

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **March 3, 2020 to conduct a Public Hearing**. The hearing was called to order at **7:02 p.m.** by President of Council Paul Marnecheck.

**PRESENT: Council:** President of Council Paul Marnecheck, Council Representatives Jessica Fenos, Linda Barath, Dan Langshaw, Jeremy Dietrich, Vincent Weimer, Michael Wos, Legislative Services Director Dana Schroeder; **Administration:** Mayor Larry Antoskiewicz, Law Director Thomas Kelly, Finance Director Eric Dean.

## **PUBLIC HEARING**

**APPLICATION SUBMITTED BY KENNETH AND BARBARA WILLIAMS FOR PLACEMENT OF 76.28 ACRES OF LAND LOCATED ON WILTSHIRE ROAD IN THE CITY OF NORTH ROYALTON, PPN'S 486-25-006, 486-25-008, 486-26-002 AND 486-27-001, IN AN AGRICULTURAL DISTRICT PURSUANT TO SECTION 929.02 OF THE OHIO REVISED CODE.**

- Notice of this hearing was posted, published and mailed as required.
- No one in the audience wished to be heard on this matter.

## **ADJOURNMENT.**

Moved by Ms. Fenos, seconded by Ms. Barath to **adjourn the Public Hearing**. Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). Nays: **None. Motion carried.**

**Public Hearing adjourned at 7:04 p.m.**

Legislation to approve this application will be introduced at the March 18, 2020 City Council Meeting.

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **March 3, 2020, at 7:04 p.m.**

**PRESENT: Council:** President of Council Paul Marnecheck, Council Representatives Jessica Fenos, Linda Barath, Dan Langshaw, Jeremy Dietrich, Vincent Weimer, Michael Wos, Legislative Services Director Dana Schroeder; **Administration:** Mayor Larry Antoskiewicz, Law Director Thomas Kelly, Finance Director Eric Dean, Community Development Director Tom Jordan.

Agenda reviewed.

Ms. Schroeder stated the Consent Agenda will be read and voted on after First Reading legislation due to the pending budget.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **March 3, 2020 in regular session**. The meeting was called to order at **7:10 p.m.** by President of Council Paul Marnecheck and opened with the Pledge of Allegiance.

**PRESENT: Council:** President of Council Paul Marnecheck, Council Representatives Jessica Fenos, Linda Barath, Dan Langshaw, Jeremy Dietrich, Vincent Weimer, Michael Wos, Legislative Services Director Dana Schroeder; **Administration:** Mayor Larry Antoskiewicz, Law Director Thomas Kelly, Finance Director Eric Dean.

**MAYOR'S REPORT:** Mayor Antoskiewicz briefly went over 20-51 – One Ohio MOU. He stated that those who were not on Council, 2 years ago we had got into an agreement to file a lawsuit along with a lot of other communities over the opioid crisis that had been going on. What has recently come up is One Ohio, the Governor decided that they would like to put all of the lawsuits together into one, figuring that they could make a better deal that way for everyone. If you the One Ohio legislation, it does not forbid us from getting out of the lawsuit that we are presently in. we can continue to do that as well, but to sign on to this memorandum puts in place that if this One Ohio successfully negotiates money, that we will be a part of it. It doesn't give up any rights we have now under the lawsuit we filed almost 2 years ago for this opioid crisis. I would like to sign onto this memorandum so we can be a part of just in case Governor DeWine winds up getting

us money. The best part is, it doesn't take us out and doesn't give us any liability from our other lawsuit, which we are in with some other communities.

**DEPARTMENT HEAD REPORTS:** Mr. Dean stated we have our final reading on the budget ordinance tonight and would like to thank Council for their input and their due diligence on this final budget. We did have some additional questions that he has been able to get answers on. He would like to go over, just a basic overview of the questions. Some of the Police Department with overtime, also on the markets and their affect on the city. He stated he was able to answer the questions and would be happy to share that with Council. There are 2 amendments that came through; 1 was to add some money for a storefront grant program and 2 changed our purchase for a vehicle. We actually found some savings, thanks to Council we saved about \$15,000.00. This is 2<sup>nd</sup> amendment for the Recreation Department. He would like to thank Council for the reviews that we had earlier and hopefully everything can pass tonight.

Mr. Dean stated we had a capital item for a police server. We corrected that to the correct amount which was lower. There were other items in that account that is getting spent for the Police Department basically for their operations. We have had a similar amount last year of \$29,000.00 last year, so only \$7,600.00 is going to be spent on a server, licensing for the Police Department permit. Just to clarify it is all not for a server.

**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**

##### **THIRD READING CONSIDERATION:**

##### **ORDINANCE 20-37**

Introduced by: Mayor Antoskiewicz **AN ORDINANCE AMENDING ORDINANCE 19-114 ESTABLISHING RATES OF COMPENSATION FOR THE CITY OF NORTH ROYALTON NON-UNION EMPLOYEES DURING CALENDAR YEAR 2020, AND DECLARING AN EMERGENCY.** Title read.

**No action**

##### **ORDINANCE 20-39**

Introduced by: Mayor Antoskiewicz, Marnecheck, Dietrich. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 280 RECREATION BOARD, SECTION 280.09 RECOGNIZED CITY SPORTS PROGRAMS/COMPLIANCE REQUIREMENTS, PARAGRAPH (b)(4), AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Weimer, seconded by Mr. Langshaw **to adopt Ordinance 20-39.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.**

##### **ORDINANCE 20-40**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON PART 12 PLANNING AND ZONING CODE, CHAPTER 1282 OFF-STREET PARKING AND LOADING, SECTION 1282.03 DEFINITIONS; MEASUREMENT STANDARDS, SECTION 1282.05 SCHEDULE OF PARKING REQUIREMENTS, SECTION 1282.10 PARKING AREA IMPROVEMENTS, SECTION 1282.12 CRITERIA TO DETERMINE BASIC STALL SIZE AND REPEALING PART 12 PLANNING AND ZONING CODE, CHAPTER 1282 OFF-STREET PARKING AND LOADING, SECTION 1282.13 TABLE OF DESIGN DIMENSIONS FOR VARIOUS PARKING ANGLES AND CREATING A NEW SECTION 1282.17 LANDSCAPING AND SCREENING, AND DECLARING AN EMERGENCY.** Title read.

**No action**

**ORDINANCE 20-41**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH ROYALTON, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.** Title read.

Moved by Mr. Wos, seconded by Ms. Barath to amend Ordinance 20-41 by replacing the original Exhibit A with a new Exhibit A. Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.** Moved by Ms. Barath, seconded by Mr. Langshaw to adopt Ordinance 20-41.

Mr. Langshaw wished to thank Mr. Dean for getting answers to his additional questions and realizing it was last minute. He knows we are under the punch here to get things done before the 31<sup>st</sup>. He stated he really appreciates getting those additional questions answered for him and he has a copy of it to put in the record. Also, he would like to thank the Mayor for working with Council by creating a store front grant program. He stated he and Councilman Dietrich will have some legislation regarding this program and they will work with the Administration on before introducing it to Council. He stated he thinks its exciting for our business community to do at least something. It's not a whole lot but it will go a long way towards helping our business community. He would like to thank the Administration, and also his colleagues. A lot of them had really good questions and reflected in saving money and getting a bang for our buck. Also, tonight the Mayor had highlighted our Road Program, there are going to be a lot more roads that will be able to get done. Mr. Langshaw stated he supports the budget and glad we'll have a budget.

Mr. Dietrich appreciates all the help that was given back to Council. We definitely hammered you and he doesn't know if you are use to that. He thanked everyone for their help.

Mayor Antoskiewicz wished to thank Council and stated it wasn't easy. He remembers what it was like the first time he entered into a budget. There is a lot involved, a lot of moving parts and he appreciates the due diligence that everyone took it seriously on Council, which is what you are supposed to do. He appreciates that. Even though you all drove me a little crazy, he thinks we ultimately will get this done.

Mr. Marnecheck stated historically this is the first time Council has done it in this time table, given that your term started January 1<sup>st</sup> vs. 5 days after the Board certifies the election. Mayor Antoskiewicz stated this gave Council more time, initially starting in mid-November and completing by March. This timeline was much shorter.

Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). Nays: **None. Motion carried.**

**SECOND READING CONSIDERATION****ORDINANCE 20-48**

Introduced by: Langshaw, Wos, Dietrich. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART SIX GENERAL OFFENSES CODE, CHAPTER 618 ANIMALS, SECTION 618.12 HUNTING PROHIBITED, PARAGRAPH (a)(1)(F) AND SECTION 618.125 RULES AND REGULATIONS FOR THE ISSUANCE OF A MUNICIPAL DEER DAMAGE CONTROL PERMIT, PARAGRAPHS (a)(5) AND (a)(9), AND DECLARING AN EMERGENCY.** Title read.

**Sponsorship withdrawn February 18, 2020.**

**ORDINANCE 20-49**

Introduced by: Langshaw, Wos, Dietrich. **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, PARAGRAPH (h), AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Wos, seconded by Ms. Barath to amend Ordinance 20-49 by amending the proposed amount of **\$30 for residents, \$60 for nonresidents and \$0 for residents and non-residents of North Royalton that are honorably discharged veterans, National Guard, reservists, active-duty members of the Armed Forces of the United States of America, public safety forces, and first responders upon proof of DD214, discharge certificate, or prior identification provided to a straight fee for all of \$75.00.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.** Moved by Mr. Langshaw, seconded by Mr. Marnecheck to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). Moved by Mr. Wos, seconded by Mr. Langshaw to adopt Ordinance 20-49.

Mr. Weimer asked Mayor Antoskiewicz if he was comfortable with the \$75.00 fee. Mayor Antoskiewicz stated yes, this will allow for the project to be paid for.

Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). Nays: **None. Motion carried.**

#### **FIRST READING CONSIDERATION**

##### **RESOLUTION 20-50**

Introduced by: Mayor Antoskiewicz. **A RESOLUTION ESTABLISHING A CHARTER REVIEW COMMISSION, AND DECLARING AN EMERGENCY.** Title read.

Moved by Ms. Barath, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.** Moved by Mr. Weimer, seconded by Mr. Vos **to adopt Resolution 20-50.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.**

##### **RESOLUTION 20-51**

Introduced by: Mayor Antoskiewicz. **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE "ONE OHIO" MEMORANDUM OF UNDERSTANDING FOR PARTICIPATION THEREIN WITH THE STATE OF OHIO TO NEGOTIATE A RESOLUTION TO THE PENDING LITIGATION INVOLVING THE "OPIOID" LAWSUIT AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Marnecheck, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.** Moved by Ms. Fenos, seconded by Mr. Vos **to adopt Resolution 20-51.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.**

##### **ORDINANCE 20-52**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S), AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Vos, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.** Moved by Ms. Barath, seconded by Mr. Langshaw **to adopt Ordinance 20-52.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.**

##### **ORDINANCE 20-53**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 10 PUBLIC SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Weimer, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.** Moved by Mr. Langshaw, seconded by Mr. Dietrich **to adopt Ordinance 20-53.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.**

##### **ORDINANCE 20-54**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 11 WASTEWATER DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Ms. Barath, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.** Moved by Ms. Fenos, seconded by Mr. Langshaw **to adopt Ordinance 20-54.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Vos). **Motion carried.**

**ORDINANCE 20-55**

Introduced by: Wos, Dietrich, Weimer. **AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #1) RELATING TO THE WORK PERFORMED BY BROWN AND CALDWELL FOR THE NORTH ROYALTON WASTEWATER DEPARTMENT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Langshaw, seconded by Mr. Marnecheck to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.** Moved by Mr. Weimer, seconded by Mr. Dietrich to **adopt Ordinance 20-55.**

Mr. Langshaw stated as he said during the Utilities Committee, he has some concerns with such a large change order, but he appreciates that our superintendent explaining the error and the reason for this change order is because we are incorporating the Storm Water crew with Wastewater Department. It makes sense and again he is just trying to do due diligence and being comfortable with the change order, making sure there are no other significant ones.

Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.**

**ORDINANCE 20-56**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR THE RIDGE ROAD REPAIR AND ROCKY RIVER TRIBUTARY STABILIZATION AND RE-ALIGNMENT, AND DECLARING AN EMERGENCY.** Title read.

Moved by Mr. Langshaw, seconded by Mr. Dietrich to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.** Moved by Mr. Wos, seconded by Mr. Dietrich to **adopt Ordinance 20-56.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.**

**RESOLUTION 20-57**

Introduced by: Mayor Antoskiewicz. **A RESOLUTION DECLARING THE NECESSITY FOR APPROPRIATION AND ACQUISITION OF PERMANENT HIGHWAY AND ANCILLARY EASEMENTS AND RIGHT-OF-WAY INTERESTS (QUICK TAKE PROCEDURE) ON PORTIONS OF PERMANENT PARCEL NUMBERS 485-25-009, 485-25-011, 485-25-013 AND 485-25-015 IN THE CITY OF NORTH ROYALTON, FOR THE PUBLIC PURPOSE OF ROAD REPAIR, PRESERVATION AND STREAMBANK RESTORATION ON STATE ROUTE 3, RIDGE ROAD, AND DECLARING AN EMERGENCY.** Title read.

Moved by Ms. Barath, seconded by Mr. Langshaw to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.** Moved by Mr. Wos, seconded by Mr. Dietrich to **adopt Resolution 20-57.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Motion carried.**

**CONSENT AGENDA**

- a. Approval of Minutes: February 18, 2020
  - b. Authorize the Mayor and Service Director to advertise for bids for the 2020 Road Maintenance Program.
  - c. Authorize the Mayor and City Engineer to advertise for bids for the 2020 Road Program.
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Langshaw, seconded by Ms. Barath to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). Nays: **None.** **Motion carried.**

**MISCELLANEOUS:**

Debbie Darling, 14149 Pinecrest Drive, stated the reason why she is here is that she went to Royalwood Plaza on February 22<sup>nd</sup> and entered a drive off of Royalwood Road and damaged a part of her bumper. It has come to her attention that when contacting the Mayor, her Ward Council Representative no one has returned her phone calls. She stated she went to the Building Department and Inspector Smerek told her that they have received hundreds of phone calls about

this situation; many people damaging their cars. The permit states this was poured in 1992 and if you look at the apron of this parking lot you will see multiple gauges and marks from many vehicles, probably thousands by now. She was told that you just go to civil court, but this is beyond the purpose of getting my car fixed, this is a principle getting it fixed. This poses a safety hazard to both people and their property, which she was told by the Building Inspector that they have been aware of this since day one. The Building Inspector, when it was poured, he passed it and unfortunately didn't want to pass this cost onto its owner and the city didn't want to absorb the cost she assumed. Nothing has been done. She was told by the Building Department knowingly know about this has existed for an ungodly amount of years now and this apron is still going to be there, most likely for another 10 years. We are going to wait until it crumbles and then we are going to have them replace it. So, you stop and you think, how much money to replace that apron, as opposed to all that damage this has caused. She was told it doesn't matter, the people of the city are aware of that and they don't use that drive anymore. Well if you are not from North Royalton...so they are just going to leave it. She suggested they put a notice up and she assumes no one wants to put one up because they would have to assume some liability and acknowledge. The people at the plaza that work there have told me how they have had their cars damaged over the years. How they have multiple customers come in their businesses over the years and complained. They have complained also to the property manager over and over again for nothing to happen. This is just being pushed under and all of these poor people are told to take it to civil court and file a civil claim. I think this is just negligence and it is hurting the people of this city, this county, anyone that goes there. People have to go there; they aren't going there just for fun. People have to go there by law and this needs to be addressed.

Mr. Marnecheck asked if Ms. Darling was able to stick around after the meeting. She stated yes.

#### **ADJOURNMENT**

Moved by Mr. Marnecheck, seconded by Mr. Langshaw to **adjourn the March 3, 2020 City Council meeting**. Roll Call: Yeas: **Seven** (Marnecheck, Fenos, Barath, Langshaw, Dietrich, Weimer, Wos). **Meeting adjourned at 7:40 p.m.**

APPROVED: /s/ Paul F. Marnecheck DATE APPROVED: March 18, 2020  
PRESIDENT OF COUNCIL

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES