

October 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6 FAIR HOUSING BOARD 5:00 (COMM #1) COUNCIL AND CAUCUS 7:00 STORM WATER, STREETS AND UTILITIES 6:00	7 PLANNING COMMISSION 7:00 CAUCUS 6:45	8	9	10
11	12 <i>Mayor's Task Force on Jail Issues 3:30</i> CIVIL SERVICE COMM 4:00 COMM ROOM #2)	13	14	15	16	17
18	19	20 COUNCIL AND CAUCUS 7:00 B&BC, FINANCE AND SAFETY 6:00	21	22 BOARD OF ZONING APPEALS 7:00 CAUCUS 6:45	23	24
25	26	27 RECREATION BOARD 6:00	28	29	30	31 

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

**NORTH ROYALTON CITY COUNCIL
A G E N D A
OCTOBER 6, 2020**

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 Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: September 15, 2020
 - b. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
 - Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D2 and D2X transfer permit for Freddy's Beverage Buds, LLC 6120 Royalton Road North Royalton, Ohio 44133.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	Linda Barath
Finance	Paul Marnecheck
Review & Oversight	Jeremy Dietrich
Safety	Michael Vos
Storm Water	Jessica Fenos
Streets	Vincent Weimer
Utilities	Joanne Krejci
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Vincent Weimer
Planning Commission	Paul Marnecheck
Recreation Board	Jeremy Dietrich
11. Public Discussion: Five minute maximum, on current agenda legislation only.
12. LEGISLATION

FIRST READING CONSIDERATION

- * 1. **20-116** - A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF MARK POLLACK.
2. **20-117** - AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY FOR FUNDING THROUGH THE TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE, AND DECLARING AN EMERGENCY.

3. **20-118** - AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY FOR FUNDING THROUGH THE TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE, AND DECLARING AN EMERGENCY.
 4. **20-119** - 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 1270.04 AREA, YARD AND HEIGHT REGULATIONS, PARAGRAPH (g), AND DECLARING AN EMERGENCY.
 5. **20-120** - AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR SMALL BOX DISCOUNT STORES IN ALL ZONING DISTRICTS IN THE CITY OF NORTH ROYALTON, THE ISSUANCE OF SUCH APPROVALS, AND DECLARING AN EMERGENCY.
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13. Miscellaneous.
 14. Adjournment.

RESOLUTION NO. 20-116

INTRODUCED BY: Marnecheck, Fenos, Barath, Krejci, Dietrich,
Weimer, Wos, Mayor Antoskiewicz

A RESOLUTION ACKNOWLEDGING THE
COMMUNITY SERVICE OF MARK POLLACK

- WHEREAS: Mark Pollack was hired as a Firefighter/Paramedic on September 12, 1990; and
- WHEREAS: Firefighter Pollack served on the West Cuyahoga Hazmat Response Team from 1993-2000; and
- WHEREAS: Firefighter Pollack served on the Southwest Emergency Response Team-Technical Rescue Team from 2001-2008; and
- WHEREAS: Firefighter Pollack was promoted to the position of Lieutenant on August 2, 2012; and
- WHEREAS: Lieutenant Pollack served as the EMS Coordinator for the North Royalton Fire Department from 2012-2019; and
- WHEREAS: Lieutenant Pollack remained in the position of Lieutenant until his retirement on September 16, 2020; and
- WHEREAS: The Council and the Mayor of the City of North Royalton wish to acknowledge Lieutenant Pollack for his community service.

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

Section 1. The Council and the Mayor of the City of North Royalton hereby acknowledge the community service of Lieutenant Pollack.

Section 2. Council further recognizes the professionalism and dedication that Lieutenant Pollack has demonstrated through his work for the City of North Royalton and through his willingness and desire to better serve the community.

Section 3. The Director of Legislative Services is authorized and directed to forward a copy of this Resolution to Lieutenant Pollack in recognition of his many years of service to the community.

THEREFORE, provided this Resolution receives the affirmative vote of a majority of all members elected to Council, it shall take effect and be in force 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:

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY FOR FUNDING THROUGH THE
TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE,
AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton is submitting an application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI); and

WHEREAS: The application is in the amount of \$237,780.78 for an Implementation Grant for the installation of sidewalks on State Road from Akins Road to Valley Parkway with the City of North Royalton agreeing to provide a cash match in the amount of \$25,000 for a total project cost of \$262,780.78; and

WHEREAS: The TLCI Program provides federal funds for projects that integrate transportation and land use planning, increase transportation options, promote livability, and advance the goals of NOACA's Strategic Plan for northeast Ohio; and

WHEREAS: The TLCI program is paid on a reimbursement basis, requiring the applicant to first expend funds (if matched) and then request reimbursement from NOACA; and

WHEREAS: The City of North Royalton agrees to abide by all federal requirements as a sub-recipient of federal transportation funds, including Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and including all applicable federal procurement requirements; and

WHEREAS: The City of North Royalton agrees to be responsible for managing any and all sub-contracting agencies, organizations, or consultants; and

WHEREAS: The City of North Royalton agrees to complete the agreed upon scope of services or will forfeit current and future TLCI awards; and

WHEREAS: The City of North Royalton is authorized to execute a contract with the Ohio Department of Transportation (ODOT) and NOACA if selected for the TLCI Program.

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 submit this application to NOACA, acting as designated recipient of USDOT funds, for the TLCI Program and to execute a contract with NOACA if selected for funding in a form approved by the Law Department.

Section 2. 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 3. 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 submit this application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI) for this Implementation grant.

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY FOR FUNDING THROUGH THE
TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE,
AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton is submitting an application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI); and

WHEREAS: The application is in the amount of \$50,000.00 for a grant to complete a study to create a Town Center that is accessible, walkable, identifiable, safe and beautiful. Study goals include: providing transportation alternatives that link surrounding neighborhoods to the Town Center; identifying applicable complete street strategies for the major thoroughfares within the study area; identify “Gateways” to the Town Center. The City of North Royalton agrees to provide a cash match in the amount of \$25,000 for a total project cost of \$75,000.00; and

WHEREAS: The TLCI Program provides federal funds for projects that integrate transportation and land use planning, increase transportation options, promote livability, and advance the goals of NOACA's Strategic Plan for northeast Ohio; and

WHEREAS: The TLCI program is paid on a reimbursement basis, requiring the applicant to first expend funds (if matched) and then request reimbursement from NOACA; and

WHEREAS: The City of North Royalton agrees to abide by all federal requirements as a sub-recipient of federal transportation funds, including Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and including all applicable federal procurement requirements; and

WHEREAS: The City of North Royalton agrees to be responsible for managing any and all sub-contracting agencies, organizations, or consultants; and

WHEREAS: The City of North Royalton agrees to complete the agreed upon scope of services or will forfeit current and future TLCI awards; and

WHEREAS: The City of North Royalton is authorized to execute a contract with the Ohio Department of Transportation (ODOT) and NOACA if selected for the TLCI Program.

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 submit this application to NOACA, acting as designated recipient of USDOT funds, for the TLCI Program and to execute a contract with NOACA if selected for funding in a form approved by the Law Department.

Section 2. 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 3. 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 submit this application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI) for a grant to complete a study to create a Town Center in the City of North Royalton that is accessible, walkable, identifiable, safe and beautiful.

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:

ORDINANCE NO. 20-119

INTRODUCED BY: Barath, Fenos, Krejci
Co-Sponsor: 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 1270.04 AREA, YARD AND HEIGHT REGULATIONS, PARAGRAPH (g), AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to amend those sections of the code that limit certain dimensions of accessory structures to allow for slightly more expansive accessory buildings; and

WHEREAS: It is therefore necessary to amend 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 1270.04 Area, Yard and Height Regulations, Paragraph (g); and

WHEREAS: Council desires to provide for this amendment.

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

Section 1. Part 12 Planning and Zoning Code, Chapter 1270 Residential Districts (Other than Senior Citizen and Rural Residential Districts) Section 1270.04 Area, Yard and Height Regulations of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

1270.04 AREA, YARD AND HEIGHT REGULATIONS.

(g) The height of a main building permitted on a zoning lot shall not exceed the number of stories as given in the schedule set forth in Section 1270.05, or as modified in Section 1270.20. The height of accessory buildings shall not exceed ~~fifteen~~ **twenty** feet *with a maximum wall height of ten feet*. In no instance shall an accessory building exceed the height of the main building.

Section 2. Chapter 1270 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 1270 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 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 1270.04 Area, Yard and Height Regulations, Paragraph (g) to limit certain dimensions of accessory structures to allow for slightly more expansive accessory buildings.

ORDINANCE NO. 20-120

INTRODUCED BY: Barath, Fenos, Krejci
Co-Sponsor: Marnecheck

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR SMALL BOX DISCOUNT STORES IN ALL ZONING DISTRICTS IN THE CITY OF NORTH ROYALTON, THE ISSUANCE OF SUCH APPROVALS, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton may legitimately regulate the location and approval of Small Box Discount Stores, which are defined as a retail store between 3,000 and 15,000 square feet in size, that sell direct to consumers a limited assortment of physical goods, products, or merchandise, personal grooming and health products, household goods, and other consumer products, including food or beverages for off premises consumption, most individual items being sold for \$10.00 or less, and having less than 15% of shelf space dedicated to fresh food and produce; and

WHEREAS: The City Charter requires that at regular intervals a review be made of the city's Master Plan for development and that review is to be undertaken in the coming months and all recommendations be presented to Council and the electorate next year, 2021, and that such review will include the questions and concerns regarding Small Box Discount Stores; and

WHEREAS: This Council believes that a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Small Box Discount Stores in any Zoning District in the city, and on the issuance of such approvals, will not deny property owners the economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the North Royalton Zoning Code in conjunction with the Master Plan review and possible amendment thereof relative to the location and approval process for Small Box Discount Stores.

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 Council of the City of North Royalton hereby imposes a moratorium for a period of twelve (12) months from the effective date of this Ordinance or until the adoption of the Master Plan amendments whichever comes first, the city shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Small Box Discount Stores in any Zoning District in the city, and further shall not issue any such approvals during said period.

Section 2. 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 3. 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 permit the City Administration, Council and Planning Commission necessary time to undertake a review of the North Royalton Zoning Code in conjunction with the Master Plan review and possible amendment thereof relative to the location and approval process for Small Box Discount Stores.

