

NORTH ROYALTON CITY COUNCIL

The Council of the City of North Royalton caucused in the North Royalton City Hall Council Chambers, 14600 State Road on **December 19, 2023 at 7:00 p.m.**

PRESENT: Council: President of Council Paul Marnecheck, Council Representatives John Nickell, Linda Barath, Joanne Krejci, Jeremy Dietrich, Heidi Webber, Michael Wos; **Administration:** Mayor Antoskiewicz, Law Director Thomas A. Kelly, Finance Director Jenny Esarey, Confidential Secretary Holly Quellos.

Agenda reviewed.

First, Ms. Krejci expressed being displeased with the 9% increase, pertaining to Ordinance 23-146. She stated that she realized the reasoning, however, she was struggling with having to ask residents to pay that kind of increase in one year. Mr. Wos agreed that was a lot. He received feedback from residents that they were not happy about it. Ms. Webber shared concern as to what would happen if we say no to this. Mr. Dietrich wanted to know what the alternative would be if we vote no as well. Ms. Krejci agreed. She wanted to know if an amendment were possible on the floor, so that we could still move it forward or not. She hoped to discuss this before voting. Ms. Barath shared that she had two responses. She understood the reasoning behind it; however, she felt it was important to take a close look to make certain that the 9% increase is what we need. Mr. Nickell agreed it was unpleasant hearing 9% however, he spoke about the increases with everything. He commented that if you do not do the increase, the City has to subsidize. Mr. Marnecheck stated he understood that 9% was lot. He was unsure about amending anything, without having the chance to have some analysis done to find out what the long-term impact would be. He was interested to see whether it could be looked at further.

Mayor Antoskiewicz brought up that we already did an analysis. We have met with the company in which we hired many times exchanging numbers. At one point, that 9% had been 13%. Some of the other increases were even more. He felt that we did a good explanation as to why that first year had to be so high. Everything has gone up and chemicals have gone up; everything runs that way.

Ms. Esarey noted it is effective January 1, 2023. The Mayor commented that the rates would probably stay the way they are at this time. It will not get any better, but it would get worse if another analysis would be done. He explained the process of how those increases can become greater. He pointed out everything was up 7½ % over the last couple years. He mentioned that the Sewer District was doing 9% increases for years, unfortunately. Ms. Esarey brought up the budget that is being presented for 2024, stating that it does not have any raises for any departments, including Wastewater. We are in active contract negotiations, which is only going to make the deficit worse, because raises are going to be happening; however, we do not know what they will be. Also, the 9% that is being presented is a blended rate between that of the fixed fee, and that of the other increase.

Ms. Krejci wanted to know which years the Sewer District was at 9%. Ms. Esarey indicated it was a five-year trend that ends in 2026. The Mayor reminded everyone that we have the C District, in which we have to make up the difference. For example, if the Sewer District goes up 6%, and we go up 4%, we have to make up 2% to the people that live in the C District, based on that lawsuit in the 1990's, whereas no one can pay more in the City than anyone else. Any time we fall farther behind them, it is a greater value. This will give us an opportunity to close the gap some as well. Again, that is a good thing. He felt that we provided all of the information that showed our rates are lower than anyone else's.

Mr. Kelly commented this should be part of the discussion on the ordinance during the regular course of the meeting. We have not convened the meeting as of yet. He felt although this discussion is in open forum, it is not part of the meeting for purposes of recording.

Mr. Marnecheck mentioned after he makes a motion to adopt procedurally, there will be the opportunity for discussion. Mr. Kelly concurred.

Mr. Nickell made mention of Ordinance 23-141, in which he would like to perhaps, have some discussion. He would be willing to withdraw sponsorship.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 14600 State Road on **December 19, 2023 in regular session**. The meeting was called to order at 7:11 p.m. by President of Council Paul Marnecheck and opened with the *Pledge of Allegiance*.

PRESENT: Council: President of Council Paul Marnecheck, Council Representatives John Nickell, Linda Barath, Joanne Krejci, Jeremy Dietrich, Heidi Webber, Michael Wos; **Administration:** Mayor Antoskiewicz, Law Director Thomas A. Kelly, Finance Director Jenny Esarey.

CONSENT AGENDA

- a. Approval of Minutes: November 21, 2023
 - b. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
- 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. Marnecheck, seconded by Ms. Barath **to adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Wos). Nays: **None. Motion carried.**

COMMUNICATIONS: None

MAYOR'S REPORT: No report.

DEPARTMENT HEAD REPORTS: No report.

PRESIDENT OF COUNCIL'S REPORT: Mr. Marnecheck moved to hold an Executive Session immediately following the regular order of business to consider the appointment, employment, dismissal, discipline, promotion, demotion, or a compensation of a public employee or official, or the investigation of charges or complaints, against a public employee official, licensee, or regulated individual. Unless the public employee official, licensee, or regulated individual requests a public hearing. Ohio Revised Code 121.22(G)(1). Seconded by Ms. Barath **to hold an Executive Session.** Roll Call: Yeas: **Seven** (Marnecheck, Dietrich, Webber, Wos, Nickell, Barath, Krejci). Nays: **None. Motion carried.**

COMMITTEE REPORTS:

Committees are all adjourned until January. Information will be available on the website for the dates. All meetings are held at City Hall, 14600 State Road, unless otherwise noted. A complete meeting schedule is available from the Council Office.

THIRD READING CONSIDERATION

ORDINANCE 23-141

Introduced by: R & O Committee. **AN AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON CHAPTER 220 COUNCIL, SECTION 220.06 BY CREATING A NEW RULE XXX1 TRAINING FOR COUNCIL, AND DECLARING AN EMERGENCY.** First reading November 21, 2023 and referred to Review and Oversight. Second reading December 5, 2023.

All sponsorship was removed from 23-141, which included Mr. Nickell, Mr. Dietrich, and Mr. Marnecheck. Ordinance 23-141 was removed from the Council Agenda and referred back to the R & O Committee.

ORDINANCE 23-144

Introduced by: Safety Committee. **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SENIOR TRANSPORTATION CONNECTION, AND DECLARING AN EMERGENCY.** First reading November 21, 2023. Second reading December 5, 2023.

Moved by Mr. Marnecheck, seconded by Mr. Dietrich **to amend Ordinance 23-144 to add the EXHIBIT.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Webber). Nays: **None. Motion carried.** Moved by Mr. Marnecheck, seconded by Ms. Barath **to adopt Ordinance 23-144 as amended.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Webber). Nays: **None. Motion carried.**

ORDINANCE 23-146

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1045 BILLING, COLLECTION AND CUSTOMER**

SERVICE, SECTION 1045.08, SANITARY SEWER CHARGES GENERALLY, PARAGRAPH (a)(1), AND DECLARING AN EMERGENCY. First reading November 21, 2023. Second reading December 5, 2023.

Ms. Krejci expressed her points of concern mentioned during caucus. We are very behind on sewer rates and we have been behind for several years. However, she wanted to have one final discussion if there were any other options to not raise the rates this much for the next year.

Mayor Antoskiewicz commented he was not happy with 9% either. However, he believes that as part of this position, you have to do what is right, and part of the obligation here is to do what is right, which is to make sure that fund is solid and working at a level. It is not supposed to run in a deficit. He reiterated that everything has gone up. He stated that he has to pay it as well; he is not pleased with it either.

Ms. Webber asked if we are running at a deficit on this. Ms. Esarey stated the 552 Fund (the Wastewater Maintenance fund) was running at a deficit, and the 551 Fund (the Wastewater Treatment Plant fund) had to advance funds in order to get it out of the deficit; that was part of the 2021 Budget, where there was an amendment. She clarified that the 552 Fund was running at a deficit, yes. \$100,000 was paid back last year. Ms. Esarey is proposing on this year's amendment, this evening, \$200,000. We could not pay back the full \$500,000 all at once.

Mayor Antoskiewicz recalled when the Superintendent came in and spoke about the chemicals, where we had to reappropriate more money because of prices that have gone up significantly. Some of those things, you cannot do without.

Ms. Webber asked if we vote no, what would we do to move forward for the entire year. She wanted to know if we could revisit it later in the year. Ms. Esarey noted that you can always revisit something. The Cleveland Water would require 90 days. If Council would pass something different, then Cleveland Water would not be able to bill for 90 days; there is a lag from when you pass to when they begin putting it on the bills.

Mr. Dietrich felt the City should put something out to thoroughly explain things as to why we had to increase the rates, such as on the website. The Mayor commented there was an article done in the Royalton Recorder about it. He has personally not had one person inquire or call him about the sewer rates; not one person. The Mayor agreed he could post the study on the website.

Ms. Barath mentioned that people typically call once a bill is received. She was not thrilled about the rates either however, she did not want to see our City be put in a position where we are doing catch up and she felt the City has done so for many years.

Mr. Nickell stated that he was on Council when the City did not raise rates for a long time. When we went back, it was significant. Mr. Marnecheck agreed that it was 27%. Mr. Nickell felt if the Mayor were to post the study, it will help. Mr. Nickell pointed out how many things have gone up in price.

Ms. Webber felt that we are voting on something for a five-year increase that is accumulative increase of about 28%; that is a lot. She would like to revisit it. Mayor Antoskiewicz explained we already looked at all of those things to see how we could best do it. None of us like increases, however, sewer rates are always going to go up. It is a utility fund; it is supposed to stand on its own and run independently.

Mr. Kelly explained that it is more than that. It is required to run on its own. For example, if Ms. Esarey were to be required to fund the deficit from the General Fund, she would have to pay it back, because the auditors will not have it any other way. This is mandatory, as difficult as it is. He wanted to know if this new rate with the increase was still lower than the Sewer District. Ms. Esarey clarified yes; definitely.

Mr. Dietrich felt that we should move forward and that we have to, especially after the point made by Mr. Kelly about the General Fund and having to pay it back.

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None. Motion carried.** Moved by Mr. Marnecheck, seconded by Mr. Dietrich to **adopt Ordinance 23-146.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None. Motion carried.**

ORDINANCE 23-148

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, 2024.** First reading November 21, 2023. Second reading December 5, 2023.

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.** Moved by Mr. Marnecheck, seconded by Mr. Dietrich to **adopt Ordinance 23-148.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.**

FIRST READING CONSIDERATION**ORDINANCE 23-158**

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING ORDINANCE 15-119 ESTABLISHING VARIOUS BENEFITS FOR ALL FULL TIME NON-UNION EMPLOYEES OF THE CITY OF NORTH ROYALTON, SECTION 3 VACATION AND SECTION 4 INSURANCE, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Mr. Dietrich to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.** Moved by Mr. Marnecheck, seconded by Mr. Dietrich to adopt Ordinance 23-158. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.**

ORDINANCE 23-159

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING ORDINANCE 23-86, A CONTRACT WITH MAKOVICH & PUSTI ARCHITECTS, INC, TO RECOGNIZE A NEW ENTITY: CPL, ARCHITECTS OF FAIRPORT, NEW YORK, AS HAVING ACQUIRED MPA AND AS SUCCESSOR TO MPA AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO TREAT CPL AS THE ARCHITECT FOR THE SENIOR CENTER PROJECT EFFECTIVE NOVEMBER 30, 2023, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.** Moved by Mr. Marnecheck, seconded by Mr. Dietrich to adopt Ordinance 23-159. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.**

ORDINANCE 23-160

Introduced by: Council. **AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 2 COUNCIL OFFICE, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee.** Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.** Moved by Mr. Marnecheck, seconded by Mr. Dietrich to adopt Ordinance 23-160. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None.** **Motion carried.**

Mr. Marnecheck expressed his thanks and appreciation to the Law Department, as well as Ms. Krejci for the hard work that they put in on this.

ORDINANCE 23-161

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE ACCEPTING THE BID OF S.E.T., INC. FOR THE NORTH ROYALTON VALLEY VISTA PUMP STATION IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$923,619.50 AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**. Moved by Mr. Marnecheck, seconded by Mr. Dietrich to adopt Ordinance 23-161. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**.

ORDINANCE 23-162

Introduced by: Council. **AN ORDINANCE AMENDING ORDINANCE 21-182, ESTABLISHING RATES OF COMPENSATION FOR THE CITY OF NORTH ROYALTON NON-UNION EMPLOYEES DURING CALENDAR YEARS 2022 AND 2023, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **amend Ordinance 23-162**, to include the re-removal of two items originally removed, now having been re-stricken under 1) Rec Department for Laborer 1 part-time, 2) Service Department for Laborer 1 part-time, in order to be in line with Ordinance 23-67. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Webber). Nays: **None**. **Motion carried**.

Moved by Mr. Marnecheck, seconded by Ms. Barath to **adopt Ordinance 23-162 as amended**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Webber). Nays: **None**. **Motion carried**.

ORDINANCE 23-163

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 22-181 AS AMENDED BY ORDINANCES 23-04, 23-12, 23-23, 23-36, 23-47, 23-63, 23-82, 23-94, 23-110, 23-119, 23-127, and 23-142 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Mr. Dietrich to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**. Moved by Mr. Marnecheck, seconded by Ms. Barath to adopt Ordinance 23-163. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**.

ORDINANCE 23-164

Introduced by: Mayor Antoskiewicz. **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING CONTRACT WITH CT CONSULTANTS, INC., AS CONSULTING ENGINEER TO PROVIDE ENGINEERING SERVICES FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**. Moved by Mr. Marnecheck, seconded by Ms. Barath to adopt Ordinance 23-164. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**.

ORDINANCE 23-165

Introduced by: Council. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON CHAPTER 220 COUNCIL, SECTIONS 220.01 AND 220.02 AS NOTED IN EXHIBIT A ATTACHED, AND DECLARING AN EMERGENCY.**

Moved by Mr. Marnecheck, seconded by Ms. Barath to **suspend the rules requiring three readings and referral to committee**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**. Moved by Mr. Marnecheck, seconded by Mr. Dietrich to adopt Ordinance 23-165. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Vos) Nays: **None**. **Motion carried**.

ADJOURNMENT INTO EXECUTIVE SESSION

Moved by Mr. Marnecheck, at 7:48 p.m., seconded by Ms. Barath to **adjourn into Executive Session**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Wos) Nays: None. **Motion carried.**

MOTION TO ADJOURN EXECUTIVE SESSION

Moved by Ms. Barath, at 9:04 p.m., seconded by Mr. Dietrich to **adjourn the Executive Session**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Wos) Nays: None. **Motion carried.**

MOTION TO RECONVENE CITY COUNCIL MEETING

Moved by Mr. Marnecheck, at 9:05 p.m., seconded by Ms. Barath to **reconvene City Council**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Wos) Nays: None. **Motion carried.**

MOTION TO ADJOURN CITY COUNCIL MEETING

Moved by Mr. Marnecheck, at 9:05 p.m., seconded by Mr. Dietrich to **adjourn tonight’s City Council Meeting**. Roll Call: Yeas: **Seven** (Marnecheck, Nickell, Barath, Krejci, Dietrich, Webber, Wos) Nays: None. **Motion carried.**

Meeting adjourned at 8:19 p.m.

APPROVED: _____ DATE APPROVED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
ACTING CLERK OF COUNCIL