

**NORTH ROYALTON CITY COUNCIL
A G E N D A
JULY 5, 2022**

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: June 21, 2022
 - b. Motion to recess Council and Committee meetings for the month of August 2022.
 - c. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

| | |
|---------------------------|-----------------------|
| Building & Building Codes | John Nickell |
| Finance | Paul Marnecheck |
| Review & Oversight | Jeremy Dietrich |
| Safety | Michael Vos |
| Storm Water | Linda Barath |
| Streets | Joanne Krejci |
| Utilities | Dawn Carbone-McDonald |
10. Report from Council Representatives to regulatory or other boards:

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

SECOND READING CONSIDERATION

1. **22-95** - AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE PURSUANT TO REVISED CODE SECTION 5709.40(B); DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; AND AUTHORIZING COMPENSATION PAYMENTS TO THE NORTH ROYALTON CITY SCHOOL DISTRICT AND THE CUYAHOGA VALLEY CAREER CENTER, AND DECLARING AN EMERGENCY. **First reading June 21, 2022.**

FIRST READING CONSIDERATION

- * 1. **22-107** - A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF DANILO "DAN" KULCHYTSKY.
- * 2. **22-108** - AN ORDINANCE TO RATIFY THE DETERMINATION OF THE ADMINISTRATION ON THE 2022/2023 PROPERTY, CASUALTY AND LIABILITY INSURANCE RENEWAL WITH TRAVELERS INSURANCE FOR THE SUM OF \$291,138.00, AND DECLARING AN EMERGENCY.
3. **22-109** - AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 5 FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
4. **22-110** - AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 8 LAW DEPARTMENT, AND DECLARING AN EMERGENCY.
5. **22-111** - AN ORDINANCE AMENDING ORDINANCE 12-38 ESTABLISHING THE SALARY DIFFERENTIALS FOR THE CHIEF OF POLICE, CHIEF OF FIRE, ASSISTANT CHIEF OF FIRE, POLICE CAPTAIN, AND POLICE LIEUTENANT IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
6. **22-112** - AN ORDINANCE AMENDING ORDINANCE 22-76 AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) JOHN DEERE GATOR UTILITY VEHICLE FOR THE NORTH ROYALTON WASTEWATER DEPARTMENT FOR AN AMOUNT NOT TO EXCEED \$11,262.73, VENDOR AG-PRO COMPANIES, AND DECLARING AN EMERGENCY.
7. **22-113** - AN ORDINANCE AUTHORIZING THE CITY OF NORTH ROYALTON POLICE DEPARTMENT TO PROVIDE OCCASIONAL AID TO OTHER JURISDICTIONS WITHOUT CONTRACT, AND DECLARING AN EMERGENCY.
8. **22-114** - AN ORDINANCE AMENDING ORDINANCE 21-170, AS AMENDED BY ORDINANCE 21-204, BY INCREASING THE AMOUNT AUTHORIZED TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RIDGE ROAD RESURFACING PROJECT DUE TO ADDITIONAL NECESSARY CURB REPLACEMENT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$200,250.00, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
14. Adjournment.

ORDINANCE NO. 22-109

INTRODUCED BY: Mayor Antoskiewicz
Co-Sponsor: Marnecheck, Carbone-McDonald

AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 5 FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS: In an effort to better serve the community, the Administration has proposed the restructuring of various departments to ensure that they are functioning as efficiently as possible; and

WHEREAS: It is therefore necessary to amend Ordinance 10-103 to allow for these changes; 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. Council hereby amends Ordinance 10-103, Staffing and Classification Plan, Section 5 Fire Department, which shall hereinafter read as follows:

Section 5. The **Fire Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

| <u>CLASSIFICATION (Job Title)</u> | <u>MAXIMUM NO. OF EMPLOYEES</u> |
|-----------------------------------------|-------------------------------------------------------|
| 1) Chief of Fire | One (1) |
| 2) Assistant Chief | One (1) |
| 3) Lieutenant | Six (6) |
| 4) Firemen/Paramedics | Twenty eight (28) Thirty Three (33) |
| 5) Paid Call (non-certified) | Three (3) |
| 6) Admin. Secretary/Clerical | One (1) |
| 7) Fire Safety Inspector (part time) | One (1) |
| 8) Summer Help Laborer | Two (2) |

Section 2. Ordinance 10-103 is amended as provided for herein and all other provisions of Ordinance No. 10-103 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 Council and the Administration have determined that it is immediately necessary to provide for these staffing changes in the various departments of the City of North Royalton.

ORDINANCE NO. 22-110

INTRODUCED BY: Mayor Antoskiewicz
Co-Sponsor: Marnecheck

AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 8 LAW DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS: In an effort to better serve the community, the Administration has proposed the restructuring of various departments to ensure that they are functioning as efficiently as possible; and

WHEREAS: It is therefore necessary to amend Ordinance 10-103 to allow for these changes; 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. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 8 Law Department, which shall hereinafter read as follows:

Section 8. The **Law Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

| <u>CLASSIFICATION (Job Title)</u> | <u>MAXIMUM NO. OF EMPLOYEES</u> |
|-------------------------------------------------------------|---------------------------------|
| 1) Director of Law | One (1) |
| 2) Assistant Law Director/First Assistant Prosecutor | One (1) |
| 3) Second Assistant Prosecutor | One (1) |
| 4) Confidential Secretary, part time | One (1) |
| 5) Human Resources Manager (part time) | One (1) |
| 6) Human Resources Specialist/ Paralegal (part time) | One (1) |

Section 2. Ordinance No. 10-103 is amended as provided for herein and all other provisions of Ordinance No. 10-103 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 Council and the Administration have determined that it is immediately necessary to provide for these staffing changes in the various departments of the City of North Royalton.

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:

ORDINANCE NO. 22-111

INTRODUCED BY: Mayor Antoskiewicz
Co-Sponsor: Marnecheck

AN ORDINANCE AMENDING ORDINANCE 12-38 ESTABLISHING THE SALARY DIFFERENTIALS FOR THE CHIEF OF POLICE, CHIEF OF FIRE, ASSISTANT CHIEF OF FIRE, POLICE CAPTAIN, AND POLICE LIEUTENANT IN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

WHEREAS: Council and the Administration desire to amend the salary differential for police lieutenants; and

WHEREAS: Council and the Administration desire to amend Ordinance No. 12-38 to establish this new salary differential; and

WHEREAS: Council and the Administration desire 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. Council hereby amends Ordinance No. 12-38, Section 1, providing for salary differentials for police lieutenants which shall hereinafter read as follows:

Section 1. Said salary schedule for the Police Lieutenants, Police Captain, Chief of Police, and the Chief of Fire and Assistant Chief of Fire shall be as follows:

POLICE LIEUTENANT – Salary to be established at a rate of ~~44~~ **13** percent above the ~~base~~ **Step 1** pay **rate** of the position of Police Sergeant or the next promoted rank below the Police Lieutenant.

POLICE CAPTAIN - Salary to be established at a rate of 11 percent above the base pay of the position of Police Lieutenant or the next promoted rank below the Police Captain.

CHIEF OF POLICE - Salary to be established at a rate of 13 percent above the base pay of the Police Captain or the next promoted rank below the Police Chief.

CHIEF OF FIRE - Salary to be established at a rate equal to that of the Chief of Police.

ASSISTANT CHIEF OF FIRE – Salary to be established at a rate equal to that of the Police Captain.

Section 2. Ordinance No. 12-38 is hereby amended as provided herein and that all other provisions of this Ordinance shall remain in full force and effect.

Section 3. 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 4. 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 No. 12-38 to establish this new salary differential for police lieutenants.

ORDINANCE NO. 22-113

INTRODUCED BY: Wos, Dietrich, Carbone-McDonald
Co-Sponsor: Marnecheck

AN ORDINANCE AUTHORIZING THE CITY OF NORTH ROYALTON POLICE DEPARTMENT TO
PROVIDE OCCASIONAL AID TO OTHER JURISDICTIONS WITHOUT CONTRACT, AND
DECLARING AN EMERGENCY

WHEREAS: The preservation of the public peace and safety in neighboring jurisdictions will also enhance the public peace and safety in the City of North Royalton, and it is, therefore, deemed to be in the best interest of the inhabitants of the City of North Royalton to render police assistance on occasion to neighboring jurisdictions even though no mutual aid agreement is in effect; and

WHEREAS: Such Police service and protection is specifically authorized by Ohio Revised Code Section 737.041 (as amended in 2007) but subject to approval by this Council.

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

Section 1. Upon request of a neighboring jurisdiction, whether or not contiguous to the City of North Royalton, the City of North Royalton Police Department may furnish police manpower and equipment to aid the requesting jurisdiction in an emergency to the extent such manpower and equipment are available.

Section 2. Any such request for assistance shall be made by the highest-ranking officer of the requesting party on duty at the time. The decision as to whether, and the extent to which, manpower and equipment are available for assistance shall be made by the Chief of Police of the City of North Royalton or by the officer in charge on duty at the time of the request.

Section 3. Even though a request for assistance has not been made, a City of North Royalton police officer who observes a police officer of another jurisdiction in distress or receives an urgent call for aid to any such officer in distress nearby, may, in the exercise of sound discretion and reasonable judgment, enter the other jurisdiction in order to render assistance to the officer in distress.

Section 4. Personnel of the North Royalton Police Department acting under this Ordinance outside of the City may participate in any pension or indemnity fund established by the City of North Royalton to the same extent as if they were acting within the City, and are entitled to all rights and benefits under O.R.C. Chapter 4123, the same as if they were performing police services within the City of North Royalton.

Section 5. In responding to a call for assistance under this Ordinance, the City of North Royalton Police personnel shall be considered to be acting within the scope of their employment while en route to or from, and while acting within, the requesting jurisdiction, and while acting within any other jurisdiction if engaged in fresh pursuit. To the extent O.R.C. Chapter 2744 is applicable to the operation of police departments, it is and shall be applicable to the City of North Royalton Police personnel rendering service outside the City pursuant to this Ordinance.

Section 6. 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 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the city, and for the further reason that a vital safety function of the municipal government is affected hereby.



| ALT ID | Change Order Number | County/Route/Section | Contract ID | Federal Number |
|--------|---------------------|----------------------|-------------|----------------|
| 210657 | 001 | CUY-SR 3-02.72 | CUY89265 | E191(570) |

I hereby agree to the Contract changes set forth in this Change Order and release the Department from any further obligation for compensation for any known or suspected substantive direct and indirect costs incurred except as mutually agreed and described in the Explanation of Necessity.

Execution of this Change Order does not invalidate any provisions of the Contract nor release the Surety from any of the terms or conditions stated therein.

Change Order Grand Total \$83,250.00

CHAGRIN VALLEY PAVING INC (Contractor)

By Contractor

Recommended by

| Title | Date |
|-------|------|
|-------|------|

| Title | Date |
|-------|------|
|-------|------|

Approved by

Acknowledged by (Local Agency)

| Title | Date |
|-------|------|
|-------|------|

| Title | Date |
|-------|------|
|-------|------|

| Questions | Yes | No |
|------------------------------------------------------------------------------------|-----|----|
| Is this change order emergency work? | | No |
| Is this change order a claim? | | No |
| Is this change order funded by a Central Office program? | | No |
| If so, is this change order above the specified threshold amount for that program? | | |
| If so, has this change order been approved by the Program Manager? | | |
| Is this change order a final measurement? | | |

Attach copy of written concurrence.



| Proposal | Proj Nbr | Line Item | Item Code | Unit | Quantity | Unit Price | Additions | Non - Performance |
|---------------------------------|-------------------|-----------|-----------|------|----------|------------|-------------|-------------------|
| Ln Nbr | Description | | | | | | | |
| 0027 | CUY89265-2 | 0027 | 609E26001 | FT | 1850.000 | \$45.00 | \$83,250.00 | |
| | CURB, TYPE 6, APP | | | | | | | |
| Grand Totals | | | | | | | \$83,250.00 | \$0.00 |
| Change Order Grand Total | | | | | | | \$83,250.00 | |

| Proj Nbr | State Acct Code | State Funding Code | Funding Source Code | Funding Source Desc | Source Part % |
|------------|-----------------|--------------------|---------------------|------------------------|---------------|
| CUY89265-2 | 4BG7 | | LOCL | CITY AND VILLAGE FUNDS | 100.00 |

LINE ITEM 27 QUANTITIY INCREASE IS REQUIRED AS A RESULT OF FIELD CONDITIONS.

OVER THE COURSE OF THE 2021/2022 WINTER SEASON (POST CONTRACT AWARD), THE SOUTHBOUND EXISITING CURB ON RIDGE ROAD FROM SR 82 TO THE NORTH CORP LINE EXPERIENCED A SIGNIFICANT AMOUNT OF DETERIORATION.

D12 CONSTRUCTION WITH THE CONCURRENCE OF THE CITY OF NORTH ROAYLTON HAS IDENTIFIED CURB REPLACEMENT LOCATIONS NECESSARY TO MEET THE PLAN INTENT.

...

IT IS EXPECTED THAT THIS LINE ITEM OF WORK WILL REQUIRE A QUANTITY INCREASE ABOVE PROJECT EXTRA WORK LIMITS. THIS EXTRA WORK CHANGE ORDER WILL BE REVIEWED BY ODOT CENTRAL OFFICE IN ADVANCE OF FIELD INSTALLATIONS.

| Change Order Reason Code(s) | Change Order Description(s) |
|-----------------------------|------------------------------------------|
| 02 | SIGNIFICANT DIFF BTWN PLAN & ACTUAL QTYS |



| ALT ID | Change Order Number | County/Route/Section | Contract ID | Federal Number |
|--------|---------------------|----------------------|-------------|----------------|
| 210657 | 002 | CUY-SR 3-02.72 | CUY89265 | E191(570) |

I hereby agree to the Contract changes set forth in this Change Order and release the Department from any further obligation for compensation for any known or suspected substantive direct and indirect costs incurred except as mutually agreed and described in the Explanation of Necessity.

Execution of this Change Order does not invalidate any provisions of the Contract nor release the Surety from any of the terms or conditions stated therein.

Change Order Grand Total \$117,000.00

CHAGRIN VALLEY PAVING INC (Contractor)

By Contractor

Recommended by

| Title | Date |
|-------|------|
|-------|------|

| Title | Date |
|-------|------|
|-------|------|

Approved by

Acknowledged by (Local Agency)

| Title | Date |
|-------|------|
|-------|------|

| Title | Date |
|-------|------|
|-------|------|

| Questions | Yes | No |
|------------------------------------------------------------------------------------|-----|----|
| Is this change order emergency work? | | No |
| Is this change order a claim? | | No |
| Is this change order funded by a Central Office program? | | No |
| If so, is this change order above the specified threshold amount for that program? | | |
| If so, has this change order been approved by the Program Manager? | | |
| Is this change order a final measurement? | | |

Attach copy of written concurrence.



| Proposal | Proj Nbr | Line Item | Item Code | Unit | Quantity | Unit Price | Additions | Non - Performance |
|---------------------------------|-------------------|-----------|---------------|------|----------|------------|---------------------|-------------------|
| Ln Nbr | Description | | | | | | | |
| 9027 | CUY89265-2 | 9027 | 609E260 01 | FT | 2600.000 | \$45.00 | \$117,000.00 | |
| | CURB, TYPE 6, APP | | | | | | | |
| Grand Totals | | | | | | | \$117,000.00 | \$0.00 |
| Change Order Grand Total | | | | | | | \$117,000.00 | |

| Proj Nbr | State Acct Code | State Funding Code | Funding Source Code | Funding Source Desc | Source Part % |
|------------|-----------------|--------------------|---------------------|------------------------|---------------|
| CUY89265-2 | 4BG7 | | LOCL | CITY AND VILLAGE FUNDS | 100.00 |

PLAN LINE ITEM 27 QUANTITY EXTENSION ABOVE PROJECT EXTRA WORK LIMITS.

OVER THE COURSE OF THE 2021 / 2022 WINTER SEASON (POST CONTRACT AWARD), THE SOUTHBOUND EXISTING CURB ON RIDGE ROAD FROM SR 82 TO THE NORTH CORP LINE EXPERIENCED A SIGNIFICANT AMOUNT OF DETERIORATION.

D12 CONSTRUCTION WITH THE CONCURRENCE OF THE CITY OF NORTH ROYALTON HAS IDENTIFIED CURB REPLACEMENT LOCATIONS NECESSARY TO MEET THE PLAN INTENT.

THE AS BID UNIT COST HAS BEEN REVIEWED AND ACCEPTED BY THE D12 OFFICE FOR THE QUANTITY PORTION ABOVE EXTRA WORK LIMITS.

CONCURRENCE FROM THE CITY OF NORTH ROYALTON HAS BEEN OBTAINED FOR THIS LINE ITEM EXTENSION.

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LINE ITEM 9027 WILL BE ADJUSTED TO APPROVED FINAL QUANTITY UPON WORK COMPLETION.

| Change Order Reason Code(s) | Change Order Description(s) |
|-----------------------------|------------------------------------------|
| 02 | SIGNIFICANT DIFF BTWN PLAN & ACTUAL QTYS |