

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **July 2, 2019, at 7:00 p.m.**

**PRESENT: Council:** President of Council Pro-Tem Paul Marnecheck, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Cheryl Hannan, 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 **July 2, 2019 in regular session.** The meeting was called to order at **7:01 p.m.** by President of Council Pro-Tem Paul Marnecheck and opened with the Pledge of Allegiance.

**PRESENT: Council:** President of Council Pro-Tem Paul Marnecheck, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Cheryl Hannan, Dan Kasaris, Legislative Services Director Laura Haller; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Finance Director Eric Dean.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **excuse Mr. Antoskiewicz.** Roll Call: Yeas: **Six** (Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None.** (Excused: Antoskiewicz). **Motion carried.**

#### **CONSENT AGENDA**

- a. Approval of Minutes: June 18, 2019
- b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D5 and D6 transfer permit for AA Enterprises Group LLC, North Royalton, Ohio 44133.
- c. Legislation:

#### **FIRST READING CONSIDERATION**

##### **RESOLUTION 19-58**

Introduced by: Mayor Stefanik. **A RESOLUTION ADOPTING THE DOCUMENT CONTAINING THE ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF NORTH ROYALTON FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND SUBMITTING THE SAME TO THE AUDITOR OF CUYAHOGA COUNTY, OHIO, 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: **Six** (Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None.** (Excused: Antoskiewicz). **Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Six** (Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None.** (Excused: Antoskiewicz). **Motion carried.**

**MAYOR'S REPORT:** No report.

#### **DEPARTMENT HEAD REPORTS:**

Mr. Kelly wished to address those members of Council and the public who are running for public office. He said last fall Council amended Chapter 860 regarding canvassing, soliciting and peddlers and all of those amendments were warranted. He wanted to clarify one thing for the record. The exercise of political campaigning, going door to door and leafleting are all permitted by the First Amendment and has been affirmed by the US Supreme Court repeatedly and it cannot be infringed upon by our ordinances and, in fact, it is not infringed upon by our ordinances. However, if you come to a home that says "no trespassing", don't go there. No trespassing is the exercise of the homeowner's right of privacy which trumps the right of someone canvassing. He said that there is some dicta in some of the case law that suggests that the "do not knock" or "do not solicit" list should also be observed as though it were a no trespassing sign. Mr. Nickell asked if the city has been receiving complaints of this nature. Mr. Kelly said that there was one individual who made some noise about a particular leaflet that was left in his door. Mr. Kasaris asked Mr.

Kelly to explain the meaning of “dicta”. Mr. Kelly said that it is commentary by the court that does not rise to the level of the syllabus or the case law proposition. In this case, it was Watchtower Bible and Tract Society of New York vs. the Village of Stratton from 2002, US Supreme Court 122 S.Ct. 2080. In this case the dictus suggests that an ordinance that allows for a do not solicit or do not knock list should be observed.

**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 19-59**

Introduced by Nickell, Kasaris, Antoskiewicz, Langshaw, Marnecheck. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1270 RESIDENTIAL DISTRICTS (OTHER THAN SENIOR CITIZEN AND RURAL RESIDENTIAL DISTRICTS) SECTION 1270.12 YARDS FOR ACCESSORY BUILDINGS AND USES, PARAGRAPH (a)(B), AND DECLARING AN EMERGENCY.** Title read.

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

**ADJOURNMENT**

Moved by Mr. Marnecheck, seconded by Mr. Kasaris to **adjourn the July 2, 2019 City Council meeting**. Roll Call: Yeas: **Six** (Nickell, Petrusky, Langshaw, Marnecheck, Hannan, Kasaris). Nays: **None**. (Excused: Antoskiewicz). **Motion carried**.

**Meeting adjourned at 7:10 p.m.**

APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: July 16, 2019  
PRESIDENT OF COUNCIL

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