those state and federal wage and payroll laws on the City supported developments, this chapter obligates any parties involved in the development know are aware or should be aware of violations report them to the City in a timely manner. This Chapter also puts parties or entities that receive development incentives from the City on notice that if they or their subcontractors violate wage or payroll laws, the City intends to recoup its investment to the extent allowed under the laws and regulations government those City-sponsored incentives.

878.02 Definitions

For the purpose of this chapter, the words and phrases defined in the section hereunder shall have the meanings respectively ascribed to them by the Ohio Revised Code and Ohio common law, unless specifically defined by this chapter.

(a) Adverse Determination. A determination that person has committed wage theft or payroll fraud. Such determination involves an administrative determination, arbitration award or decision, or civil judgment, including any determination made in or through an administrative hearing, any government body, or industry-specific regulatory or investigative body.

(b) Agreement.

Any contract entered into between the City and person or business entity which the City provides an incentive or benefit that is projected to exceed \$25,000, including but not limited to the following.

- (1) tax abatements or credits;
- (2) tax increment financing contract or agreement;
- (3) any commercial loan, provided by or backed by the City; or
- (4) any conveyance of land for less than fair market value;

(c) Contractor. Individuals, partnerships, corporations, association or other for profit or non-profit entities that are leading the construction or provision of goods or services on a development site.

(d) Complaint. Any report made to the City or any governmental agency having relevant jurisdiction that a person, business entity, non-profit, or other entity has committed wage theft or payroll fraud. A complaint may be such a report submitted to the U.S. Department of Labor, the Ohio Department of Commerce, or another body with authority to investigate and adjudicate such reports, which comes to the attention of the City. If a report is made directly to the City and not to another agency, it must include the following information in order to be considered a valid complaint: name the person, business entity, non-profit, or other entity to have allegedly committed the wage theft or payroll fraud; the project during which or the agreement under which the person is alleged to have been committed the theft or fraud; a description of the theft or fraud suspected to have been committed; the name of the complainant; and the name of at least one witness or victim of the theft or fraud, which personally be the complainant.

(e) Development Site. The property that is the subject of an agreement or on which the contractual undertaking is to be performed.

(f) Payroll Fraud. Concealing a person's true tax or other financial liability to a government agency from government licensing, regulatory, or tax agencies through tax evasion or fraud; misclassification of employees, the unreported or underreported payment of wages; paying a business transaction in cash without keeping appropriate records of reporting and withholding; or any other means.

(g) Wage Theft. A violation of Ohio Prompt Pay Statute, O.R.C. 4113.15; the Ohio Minimum Fair Wage Standards Act, O.R.C. Chapter 411; Ohio's Minimum Wage Constitutional Amendment, Section 34a of Article II of the Ohio Constitution; O.R.C. Chapters 4109 or 4115; O.R.C. Sections 4113.17, 4113.18, 4113.52, or 4113.61; statute or regulation of another state that may apply to a particular agreement; or the (INSERT LOCAL LAWS if applicable).

(h) Subcontractor. Any individuals, partnerships, corporations, association or other for profit or non-profit entities that enter into a contract with a contractor to preform work on a development site or work pursuant to, related to, or in furtherance of an agreement.

878.03 Reporting Wage Theft and Payroll Fraud

(a) Any individual, partnership, corporation, association or other for profit or non-profit entity entering into an agreement with the City shall include provisions in solicitations and contractors regarding a development site that require all employers, contractors, and subcontractors to provide a sworn statement as to whether there has been any adverse determination against the employers, contractors, and subcontractors within the preceding five (5) year period for wage theft or payroll fraud.

(b) Any individual, partnership, corporation, association or other for profit or non-profit entity entering to an agreement shall require that any contractor or subcontractor performing work or proposing to perform work on development site shall provide a sworn statement whether there has been an adverse determination rendered against that contractor or subcontractor in the preceding five (5) year period for wage theft or payroll fraud.

(c) Any individual, partnership, corporation, association or other for profit or non-profit entity entering into an agreement shall include provisions in solicitations and contractors regarding the development site that require all contractors, subcontractors, and employer to provide it with an updated sworn statement within 30 days of any adverse determination rendered against the employer for any wage theft or payroll fraud.

(d) Any individual, partnership, corporation, association or other for profit or non-profit entity, who have entered into an agreement with the City, the term of which is not expired, shall report to the City in a sworn statement any complaint of wage theft or payroll fraud against the person or any of its contractors or subcontractors.

(e) All such sworn statements shall be submitted to the City within 30 days of receipt by the person who entered into the agreement.

878.04 Contractor or Agreement Language

All agreements subject to this chapter shall contain the following two provisions or substantially similar language.

(a) This contract is the subject the Wage Enforcement provision of the City of North Royalton Municipal Code. These provisions require that any individual, partnership, corporation, association or other for profit or non-profit entity who has an agreement with the City or with a contractor or subcontractor of that person shall report all complaints or adverse determinations of wage theft and payroll fraud, as defined by North Royalton Ordinance 878.02 to the City of North Royalton within thirty (30) days of notification of the complaint or adverse determination.

(b) Under the Wage Enforcement provision, the City shall have the authority, to terminate this Agreement or reduce the incentives or subsidies to be provided under this Agreement and seek other remedies.

The omission of the contractor language above in any agreement shall not constitute a waiver of this Chapter's requirements or of any other legal requirement with respect to such agreement, the development site, or any contractor or subcontractor.

878.05 Wage Theft Monitoring, Investigation and Compliance

(a) The City of North Royalton shall develop rules and regulations for the following:

(1) Review of agreements to ensure that language required by this chapter is included.

(2) Monitoring of agreements to ensure compliance with this chapter, including reviewing complaints, referring complaints to appropriate agency for investigation, and monitoring the outcome of complaints, for any complaints about the practice of any person, contractor or subcontractor relating to the provisions of this chapter.

(3) Allow third parties to submit a complaint to the City alleging wage theft or payroll fraud by an individual, partnership, corporation, association or other for profit or non-profit entity that has entered into an agreement with the City.

(b) Whenever the City becomes aware of any complaint against a person or the person's contractor or subcontractor for wage theft or payroll fraud with respect to any work done on a development site, the following shall apply:

(1) The Finance Director or their designee shall report the complaint to the appropriate state or federal agency responsible for investigation and enforcement of a particular type of violation.

(2) The Finance Director or their designee reserves the right to investigate wage theft and payroll fraud and take appropriate action.

(3) The Finance Director will provide a written notice to the person stating that, if an adverse determination is rendered against an individual, partnership, corporation, association or other for-profit or non-profit entity, contractor, subcontractor, the City will pursue any available legal, contractual or equitable remedies, which may include without limitation any or all of the penalties listed in subsections (c) and (d) of this section. The notice also will state that the person or contractor may provide the City with information showing that the adverse determination is under review, contested, or appealed.

(c) Whenever any adverse determination is rendered against an individual, partnership, corporation, association or other for-profit or non-profit entity or its contractor, or subcontractor, for wage theft or payroll fraud with respect to any work on a development site, or, if the adverse determination is appealed, then whenever the final decision on appeal confirms the adverse determination, the City will pursue any available legal, contractual or equitable remedies, which any include without limitation any or all of the following remedies whether or not provided for in the agreement:

(1) Termination of the agreement with the person or unilateral reduction of the incentive or benefit to be provided under the agreement up to 100% of the yet to be paid or provided incentive or benefit.

(2) Deeming the individual, partnership, corporation, association or other for-profit or non-profit entity, or its contractor, or subcontractor, ineligible for future agreement or other contractors with the City until all wage theft and payroll fraud penalties have been paid in full.

(3) Debarment of individual, partnership, corporation, association or other for-profit or non-profit entity, or its contractor, or subcontractors from future agreements or other contracts with the City for a period of (2) two years; and

(4) Informing the relevant City departments of the adverse determination, including but not limited to the tax commissioner, the department of finance, and the City prosecutor, in order to determine if further action is necessary.

(d) Whenever any adverse determination is rendered against any individual, partnership, corporation, association or other for-profit or non-profit entity subcontractor, if there is no resolution of the wage theft violation or payroll fraud satisfactory to the City within thirty (30) days of the City's receipt of the notification of the adverse determination or final decision of an appeal, the City will pursue any available legal, contractual or equitable remedies, which may include without limitation the following remedies whether or not provide for in the agreement:

(1) Termination of the agreement with the person or unilateral reduction of the incentive or benefit to be provided under the agreement up to 100% of the yet to be paid or provided incentive or benefit.

(2) Deeming the individuals, partnerships, corporations, association or other for-profit or non-profit entities, or its contractor, or subcontractor, ineligible for future agreement or other contractors with the City until all wage theft and payroll fraud penalties have been paid in full.

(3) Debarment of individuals, partnerships, corporations, association or other for-profit or non-profit entities, or its contractor, or subcontractors from future agreements or other contracts with the City for (2) two years; and

(4) Informing the relevant City departments of the adverse determination, including but not limited to the tax commissioner, the department of finance, and the prosecutor, in order to determine if further action is necessary.

(e) Any remedies, available to the City under this Chapter are in addition to, and not in replacement of, any remedies available to the City under an agreement or otherwise. The pursuit of any remedy or remedies by the City under this Chapter shall not exclude the City's pursuit of any other remedy or remedies.

(f) The Finance Department shall be the department with the primary responsibility for investigation, recording keeping, and enforcement of this chapter.

878.06 Application to New Contracts

The provision of this chapter shall apply to the following:

(a) Agreements entered into after the effective date of the ordinance codified in this chapter;

(b) Renewals and/or amendments to agreements entered into after the effective date of the ordinance codified in this chapter which renewal or amendment alone meets the financial thresholding requirement of this chapter.

878.07 Severability

Each section and each part of each section of this chapter is declared to an independent section or part of a section. Notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of the sections and the application of such provisions shall continue to be valid and effective.

PERMANENT ROADWAY EASEMENT AGREEMENT

This Grant of Easement, made this ____ day of September, ____, 2016, by and between Michael and Angela Butch, (the “Grantors”) and the City of North Royalton, Ohio a municipal corporation (the “Grantee”) pursuant to the City of North Royalton Ordinance No. 16-_____.

Whereas, Grantors are the owners, in fee simple, of real property situated in 10980 Don Mar Road, North Royalton, Ohio Cuyahoga County, ppn 485-17-005, more particularly described in Exhibit A attached to and made a part of this Grant of Easement (the “Premises”); and

Grantee desires to obtain a perpetual easement over and on the following described portion (the “Easement Area”) of the Premises for the purpose of constructing, improving, repairing, maintaining and operating a public roadway and associated improvements, more particularly described in Exhibit B attached to and made a part of this Grant of Easement.

Grantee has passed ordinance number _____ authorizing it to accept the easement for the purposes and subject to the terms and conditions contained in this instrument.

For and in consideration of the sum of \$1, and other good and valuable consideration, sufficiency of which are acknowledged, Grantor conveys to Grantee, its successors and assigns, without covenants and warranties of any kind, and subject to the terms and conditions contained here, the perpetual right, privilege and easement to construct, improve, repair, maintain and operate a public roadway and associated improvements over and on the Easement Area.

Grantor further grants a temporary right, easement and privilege to Grantee to (1) enter upon the Premises and (2) store materials, tools, machinery, equipment and surplus excavation upon the Premises, for and during the period of, and to the extent reasonably necessary to effectuate, any such initial or subsequent construction, reconstruction, improvement, repair or maintenance of the roadway and associated improvements.

The foregoing grants of easement and license shall, however, at all times be subject to the following terms:

1. Grantee shall notify Grantor in writing prior to commencing the initial or any subsequent construction, reconstruction, improvement, repair and maintenance of the roadway or associated improvements.

2. The construction work will be completed as specified in the drawing attached here as Exhibit B, at no expense to Grantor.

3. Upon completion of the initial construction of the roadway and associated improvements, and upon completion of any subsequent reconstruction, replacement, improvement, repair or maintenance, Grantee shall, at no expense to Grantor, restore or have restored to the reasonable satisfaction of Grantor, the Premises and any other affected property owned by Grantor to the same condition which existed immediately prior to the commencement of the activities by Grantee.

4. Any rights to the Premises not specifically granted to Grantee here, are reserved to the Grantor, its successors and assigns.

In witness, the Parties executed this Grant of Easement and had their respective seals affixed on the date written above.

Grantors:

Michael Butch

Witness

State of Ohio)
) SS:
Count of Cuyahoga)

Before me, a notary public in and for said County and State, personally appeared Michael Butch, known to me, who acknowledged that he did execute the foregoing instrument and the same is his free act and deed. In witness whereof, I have hereunto set my hand and official seal at _____ Ohio, this ____ day of _____, 2016.

Notary Public

Angela Butch

Witness

State of Ohio)
) SS:
Count of Cuyahoga)

Before me, a notary public in and for said County and State, personally appeared Angela Butch, known to me, who acknowledged that she did execute the foregoing instrument and the same is his free act and deed. In witness whereof, I have hereunto set my hand and official seal at _____ Ohio, this ____ day of _____, 2016.

Notary Public

Grantee: City of North Royalton

By: _____
Mayor

Witness

State of Ohio)
) SS:
Count of Cuyahoga)

Before me, a notary public in and for said County and State, personally appeared Mayor Robert Stefanik, known to me, who acknowledged that he did execute the foregoing instrument and the same is his free act and deed. In witness whereof, I have hereunto set my hand and official seal at _____ Ohio, this ____ day of _____, 2016.

Notary Public

ORDINANCE NO. 16-126

INTRODUCED BY: Langshaw, Muller, Petrusky

AN ORDINANCE ACCEPTING THE BID OF SET IN STONE CONTRACTING, LLC FOR THE STORM WATER IMPROVEMENTS FOR THE YORK ROAD/TILBY ROAD STREAMBANK IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$77,635.25 AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton has advertised for bids for the storm water improvements for the York Road/Tilby Road Streambank Improvements Project; and

WHEREAS: It has been determined that the bid of Set In Stone Contracting, LLC for an amount not to exceed \$77,635.25 is the lowest and best bid; and

WHEREAS: Council desires to accept this bid.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby accepts the bid of Set In Stone Contracting, LLC for the storm water improvements for the York Road/Tilby Road Streambank Improvements Project for an amount not to exceed \$77,635.25 as the lowest and best bid as outlined in Exhibit A attached hereto.

Section 2. The Mayor is hereby authorized to enter into a contract with Set In Stone Contracting, LLC in a form approved by the Director of Law.

Section 3. The City Engineer is hereby authorized and directed to forward a certified copy of this Ordinance to Set In Stone Contracting, LLC and all certified checks and bonds are hereby authorized to be returned to the unsuccessful bidders.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to accept the bid of Set In Stone Contracting, LLC for the storm water improvements for the York Road/Tilby Road Streambank Improvements Project so that this work may commence.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____

DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



City of North Royalton

Mayor Robert A. Stefanik

Daniel J. Collins, P.E.
Assistant City Engineer

Diane Veverka
Engineering Secretary

Mark A. Schmitzer, P.E.

City Engineer

MEMORANDUM

To: City Council
From: Mark Schmitzer, P.E., City Engineer
CC: Mayor Stefanik
Laura Haller, Clerk of Council
Eric Dean, Director of Finance
Date: 8/24/2016
Re: YORK ROAD / TILBY ROAD STREAMBANK IMPROVEMENTS
Recommendation of Contract Award

The bid opening for the York Road / Tilby Road Streambank Improvements project occurred on Wednesday, August 3, 2016 at 1:00pm at City Hall. The following is the official result of the bids submitted:

<u>Contractor</u>	<u>BID AMOUNT</u>
1.) Fabrizi Trucking & Paving Co., Inc.	\$ 97,097.00
2.) Set In Stone Contracting, LLC	\$ 77,635.25
3.) C. Crump, Inc.	\$ 83,985.00
4.) Mark Haynes Construction, Inc.	\$ 174,743.80
<i>Engineer's Opinion of Probable Cost</i>	\$ 88,275.00

(Please note that all bids include a 10% contingency.)

After extensive review of the submitted bids, the Engineering Department recommends Set In Stone Contracting, LLC who is qualified to perform the work, the award of the lowest and best bid of the alternate bid amount of **\$ 77,635.25**.

Attached to this Memo is the complete official Bid Tabulation for the York Road / Tilby Road Streambank Improvements project.

Attachment (1)

City of North Royalton Engineering Department
YORK ROAD / TILBY ROAD STREAMBANK IMPROVEMENTS



OFFICIAL BID TABULATION (Bid Opening on Wed., August 3, 2016 at 1:00 pm)

ITEM No.	ODOT No.	Description	Unit	Quant.	Engineer's Estimate		Fabrzi Trucking & Paving Co., Inc.		Set In Stone Contracting, LLC		C. Crump, Inc.		Mark Haynes Construction, Inc.	
					Unit Pr.	Total	Unit Pr.	Total	Unit Pr.	Total	Unit Pr.	Total	Unit Pr.	Total
1	624	Mobilization	LUMP	1	\$ 6,000.00	\$ 6,000.00	\$ 21,400.00	\$ 21,400.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 7,500.00	\$ 7,500.00
2	SPCL	Pre-Construction & Post-Construction Photography, per Plan	LUMP	1	\$ 750.00	\$ 750.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 1,900.00	\$ 1,900.00
3	SPCL	Area "A" Excavation & Removal Offsite, per Plan	C.Y.	510	\$ 25.00	\$ 12,750.00	\$ 20.00	\$ 10,200.00	\$ 33.25	\$ 16,957.50	\$ 30.00	\$ 15,300.00	\$ 28.00	\$ 14,280.00
4	SPCL	Area "B" Excavation & Removal Offsite, per Plan	C.Y.	300	\$ 25.00	\$ 7,500.00	\$ 45.00	\$ 13,500.00	\$ 33.25	\$ 9,975.00	\$ 30.00	\$ 9,000.00	\$ 28.00	\$ 8,400.00
5	SPCL	Area "C" Excavation & Removal Offsite, per Plan	C.Y.	46	\$ 25.00	\$ 1,150.00	\$ 150.00	\$ 6,900.00	\$ 40.00	\$ 1,840.00	\$ 30.00	\$ 1,380.00	\$ 28.00	\$ 1,288.00
6	SPCL	Gabion Basket Installation (Area "C"), per Plan	L.F.	72	\$ 300.00	\$ 21,600.00	\$ 100.00	\$ 7,200.00	\$ 318.00	\$ 22,896.00	\$ 120.00	\$ 8,640.00	\$ 400.00	\$ 28,800.00
7	SPCL	Miscellaneous Plantings (live fascines, brush mattresses, native trees & shrubs), per Plan	LUMP	1	\$ 14,500.00	\$ 14,500.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 67,000.00	\$ 67,000.00
8	SPCL	Misc. Rip Rap material, Type "B", installed at direction of Engineer	C.Y.	30	\$ 200.00	\$ 6,000.00	\$ 150.00	\$ 4,500.00	\$ 100.00	\$ 3,000.00	\$ 100.00	\$ 3,000.00	\$ 170.00	\$ 5,100.00
9	659	Seeding & Mulching (Site Restoration)	LUMP	1	\$ 2,500.00	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00	\$ 1,500.00	\$ 1,500.00	\$ 15,000.00	\$ 15,000.00	\$ 4,000.00	\$ 4,000.00
10	659	Topsoil, Spread at 2" Thickness	C.Y.	77	\$ 40.00	\$ 3,080.00	\$ 50.00	\$ 3,850.00	\$ 37.00	\$ 2,849.00	\$ 55.00	\$ 4,235.00	\$ 62.00	\$ 4,774.00
11	659	Commercial Fertilizer	TON	0.10	\$ 200.00	\$ 20.00	\$ 600.00	\$ 60.00	\$ 500.00	\$ 50.00	\$ 2,000.00	\$ 200.00	\$ 1,000.00	\$ 100.00
12	659	Water	M GAL	8	\$ 18.75	\$ 150.00	\$ 20.00	\$ 160.00	\$ 20.00	\$ 160.00	\$ 200.00	\$ 1,600.00	\$ 2.00	\$ 16.00
13	SPCL	Relocating Saved Materials/Termination of Ex. Utilities, per plan	LUMP	1	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 8,000.00	\$ 8,000.00	\$ 6,200.00	\$ 6,200.00
14	SPCL	Cleaning/Clearing (offsite removal) of Ex. Stream, per plan	LUMP	1	\$ 3,250.00	\$ 3,250.00	\$ 8,000.00	\$ 8,000.00	\$ 3,850.00	\$ 3,850.00	\$ 4,995.00	\$ 4,995.00	\$ 9,500.00	\$ 9,500.00
15	SPCL	10% Construction Contingency (10% of the Sum of Items 1 Thru 14)	LUMP	1	---	\$ 8,025.00	---	\$ 8,827.00	---	\$ 7,057.75	---	\$ 7,635.00	---	\$ 15,885.80
GRAND TOTAL BASE BID: (ITEM NUMBERS 1 THRU 15)						\$ 88,275.00		\$ 97,097.00		\$ 77,635.25		\$ 83,985.00		\$ 174,743.80
										= lowest & best bid		= mathematical error in bid		

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1260 GENERAL PROVISIONS AND DEFINITIONS, SECTION 1260.07 DEFINITIONS TO ADD APPROPRIATE DEFINITIONS FOR THE COMMERCIAL OPERATION OF NURSING FACILITIES AND ASSISTED LIVING FACILITIES, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined that the commercial operation of nursing facilities and assisted living facilities should be allowed in the various districts throughout the city; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1260 General Provisions and Definitions, Section 1260.07 Definitions to add appropriate definitions that allow for the commercial operation of nursing facilities and assisted living facilities; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 12 Planning and Zoning Code, Chapter 1260 General Provisions and Definitions, Section 1260.07 Definitions, subsection 1260.07(i) Dwellings and Other Living Accommodations of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

1260.07 DEFINITIONS

(i) Dwellings and Other Living Accommodations.

(1) “Cluster dwelling, attached” means a building, containing attached single-family dwelling units, within a cluster development, which is designed and arranged so that every dwelling unit has two private entrances to the outdoors at ground level and also designed so that no living area of one dwelling unit is located above any other dwelling unit. Attached cluster dwellings are not permitted in R-1A and R-1B Districts.

(2) “Cluster dwelling, detached” means a detached single-family dwelling unit within a cluster development.

(3) “Dwelling” means a building designed or occupied exclusively for residential use and permitted accessory uses.

(4) “Dwelling unit” means space within a dwelling comprising a living, dining and sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family, but not including a tent, cabin, trailer or mobile home.

(5) “Hotel” means a building providing overnight accommodations in which access to each rental unit is provided by an entrance and central service core connected to interior halls.

(6) “Mobile home” means a self-propelled or nonself-propelled vehicle designed in a manner to permit use and occupancy thereof for human habitation whether resting on wheels, jacks or another foundation.

(7) “Motel” means a building or buildings providing overnight accommodations principally for automobile travelers in which access to each rental unit is provided directly through an exterior door or by an entrance connected to a common interior hall leading to the exterior.

(8) “Multifamily dwelling” means a building consisting of three or more dwelling units with various arrangements of entrances and party walls.

A. “Apartment” means a multifamily building comprised of three or more dwelling units arranged one above the other and side by side, attached by or separated by fireproof walls, each unit having at least one entrance connected to a common interior hall leading to the exterior.

B. “Plex” means a building comprised of four, or a maximum of five, single dwelling units arranged one above the other and/or side by side, attached by or separated by fireproof walls, each unit having an entrance from the exterior of the building.

ORDINANCE NO. 16-128

INTRODUCED BY: Mayor Stefanik
Co-Sponsor: Langshaw, Antoskiewicz, Kasaris

AN ORDINANCE IMPOSING A MORATORIUM OF SIX MONTHS ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF NORTH ROYALTON, OHIO, AND DECLARING AN EMERGENCY

WHEREAS: Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, becomes effective September 8, 2016; and

WHEREAS: For the purposes of this Ordinance, the definitions of “cultivators,” “processors,” and “retail dispensaries” are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter is effective September 8, 2016; and

WHEREAS: Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the City of North Royalton; and

WHEREAS: Council of the City of North Royalton seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within the City of North Royalton, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS: The Administration will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the City of North Royalton and help ensure the public peace, health, safety, and welfare of its citizens; and

WHEREAS: A moratorium of six months on the granting of permits for medical marijuana-related businesses in the City of North Royalton will allow Council time to accomplish the city's goals and help ensure the public peace, health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Council of the City of North Royalton hereby imposes a moratorium of six months on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that the Administration may study the new law and the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the City of North Royalton and to prepare any necessary, related regulations.

Section 2. Council seeks to limit the duration of the moratorium and to instruct the Mayor and Administration to immediately undertake a review of the new law and related issues; the Administration will then recommend new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.

Section 3. Council hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the City of North Royalton during the 6-month moratorium.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to impose a moratorium of six months on the granting of permits for medical marijuana-related businesses in the City of North Royalton in order to allow Council time to accomplish the city's goals as stated above.

