

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **January 5, 2016, 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 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 **January 5, 2016 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 Stefanik, Law Director Thomas Kelly, Finance Director Eric Dean.

CONSENT AGENDA

- a. Approval of Minutes: December 15, 2015.
- b. Legislation:

FIRST READING CONSIDERATION

ORDINANCE 16-01

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF BRUCE G. CAMPBELL TO SERVE AS DIRECTOR OF PUBLIC SAFETY FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-02

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF NICK CINQUEPALMI TO SERVE AS DIRECTOR OF PUBLIC SERVICE AND PROPERTIES FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-03

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF LORETTA A. COYNE AS PUBLIC DEFENDER FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-04

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF ERIC DEAN TO SERVE AS DIRECTOR OF FINANCE FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-05

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF THOMAS J. JORDAN TO SERVE AS DIRECTOR OF COMMUNITY DEVELOPMENT FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-06

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF THOMAS A. KELLY TO SERVE AS LAW DIRECTOR FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-07

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF DAN KULCHYTSKY TO SERVE AS BUILDING COMMISSIONER FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-08

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF JAMES MARNIELLA TO SERVE AS MAGISTRATE OF MAYOR'S COURT FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-09

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF JAMES J. MCDONNELL TO SERVE AS SECOND ASSISTANT PROSECUTOR FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-10

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF JASON SWIM TO THE POSITION OF RECREATION DIRECTOR FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-11

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF TIMOTHY M. TIGUE TO SERVE AS WASTEWATER SUPERINTENDENT FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-12

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF DARLENE J. THOMAS TO SERVE AS THE MAYOR'S EXECUTIVE ASSISTANT/CLERK OF COURTS FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-13

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF DONNA M. VOZAR TO SERVE AS ASSISTANT LAW DIRECTOR/FIRST ASSISTANT PROSECUTOR FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.** Title read.

ORDINANCE 16-14

Introduced by: Mayor Stefanik. **AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF JUDITH WILLEY TO SERVE AS DIRECTOR OF OFFICE ON AGING/HUMAN SERVICES FOR THE CITY OF NORTH ROYALTON, 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, 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'S 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, 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 16-15**

Introduced by: Mayor Stefanik. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FRATERNAL ORDER OF POLICE (FOP), LODGE 15 (CORRECTIONS), 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 16-15.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 16-16

Introduced by Marnecheck, Nickell, Kasaris. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MWH AMERICAS, INC. FOR THE WWTP "A" INFLUENT PUMP STATION ESDC CONSULTING SERVICES, 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 in the **Wastewater Treatment Fund #551.**

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 16-16.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

ORDINANCE 16-17

Introduced by Marnecheck, Nickell, Kasaris. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MWH AMERICAS, INC. FOR THE WWTP "B" SCREW PUMPS CONSULTING SERVICES, 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 in the **Wastewater Treatment Fund #551.**

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 16-17.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

MISCELLANEOUS

David Perry, 10581 Ridge Road, addressed Council regarding the Police Department. He said that he spoke with the Law Director last month and Mr. Kelly told him that he would investigate his complaint. Mr. Perry said that he has not heard from him since then. He said that he would like to have his complaint resolved and he wants to see someone fired. He said that it is not right to have people come onto your property and bring up subjects that are very sensitive regarding your family, and then you have to prove your innocence by taking and passing a breathalyzer test. He said that he would like an answer from the Law Director as to what is going to happen. He said that he hasn't heard back from anyone in the Police Department on this issue either.

Mr. Kelly said that he wished to reply and get a couple of comments on the record. He said that there were two issues that Mr. Perry brought to the Administration. The first issue was relative to his complaint about a police officer and the conduct of this officer who was at his home on the day in question. The second issue that was addressed most directly to him was on a public record request seeking information relative to the individual who had called the police to indicate that she believed that Mr. Perry had been driving while drinking. Mr. Kelly said that the investigation determined that he was not drinking but had a brown bottle in his hand which gave every appearance of being a beer bottle, and that is what the person who made the complaint thought it was and called the police to investigate. He said that Mr. Perry wanted the name and contact information for this individual. Mr. Kelly said that he determined that pursuant to an exception in the statute that in fact he is entitled to the record but the contact information relative to the individual's name, address, etc. will be redacted. He said that he made this determination for the protection of this individual from potential harassment. He said that he believes that we should not discourage members of the public from making these types of phone calls; we should encourage them. Mr. Kelly said that the report was sent to Mr. Perry and Mr. Perry acknowledged that he did receive it. Mr. Kelly said that the issue of the conduct of a particular Police Officer on a given day is subject to review on an internal basis by the Police Department using their own process for this. Mr. Kelly said that the Police Department took a statement and complaint from Mr. Perry. He said that there is still an effort afoot to satisfy the Police Department relative to the conduct of this officer. Mr. Kelly said that this does not mean that this will eventually be made public; it may be an internal disciplinary matter entirely. Mr. Kelly said that while he understands that Mr. Perry was disturbed by the conduct, it doesn't rise to the level of anything that would precipitate the Law Director to conduct an investigation. Mr. Kelly said he is not conducting any investigation of the Police Department.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adjourn the January 5, 2016 City Council Meeting**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.**

Meeting adjourned at 7:45 p.m.

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: January 19, 2016
PRESIDENT OF COUNCIL

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