


May 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 COUNCIL AND CAUCUS 7:00 STORM WATER, STREETS, & UTILITIES 6:00	3 PLANNING COMMISSION 7:00 CAUCUS 6:45	4	5	6
7	8 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	9 Fair Housing Board 5:00 (Community Room #2)	10	11	12	13
14 <i>MOTHER'S DAY</i> 	15	16 COUNCIL AND CAUCUS 7:00 B&BC, FINANCE ,SAFETY & SPECIAL R&O 6:00	17 PLANNING COMMISSION 7:00 CAUCUS 6:45	18	19	20
21	22	23	24	25 BZA 7:00 CAUCUS 6:45	26	27
28	29 <i>MEMORIAL DAY</i> 	30 REC BOARD 6:00	31			

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

June 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6 COUNCIL AND CAUCUS 7:00 STORM WATER, STREETS, & UTILITIES 6:00	7 PLANNING COMMISSION 7:00 CAUCUS 6:45	8	9	10
11	12 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	13	14	15	16	17
18 <i>FATHER'S DAY</i> 	19	20 COUNCIL AND CAUCUS 7:00 B&BC, FINANCE & SAFETY 6:00	21 PLANNING COMMISSION 7:00 CAUCUS 6:45	22	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
MAY 16, 2017**

7:00 p.m. Caucus

Council Meeting 7:00 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Minutes: May 2, 2017
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes
Finance
Review & Oversight
Safety
Storm Water
Streets
Utilities

John Nickell
Larry Antoskiewicz
Dan Kasaris
Gary Petrusky
Dan Langshaw
Cheryl Hannan
Paul Marnecheck

10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals
Planning Commission
Recreation Board

Dan Kasaris
Larry Antoskiewicz
Paul Marnecheck

11. Public Discussion: Five minute maximum, on current agenda legislation only.

12. LEGISLATION

SECOND READING CONSIDERATION

1. **17-68** - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND, OHIO FOR THE BILLING OF SEWER CHARGES, AND DECLARING AN EMERGENCY. **First reading May 2, 2017 and referred to Finance Committee.**
2. **17-70** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1278 INDUSTRIAL DISTRICTS, SECTION 1278.04 USE REGULATIONS FOR GENERAL INDUSTRIAL DISTRICTS, PARAGRAPH (a)(4), AND DECLARING AN EMERGENCY. **First reading May 2, 2017 and referred to Planning Commission.**

FIRST READING CONSIDERATION

1. **17-71** - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF KENNETH BILINOVICH TO THE POSITION OF CHIEF OF POLICE FOR THE CITY OF NORTH ROYALTON, OHIO, AND DECLARING AN EMERGENCY.
2. **17-72** - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO SETTLE ONGOING LITIGATION AND TO RESOLVE THE ISSUES OF BILLING FOR NORTH ROYALTON SEWER DISTRICT "C" CUSTOMERS IN ORDER TO ALLOW FOR A LUMP SUM PAYMENT RATHER THAN EQUAL QUARTERLY INSTALLMENTS OVER A 20 YEAR PERIOD, AND DECLARING AN EMERGENCY

3. **17-73** - AN ORDINANCE AMENDING ORDINANCE 15-106, AS AMENDED BY ORDINANCE 17-28, WHICH AUTHORIZED THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) PIERCE DASH CF PUC RESCUE PUMPER FOR AN AMOUNT NOT TO EXCEED \$591,815.34 FOR THE NORTH ROYALTON FIRE DEPARTMENT FROM THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM BY INCREASING THE NOT TO EXCEED COST BY AN ADDITIONAL \$900.00, AND DECLARING AN EMERGENCY.

4. **17-74** - AN ORDINANCE AMENDING ORDINANCE 15-112 WHICH AUTHORIZED THE MAYOR TO ENTER INTO A LEASE/PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC FOR AN AMOUNT NOT TO EXCEED \$904,367.34 TO FINANCE THE PURCHASE OF ONE (1) PIERCE VELOCITY 107' ASCENDANT AERIAL LADDER FOR THE NORTH ROYALTON FIRE DEPARTMENT FROM THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM, BY INCREASING THE NOT TO EXCEED COST BY AN ADDITIONAL \$900.00, AND DECLARING AN EMERGENCY.

13. Miscellaneous.

14. Adjournment.

RESOLUTION NO. 17-71

INTRODUCED BY: Mayor Stefanik
Co-sponsor: Langshaw

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF KENNETH BILINOVICH TO THE POSITION OF CHIEF OF POLICE FOR THE CITY OF NORTH ROYALTON, OHIO, AND DECLARING AN EMERGENCY

WHEREAS: Council confirms various appointments made by the Mayor; and

WHEREAS: Council desires to confirm the Mayor's appointment of Kenneth Bilinovich to the position of Chief of Police for the City of North Royalton, Ohio.

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

Section 1. Council hereby confirms the appointment of Kenneth Bilinovich to the position of Chief of Police for the City of North Royalton, Ohio.

Section 2. Said appointment shall be effective May 14, 2017.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 4. This Resolution is 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 necessary to keep accurate public records as to the various appointments made by the Mayor and the date of said appointment.

THEREFORE, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take affect 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:

ORDINANCE NO. 17-72

INTRODUCED BY: Mayor Stefanik
Co-sponsor: Langshaw

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO SETTLE ONGOING LITIGATION AND TO RESOLVE THE ISSUES OF BILLING FOR NORTH ROYALTON SEWER DISTRICT "C" CUSTOMERS IN ORDER TO ALLOW FOR A LUMP SUM PAYMENT RATHER THAN EQUAL QUARTERLY INSTALLMENTS OVER A 20 YEAR PERIOD, AND DECLARING AN EMERGENCY

WHEREAS: Ordinance 13-25 was adopted by the City of North Royalton authorizing a settlement agreement between the city and the Northeast Ohio Regional Sewer District (NEORS) to settle ongoing litigation and to resolve the issues of billing for North Royalton sewer district "C" customers; and

WHEREAS: Ordinance 16-60 was adopted by the city to amend this settlement agreement in order to include all city storm water districts within the NEORS Regional Storm Water Management Program; and

WHEREAS: It has been determined to be necessary to authorize a second amendment to this settlement agreement in order to allow for a lump sum payment rather than equal quarterly installments over a 20 year period; and

WHEREAS: Council desires to enact legislation to authorize the Mayor to sign this amended settlement agreement.

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 Mayor is hereby authorized to enter into a second amendment to the settlement agreement with the Northeast Ohio Regional Sewer District, pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated herein as if fully rewritten.

Section 2. Ordinance 13-25, as amended by Ordinance 16-60, is hereby amended as provided for herein.

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 authorize the Mayor to enter into a second amendment to the settlement agreement with the Northeast Ohio Regional Sewer District.

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.

_____ APPROVED: _____
PRESIDENT OF COUNCIL MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

SECOND AMENDMENT
TO
SETTLEMENT AGREEMENT
BETWEEN
NORTHEAST OHIO REGIONAL SEWER DISTRICT
AND
CITY OF NORTH ROYALTON

This Amendment to Settlement Agreement (the "Amendment") is entered into this _____ day of _____, 2017, between the Northeast Ohio Regional Sewer District (the "District"), a regional sewer district organized and existing as a political subdivision of the State of Ohio under Chapter 6119 of the Ohio Revised Code, pursuant to the authority of Board of Trustees Resolution No. 148-17, adopted on May 4, 2017 (Exhibit "A") and the City of North Royalton (the "North Royalton"), pursuant to Ordinance No. _____, adopted on _____ (Exhibit "B").

WHEREAS, on or around February 6, 2013, the District and North Royalton entered into a settlement agreement (the Settlement Agreement") to resolve and settle issues pending between them; and

WHEREAS, North Royalton intends to design and construct the Cedar Estates Detention Project, of which the basin portion is anticipated to provide a regional stormwater management function and benefit; and

WHEREAS, under paragraph 6.0 of the Settlement Agreement, the parties agreed that the District would reimburse North Royalton for the actual cost of the design and construction of the basin portion of the Cedar Estates Detention Project, up to an amount not to exceed Seven Hundred Thousand Dollars (\$700,000.00); and

WHEREAS, the parties further agreed that such reimbursement by the District would begin January 1 of the year following the completion of the basin and be paid in equal quarterly installments over a twenty-year period; and

WHEREAS, North Royalton has requested the District reimburse North Royalton in a one-time, lump-sum amount, rather than in equal quarterly installments over a twenty-year period; and

WHEREAS, the District has agreed to reimburse North Royalton the actual cost of the design and construction of the basin portion in a one-time, lump-sum amount not to exceed Seven Hundred Thousand Dollars (\$700,000.00) in January of the year following completion of the basin.

NOW, THEREFORE, for the reasons set forth above and in consideration of the mutual promises contained herein, the parties agree to amend the Settlement Agreement as follows:

ARTICLE 1
REIMBURSEMENT FOR BASIN PORTION ONLY OF CEDAR ESTATES DETENTION PROJECT

The parties hereby agree to amend paragraph 6.0 of the Settlement Agreement remove the existing language of subparagraph 6.3 in entirety, and replace such subparagraph with the following language:

The District shall reimburse North Royalton the actual cost of the design and construction of the basin portion of the Cedar Estates Detention Project up to an amount not to exceed Seven Hundred Thousand Dollars (\$700,000.00). Such reimbursement shall be paid by the District to North Royalton in a one-time, lump-sum payment in January of the year following completion of the basin in accordance with the provisions of this Agreement.

Article 2
Effect of Amendment

The provisions of this Amendment are hereby incorporated into the Settlement Agreement, as if fully rewritten therein. All terms used herein shall be defined and construed in the manner set forth in the Settlement Agreement and the Regional Stormwater Management Program ("RSMP") Agreement. Except as otherwise provided in, or as otherwise necessary or appropriate to give effect to the terms of this Amendment, all the provisions, terms and conditions contained in the Settlement Agreement and the RSMP Agreement and not inconsistent with this Amendment shall remain unchanged and in full force and effect. In the event of any conflict between the Settlement Agreement and this Amendment, the terms, conditions and provisions of this Amendment shall control.

[remainder of page intentionally left blank]

The Parties have executed and delivered this Amendment as of the date first above written.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

By: _____
Kyle Dreyfuss-Wells
Chief Executive Officer

By: _____
Darnell Brown, President
Board of Trustees

**NORTHEAST OHIO REGIONAL
SEWER DISTRICT**

By: _____
Eric Luckage
Chief Legal Officer

Date: _____

CITY OF NORTH ROYALTON

By: _____
Robert A. Stefanik
Mayor

CITY OF NORTH ROYALTON

By: _____
Thomas A. Kelly
Director of Law

Date: _____

This Instrument Prepared By:
Katarina K. Waag
Assistant General Counsel
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

ORDINANCE NO. 17-73

INTRODUCED BY: Petrusky, Langshaw, Hannan

AN ORDINANCE AMENDING ORDINANCE 15-106, AS AMENDED BY ORDINANCE 17-28, WHICH AUTHORIZED THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) PIERCE DASH CF PUC RESCUE PUMPER FOR AN AMOUNT NOT TO EXCEED \$591,815.34 FOR THE NORTH ROYALTON FIRE DEPARTMENT FROM THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM BY INCREASING THE NOT TO EXCEED COST BY AN ADDITIONAL \$900.00, AND DECLARING AN EMERGENCY

WHEREAS: Council adopted Ordinance 15-106 which authorized the purchase of a vehicle for the North Royalton Fire Department through the Ohio Cooperative Purchasing Program of the Department of Administrative Services for an amount not to exceed \$586,815.34; and

WHEREAS: Council adopted Ordinance 17-28 amending Ordinance 15-106 to reflect the exclusion of a \$5,000.00 trade-in vehicle which was no longer available, for a new not to exceed amount of \$591,815.34; and

WHEREAS: After review and inspection of the vehicle to be purchased, it has been determined to be necessary to reprogram all perimeter scene lights and to add a switch for the scene lights; and

WHEREAS: Council desires to amend Ordinance 15-106, as amended by Ordinance 17-28, to reflect the increase in cost of \$900.00, and establish a new not to exceed cost of \$592,715.34.

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

Section 1. Ordinance 15-106, as amended by Ordinance 17-28, is hereby amended to allow for the reprogramming of all perimeter scene lights and to add a switch for the scene lights in the amount of \$900.00 and establish a new not to exceed cost of \$592,715.34 as further outlined in Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. Ordinance 15-106, as amended by Ordinance 17-28, is hereby amended as provided for herein and all other provisions of Ordinance 15-106 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 Ordinance 15-106, as amended by 17-28, in order to allow for the reprogramming of all perimeter scene lights and to add a switch for the scene lights.

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

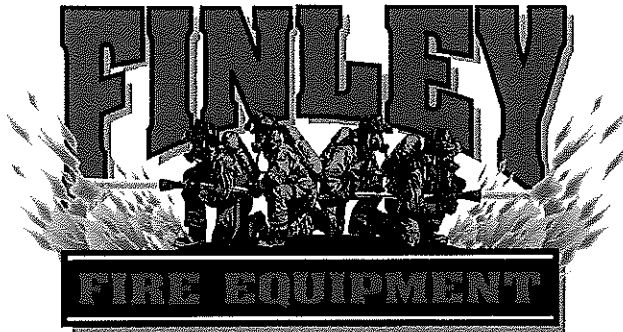
APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



5255 North State Route 60 NW McConnelsville, Ohio 43756 Toll Free 800-545-3280

5/10/2017

Chief Robert Chegan
North Royalton Fire Department
RE: Pierce Options - Additions

Dear Chief Chegan,

Per our phone conversation earlier today, the following changes will be made to your new Pierce Velocity 107' Ascendant Aerial and the Dash CF PUC Rescue Pumper:

29940 – Velocity 107' Ascendant Aerial

Reprogram all the perimeter scene lights (under the truck) to be activated with a switch at the DS Switch Panel for the driver (currently programed to come on when the parking brake is applied): \$450.00

Add a switch so the (2) Whelen PFBP12C LED Rear Flood lights can be turned on in the cab from the driver's overhead switch panel: \$450.00

29939 – Dash CF PUC

Reprogram all the perimeter scene lights (under the truck) to be activated with a switch at the DS Switch Panel for the driver (currently programed to come on when the parking brake is applied): \$450.00

Add a switch so the (2) Whelen PELCC LED PUC Scene Lights can be turned on in the cab from the driver's overhead switch panel: \$450.00

The total cost for these changes is \$1800.00 and will be invoiced to you (from Finley Fire Equipment) after the trucks are delivered to you.

Please let me know if you have any questions or need anything further.

Sincerely,

Richard Browne
Northwest Ohio Sales Representative - Finley Fire Equipment Co., Inc.



ORDINANCE NO. 17-74

INTRODUCED BY: Petrusky, Langshaw, Hannan

AN ORDINANCE AMENDING ORDINANCE 15-112 WHICH AUTHORIZED THE MAYOR TO ENTER INTO A LEASE/PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC FOR AN AMOUNT NOT TO EXCEED \$904,367.34 TO FINANCE THE PURCHASE OF ONE (1) PIERCE VELOCITY 107' ASCENDANT AERIAL LADDER FOR THE NORTH ROYALTON FIRE DEPARTMENT FROM THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM, BY INCREASING THE NOT TO EXCEED COST BY AN ADDITIONAL \$900.00, AND DECLARING AN EMERGENCY

WHEREAS: Council has authorized the purchase of a vehicle for the North Royalton Fire Department through the Ohio Cooperative Purchasing Program of the Department of Administrative Services for an amount not to exceed \$904,367.34; and

WHEREAS: After review and inspection of the vehicle to be purchased, it has been determined to be necessary to reprogram all perimeter scene lights and to add a switch for the rear flood lights; and

WHEREAS: Council desires to amend Ordinance 15-112 to reflect the increase in cost of \$900.00, and establish a new not to exceed cost of \$905,267.34.

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

Section 1. Ordinance 15-112 is hereby amended to allow for the reprogramming of all perimeter scene lights and to add a switch for the rear flood lights in the amount of \$900.00 and establish a new not to exceed cost of \$904,367.34 as further outlined in Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. Ordinance 15-112 is hereby amended as provided for herein and all other provisions of Ordinance 15-112 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 Ordinance 15-112 in order to allow for the reprogramming of all perimeter scene lights and to add a switch for the rear flood lights.

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

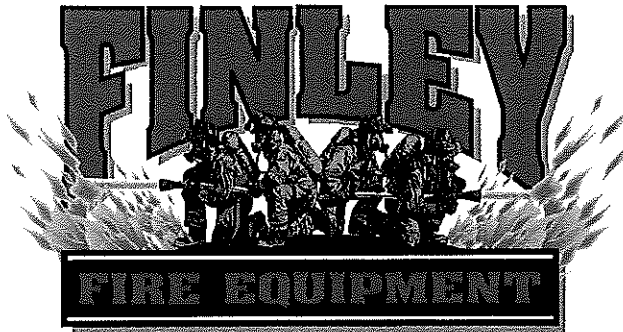
APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



5255 North State Route 60 NW McConnelsville, Ohio 43756 Toll Free 800-545-3280

5/10/2017

Chief Robert Chegan
North Royalton Fire Department
RE: Pierce Options - Additions

Dear Chief Chegan,

Per our phone conversation earlier today, the following changes will be made to your new Pierce Velocity 107' Ascendant Aerial and the Dash CF PUC Rescue Pumper:

29940 – Velocity 107' Ascendant Aerial

Reprogram all the perimeter scene lights (under the truck) to be activated with a switch at the DS Switch Panel for the driver (currently programed to come on when the parking brake is applied): \$450.00

Add a switch so the (2) Whelen PFBP12C LED Rear Flood lights can be turned on in the cab from the driver's overhead switch panel: \$450.00

29939 – Dash CF PUC

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Please let me know if you have any questions or need anything further.

Sincerely,

Richard Browne
Northwest Ohio Sales Representative - Finley Fire Equipment Co., Inc.

