

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **December 16, 2014, 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, Finance Director Eric Dean.

Agenda reviewed.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **December 16, 2014 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, Finance Director Eric Dean.

CONSENT AGENDA

- a. Approval of Minutes: December 2, 2014.
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D2 and D2X transfer permit for Angie & Louie's Pizza LLC, 6120 Royalton Road.
- c. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a C1, C2 and D8 transfer permit for Mahant Inc., 8021 W. 130th Street.

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, Muller, Kasaris). Nays: **None. Motion carried.**

COMMUNICATIONS: None

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS:

Mr. Kelly reported that the Oil and Gas Commission ruled on our appeal of the Cutter Oil gas well lease and found one of our arguments to be persuasive. Mr. Kelly said they found that the Chief of the Division of Oil and Gas for the ODNR made his determination solely on the financial concerns. He said that the city had been concerned with, and pressing for, consideration of the safety concerns of these wells which until now have been largely ignored. The Commission has set a new standard that the Technical Advisory Committee (TAC) must look at and take into account when making its recommendation to the Chief, and the Chief must take this into consideration when making any order under a mandatory pooling application. He thanked the commission for treating us fairly. This determination places all three parties in this litigation in a position to appeal if they feel the ruling affects them adversely to the Common Pleas Court of Franklin County. He said our position is that we are not likely to appeal as it would not be in the best interest of the community. The order calls for a reversal of the Chief's order and a remand to the TAC to reconsider the negotiations of the parties in light of the opinion. He said we have won the first round. We have forced them to accept the fact that money alone cannot be the sole factor for the determination of well location in urbanized areas. He anticipates that we will be back before the TAC sometime in the spring.

PRESIDENT OF COUNCIL'S REPORT:

Mr. Antoskiewicz thanked the Law Department for their hard work on the Cutter Oil appeal.

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**FIRST READING CONSIDERATION****ORDINANCE 14-141**

Introduced by: Mayor Stefanik, Marnecheck. **AN ORDINANCE ESTABLISHING VARIOUS BENEFITS FOR REGULAR PART TIME EMPLOYEES OF 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, Muller, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt Ordinance 14-141.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 14-142

Introduced by: Antoskiewicz, Marnecheck. **AN ORDINANCE ESTABLISHING A PAY PERIOD SCHEDULE FOR ALL MUNICIPAL EMPLOYEES, 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 **amend Section 2 of Ordinance 14-142 by deleting Item 5 Director of Recreation and Item 6 Director of Safety and renumbering all subsequent items.** 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 14-142 as amended.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 14-143

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AUTHORIZING THE MAYOR TO APPROVE AN AMENDMENT TO THE LEASE AGREEMENT WITH WIDOPENWEST OHIO, LLC, ITEM 3 BASE RENT, TO PROVIDE FOR FREE INTERNET SERVICE AT 8 CITY LOCATIONS, 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 14-143.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 14-144

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 13-138 AS AMENDED BY ORDINANCES 14-13, 14-31, 14-64, 14-83, 14-90, 14-109, 14-124 AND 14-140 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, 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 14-144.**

Mr. Kasaris asked how we did in December compared to last year. Mr. Dean said we were up \$160,000 for the same period last year, but are down \$100,000 year to date.

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

ORDINANCE 14-145

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 214 GENERAL FEE SCHEDULE, SECTION 214.04 FEES IN THE GENERAL OFFENSES CODE BY CREATING A NEW PARAGRAPH (c), 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 14-145.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 14-146

Introduced by: Mayor Stefanik, Marnecheck. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1045 BILLING, COLLECTION AND CUSTOMER SERVICE, SECTION 1045.08 SANITARY SEWER CHARGES GENERALLY, PARAGRAPH (a)(3), 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 14-146.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 14-147

Introduced by: Mayor Stefanik, Langshaw, Marnecheck. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1272 SENIOR CITIZEN DISTRICT, SECTION 1272.02 PERMITTED USES BY CREATING A NEW PARAGRAPH (b) AND RENUMBERING EXISTING PARAGRAPH (b) TO (c), AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading** and referred to the **Planning Commission** and **Building and Building Codes Committee.**

MISCELLANEOUS

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

Mr. Langshaw thanked the Law Department for their efforts in the Cutter Oil appeal.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the December 16, 2014 City Council meeting.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

Meeting adjourned at 7:50 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: January 6, 2015
PRESIDENT OF COUNCIL

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