

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JULY 16, 2007**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order the North Ridgeville City Council Regular meeting dated Monday, July 16, 2007. If you will all rise for our Invocation followed by the Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: Dr. Norris if will you please take the roll?

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt. Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Charles Norris.

moved by Arndt, seconded by Olesen to suspend our By-Laws to enter into an Executive Session for the purpose of discussing potential litigation

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: The Chair puts the Executive Session right after correspondence and before new business on our agenda tonight. We'll begin, Dr. Norris; if you will, with our minutes.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Council has before it this evening the:

Council Minutes of regular meeting held July 2, 2007

moved by Manning, seconded by Butkowski to approve the Council minutes of the regular meeting held July 2, 2007

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Council will also please take note in their packets are the:

Board of Zoning & Building Appeals Minutes of regular meeting June 28, 2007; and
Planning Commission Minutes of regular meeting July 10, 2007.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's report. The Chair invites our Mayor and Directors the opportunity to provide Council with an oral report and we would like to begin tonight with our Mayor, Mr. Gillock.

• **Mayor:**

Mayor Gillock: Good evening and thank you, Mr. President. I have a couple of additional items to add to the agenda this evening, if I may. The first is a proposal from EMH&T Engineering to scan and index all of our engineering plans. I gave each of you a copy of the proposal at your desk for your review. This would include scanning into the system over 8,900 drawings, creating a search mechanism, providing a software interface, so that the drawings can be accessed, configuring the system and providing training. Since this is a professional service, we do not need to go to bid. However, we do need a voice vote, so that the funds can be taken from the contingency fund to get this project underway. Mr. Johnson can answer any detailed questions you might have.

moved by Mayor Gillock, seconded by Olesen to approve a sum not to exceed
35,000 dollars for the purpose of our records management system

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, since this was just laid upon us this evening, maybe the Auditor, Mayor or Safety-Service Director can respond as to whether or not this was approved in appropriations already.

Safety-Service Director Johnson: No, it was not approved in appropriations. We had a firm come in and go through that process with us as part of the overall records management system that we did approve in appropriations. It was determined that this would better be handled as a separate project and quite frankly, it is a little bit larger than what we anticipated going into appropriations. It is something we need to do quickly, so that we can get the incoming documents, which we are getting in all the time, into a data base. The longer we go on this, the more it is going to cost. Frankly, we thought it was going to cost a lot more than the proposal that is before you. If we do this now, we are going to save money in the long wrong and save time also.

Mayor Gillock: Secondly, we would be taking it out of the contingency fund, which was approved in the appropriations process. The Auditor and I were just discussing whether or not we would need an additional ordinance or not. I was told that we don't, but Chris thinks we do. If we do, we will have to come back with an additional ordinance. It was approved. Not this particular project, but the contingency fund has 50,000 dollars in it, which has been appropriated. Council Member Boose: Thank you. Do we know, Mr. Auditor, what this will leave the

contingency balance at then, once we use these funds?

Auditor Costin: I believe we appropriated 100,000 dollars. I believe everything has been reallocated from the contingencies. This will be the only expenditure charged to it at this point. However, I do have to reiterate what the Mayor said. I believe that we passed an ordinance under the last Administration, that requires that personal services 25,000 dollars or over; while they don't require them to be bid, I believe they need an ordinance passed by Council. Perhaps, as the Mayor said, we could do this on a contingent basis and we could go back and research that quickly. If it requires an ordinance, it is going to have to come back to Council.

President Arndt: In consultation with our Law Director, it is his opinion, that we do indeed need that ordinance, as per the discussion by Mr. Costin and if we were to move forward with the motion and the second as we have it right now tonight, our vote would be ineffectual and as such, the Chair would then ask the Mayor if he would rescind or pull back his motion and Mr. Olesen.

Mayor Gillock: I will rescind the motion.

Council Member Olesen: I will rescind my second.

Mayor Gillock: Next, you will also find at your desk an ordinance allowing us to join the Westshore Council of Governments. It will cost us 15,000 dollars to join and the annual cost is prorated based on population and these funds have already been appropriated. If you remember, we appropriated approximately 92,000 dollars to get us through the rest of the year. This will allow us to improve our Fire and EMS response, free up our Dispatcher and provide better service to our residents. Our goal is to put a third Paramedic Squad in service by the first of September.

moved by Mayor Gillock, seconded by Buescher to suspend By-Laws to add this to tonight's agenda under First Readings

President Arndt: Dr. Norris, will you give this a T number?

Clerk of Council Norris: Yes, that will be T 110.

President Arndt: Thank you. Again, to restate, we have a motion by Mayor Gillock and a second by Mrs. Buescher to suspend our By-Laws tonight give T 110 its first reading. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Mayor Gillock: Thank you. As this is the last regularly scheduled Council meeting before September, I would like to advise Council and all our residents, that August 31 has been proclaimed North Ridgeville Firefighter's Appreciation Day and commend our Firefighters for their efforts on behalf of the City of North Ridgeville and the Muscular Dystrophy Association. If you see one of our Firefighters, please be sure to thank them for all they do.

I would like to remind our older residents that the State has a new tax break for seniors and disabled residents, effective July 1. You can exempt the first 25,000 dollars of the market value of your home from property taxes, but you must apply. The application form can be found on line at www.loraincounty.com/auditor and there will be informational meetings at the North Ridgeville Branch Library from noon until 4:00 P.M. on July 30 and August 22. Representatives

will be on hand to answer any questions you might have. That is July 30 and August 22 from noon until 4:00 P.M.

Lastly, I would like to remind residents not to use blue bags, such as those you would get at the grocery store, for non recyclable material. This comes up often. Residents put material out in the blue bags, which is not recyclable. The drivers can see through the bags and if the material is not recyclable, they will go ahead and pick it up and put it in the normal truck. Often times, residents see them picking them up and they think that Allied is putting recycled material into the regular waste and that is not the case. Use blue bags only for recycled material and it will make their job easier and help reduce confusion. Thank you and that concludes my report.

President Arndt: Thank you, Mr. Mayor. We now invite comments from our Safety-Service Director, Mr. Johnson.

• **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. First I want to apologize to the viewing audience. We were not on line right away. We are on now. Mayor, would you want to go over some of your report?

Mayor Gillock: Do you want me to give my report again? No? Okay. Thank you.

Safety-Service Director Johnson: There was one thing regarding the Firefighters and August 31. I would repeat that.

Mayor Gillock: Thank you. I wanted to advise Council and our residents that August 31 has been proclaimed North Ridgeville Firefighters Appreciation Day and commend our Firefighters for their efforts on behalf of the City of North Ridgeville and the Muscular Dystrophy Association. If you see one of our Firefighters, please be sure to thank them for all that they do. President Arndt: Mr. Mayor, I do believe that the blue bag thing might be of value, if you would say that again too.

Mayor Gillock: Okay. Lastly, I would like to remind residents not to use blue bags, such as those you receive at the grocery store, for non recyclable material. The drivers can see through the bags and if the material is not recyclable, they will go ahead and pick it up and put it in the normal truck. Often times then, residents will see this and think that Allied Waste is simply putting recyclable material in with regular waste and that is not the case. Use blue bags only for recyclable material and it will make their job easier and help reduce confusion. Thank you, once again.

President Arndt: Thank you, Mr. Mayor. Now we get to hear from Mr. Johnson.

Safety-Service Director Johnson: Hopefully, only once. The July 3 Fireworks and Independence Day festivities were well attended this year. I want to publically thank Park & Rec., Police and Service Departments for their handling of the festivities, but I want to give a special thanks to our Fire Department for managing the great fireworks show.

Our Firefighters volunteer their efforts every year to raise the funds and plan the event. They plan an even more spectacular show next year and the fund-raising for that event is already underway. If any business or resident would like to donate to the cause, please make your check out to the North Ridgeville Fireworks Fund and address it to City Hall or either Fire Station.

With the tornado season upon us, I'd like to recommend the purchase of a weather radio to all residents. These radios are quiet until an alert is activated. They are a bit more reliable than television broadcasts that only work when the television is on. These radios are available nearly anywhere electronics are sold. The Lorain County Emergency Management Agency has these radios available at cost and several area retailers offer them at their cost or reduced costs. These radios also come with battery backup, allowing them to work through a power failure. Call or email me at City Hall with any questions on these radios.

With the August recess looming, I would appreciate Council passing several payroll issues on the agenda tonight. However, I want to make a special plea for T 101 and T 102. These ordinances establish the full time floater position and we have two employees going on medical leave. If not passed tonight, we will have to hire temps to fill these needs. That concludes my report.

Mayor Gillock: Mr. President, I'd like to make a comment in regard to the Firemen's support of the fireworks, because there was a recent article in the Plain Dealer that had some incorrect information. It indicated that the City spent 10,000 dollars on the fireworks and as all the Council people know, we did vote to contribute 4,000 dollars to that fund. There was 10,000 dollars spent. However, the Firemen raised 6,000 dollars through donations and sponsorships. The City only participates to the level of 4,000 dollars and that should be recognized on their behalf.

President Arndt: Thank you, Mr. Mayor. Back to Mr. Johnson, you said that you are looking for T 101 and T 102 to be adopted. Is that correct?

Safety-Service Director Johnson: Yes, by emergency if possible.

President Arndt: Thank you. We now get to hear from our Engineer, Mr. Griffith.

• **Engineer:**

Engineer Griffith: Thank you, Mr. President. On Saturday, July 28; that is not this Saturday, but the Saturday after next, the Lorain County Solid Waste Management District will be holding it's third E-scrap collection between 9:00 A.M. and 3:00 P.M. at the Windstream Service Garage at 560 Ternes Avenue in Elyria. They will take computers, TV's and other electronics. I ask everyone to please consider using this method to dispose of your obsolete electronics. Most of this equipment contains mercury that will contaminate the ground water and will eventually get into our lakes and streams. From there it collects in fish, which we then eat. If you miss this collection, the next one will be October. Thank you, that concludes my report this evening.

President Arndt: Mr. Griffith, did you say that was at Windstream?

Engineer Griffith: Windstream.

President Arndt: Thank you. We now have the opportunity to hear from our Auditor, Mr. Costin.

• **Auditor:**

Auditor Costin: Thank you, Mr. Chairman. Two items of business tonight. The first of which is our scheduled report. I understand that the June report did not meet cloture. It did get to your boxes after the time of cloture, which I apologize. So, I would expect that you could pass that, if you desire, at your first meeting in September.

The second item includes the various BAN's ordinances, which were publicized at the last meeting and at the Finance meeting. September is the expiration of our BAN's and what we did was we prepared them in advance, so that we would be able to actually; if we could pass them by emergency tonight, begin the marketing in August to obtain favorable rates for the City. These represent the rollovers of various BAN's that were issued during 2006. Two of which were issued in March, 2007. Historically, we try to time those so that as they expire, we renew them all together. There is another batch that we issued in June, 2007. All the new notes will be set to expire next June. I would request that T 94, T 95, T 96, T 97, T 98 and T 99 be passed tonight with the emergency. Thank you.

President Arndt: Thank you, Mr. Costin. Dr. Norris, if you will read our other reports please.

• **Other Reports:**

Clerk of Council Norris: Other reports in Council's packet tonight include the:

Mayor's Court Monthly Report for June 2007; and
Fire Department Report for May 2007.

Planning Commission Report to Council of regular meeting July 10, 2007:

APPLICANT: James P. Martynowski, Forest City Land Group, 50 Public Square, Suite 1050, Cleveland, OH 44113
OWNER: Sugar Chestnut, LLC, c/o FCLG, 50 Public Square, Suite 1050, Cleveland, OH 44113
REQUEST: A two-year extension of the final improvement plan and plat approvals
LOCATION: Waterbury Phases 6, 7, and 8 in a PCD District
Permanent Parcel 07-00-037-000-278
PC ACTION: Approved by a vote of three to zero
moved by Jaenke, seconded by Olesen to approve the Planning Commission action with regard to a two-year extension of the final improvement plan and plat approvals

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, just to keep everyone up to date. This was requested by Forest City primarily because of the down turn in building and these three phases, six, seven and eight, are not selling well to other builders. As we probably know, Forest City does sell lots off

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

JULY 16, 2007

Page 7

to builders that are building in the community and because of the down turn in building, obviously, the lot sales have been very slow. This was the reason for their request. Thank you. President Arndt: Thank you. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

APPLICANT: Robert G. Behers, R.G. Behers Electrical, 3272 Eastview Road, Bethel Park, PA 15102
OWNER: Bentbrooke Properties, 25560 Hilliard Blvd., Westlake, OH 44145
REQUEST: Approval to install an emergency generator at an existing cell tower site
LOCATION: 31726 Center Ridge Road in an R-1 District
 Permanent Parcel 07-00-006-102-164
PC ACTION: Approved by a vote of three to zero with the following conditions:
 1) Safety Service Director review the drainage dealing with the roadway
 2) Chief Building Official review the lighting issue
 3) Review the possibility of having the battery kick on first prior to the generator due to power outage
 moved by Jaenke, seconded by Olesen to approve the Planning Commission action for the approval to install an emergency generator at an existing cell tower site with the three conditions

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again to keep everyone up to date. This is a diesel generator that has been required by Homeland Security. This particular carrier is Verizon. Homeland Security is requiring that all the major carriers provide a back up generator, so if there is a disturbance in the electrical power, such as we had a few years ago with the electrical grid, the generator would kick in and at least provide cell phones for the customers that would have them for a period of time. It is really aimed at the potential, that if we were to have a national disaster, at least the cell phones of the Verizon customers would be operating.

President Arndt: Thank you, Mr. Jaenke. Any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

APPLICANT: Ed Pivceovich, Jr., Sweat Bros. Tree Service, 263 Cherry Lane, Avon Lake, OH 44012
OWNER: Same
REQUEST: Approval to construct a 30 foot by 80 foot pole building for storage
LOCATION: Vacant land on Maddock Road in an I-2 District
 Permanent Parcel 07-00-034-000-101
PC ACTION: Approved by a vote of three to zero with the following conditions:
 1. Storm Water Management must be approved by City Engineer
 2. Parking, drives, and aisles must be bituminous or dust free surface
 moved by Jaenke, seconded by Olesen to approve the Planning Commission action with regard to constructing a 30 foot by 80 foot pole building for storage and also with the two

conditions that were stated

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again a comment. This is the property that is on Maddock, next to the railroad tracks and there was quite a bit of discussion about the proposal. It is just a pole building for storage only. There are no bathroom facilities. There will be no employees, as such, working there. They did not however, have any of the engineering calculations that Larry will be requiring. So, the condition of Storm Water Management includes the retention basin and all the calculations. Plus, then, the driveway has to be of a dust free material. They are going back and hiring an engineering firm, which will then present the plans to our City Engineer. Thank you.

President Arndt: Thank you, Mr. Jaenke. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: That concludes all of our reports. We have no Council Committee Reports and as such we move now to two pieces of correspondence.

CORRESPONDENCE:

Clerk of Council Norris: Council has before it two items of correspondence:

1) Received a letter from David Ullrich, Executive Director of the Great Lakes and St. Lawrence Cities Initiative announcing a project to determine how much the region's municipalities are investing in the protection and restoration of the Great Lakes and St. Lawrence River and announcing a survey that will be sent to make this determination to help make a case to Congress and other levels of government that increase federal investment in the protection of the Great lakes and St. Lawrence River.

2) Received notification from Terry Poole, Superintendent of the Ohio Department of Commerce, Division of Liquor Control that all permits to sell alcoholic beverages will expire October 1, 2007 and enclosing a brochure entitled "How to Object to the Issuance or Renewal of a Liquor Permit.

President Arndt: Thank you, Dr. Norris. At this point in time, the Chair adjourns our meeting for Executive Session.

Council recessed into Executive Session at 8:00 P.M. to discuss the sale of City owned property. Council reconvened from Executive Session at 8:20 P.M.

President Arndt: Before we jump to new business, the Chair would like to make a motion that we will let our Law Director clearly and legally articulate and then wait for a second should there be one. The motion is Mr. Law Director?

Law Director Crites: The motion would be to schedule a special meeting to reconsider a zoning

ordinance previously passed. The purpose or the reason being that Council would meet to reconsider this is because they are mandated to do so by our City's Charter. A committee who sought a referendum of this ordinance has attempted to and in fact has obtained adequate signatures. The County Board of Elections has served notice upon us that the signatures are valid and have been certified. Therefore, Council is mandated by Charter to meet within 30 days of the certification by the Board of Elections to reconsider. Therefore the purpose of the meeting would be to reconsider a previous zoning ordinance as required by our Charter. President Arndt: And that zoning ordinance number is 4416-2007 and the date for the special meeting would be July 23 at 6:30 here in Council Chambers.

moved by Arndt, seconded by Butkowski to schedule a special meeting on July 23 at 6:30 P.M. here in Council Chambers to reconsider 4416-2007, a zoning ordinance previously passed.

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: We have no new business and so now we have the opportunity to move into our audience participation or lobby section of the evening.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any members of our audience tonight are invited and welcome to address your City Council. Should you choose to do so, we ask you to come to the podium immediately to the right of Mrs. Buescher after you have filled out the lobby sign-in form that you can find in the back of the room because it gives us the opportunity to follow up with you personally, should there be a need to do so. When you come forward, please clearly state your name and your address and limit your comments to three minutes. As such, the lobby is now open. Anybody who chooses to come to speak, may do so.

moved by Arndt, seconded by Jaenke to suspend our By-Laws tonight to dispense with recess

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

RECESS: dispensed with

President Arndt: We move now tonight with ordinance and resolution submittals beginning with T 94, Dr. Norris?

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

 moved by Mayor Gillock, seconded by Boose to suspend our By-Laws to move ordinances T 94, 95, 96, 97, 98 and 99 directly to first readings tonight

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

President Arndt: With dispatch, we have now moved to T 100.

Clerk of Council Norris:

T 100-2007 AN ORDINANCE AMENDING SECTION 1272.04 (e) BY ADDING
 KENNELS AS A PROHIBITED USE IN A B-5 ARCHITECTURAL BUSINESS
 DISTRICT.

President Arndt: THE CHAIR REFERS THIS TO THE BUILDING AND LANDS
COMMITTEE.

T 101-2007 AN ORDINANCE CREATING THE FULL-TIME JOB POSITION OF
 CLERK/TYPIST.

 moved by Olesen, seconded by Boose to suspend our By-Laws tonight to give T 101 its
 first reading

President Arndt: Any discussion? There being none, all those in favor signify by yes. All those
opposed by no. Any abstentions?

 Yes, 7 No, 0

T 102-2007 AN ORDINANCE ESTABLISHING A PAY SCALE FOR THE FULL-TIME
 JOB POSITION OF CLERK/TYPIST.

 moved by Boose, seconded by Buescher to suspend our By-Laws tonight to give T 102
 its first reading

President Arndt: Any discussion? There being none, all those in favor signify by yes. All those
opposed by no. Any abstentions?

 Yes, 7 No, 0

T 103-2007 AN ORDINANCE CREATING THE NON-SWORN PART-TIME POSITION
 OF SERVICES DIVISION ASSISTANT.

President Arndt: THE CHAIR REFERS T 103 TO THE ADMINISTRATIVE COMMITTEE.

T 104-2007 AN ORDINANCE ESTABLISHING THE PAY SCALE FOR THE NON-
 SWORN PART-TIME JOB POSITION OF SERVICES DIVISION
 ASSISTANT.

President Arndt: That concludes our ordinance and resolution submittals. We move onto our first readings starting with T 64.

• **First Readings**

Clerk of Council Norris:

T 64-2007 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND: 34626 CENTER RIDGE ROAD AND 34564 CENTER RIDGE ROAD, ALSO KNOWN AS PERMANENT PARCEL NUMBERS 07-00-016-101-007 AND NO. 07-00-016-101-008 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT AND OWNED BY JOZSEF AND KATALIN BURDA.

First Reading

T 91-2007 AN ORDINANCE DEDICATING PERMANENT PARCEL NO. 07-00-020-138-012 FOR PUBLIC PURPOSES.

First Reading

T 105-2007 AN ORDINANCE AMENDING DEPARTMENT HEAD SALARY
4439-2007 ORDINANCE NO. 3858-2002 BY REPLACING EXHIBIT A WITH A REVISED EXHIBIT A.

First Reading

President Arndt: Just a moment, please Dr. Norris. Isn't this the one that you were hoping to be adopted tonight.

Safety-Service Director Johnson: Of the two that I really wanted adopted are moving along. I'll take whatever I can get on the payroll issues. This is one of them.

President Arndt: I'm still looking for clarification. I apologize.

Safety-Service Director Johnson: Yes, I would like it passed.

moved by Arndt, seconded by Jaenke to dispense with the second and third readings tonight on T 105

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Olesen to adopt

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 105 is adopted becoming permanent ordinance 4439-2007.

Permanent Ordinance No. 4439-2007

T 106-2007 AN ORDINANCE CREATING THE SUPPLEMENTAL JOB POSITION OF
4440-2007 RECORDS MANAGER.

First Reading

moved by Arndt, seconded by Butkowski to amend T 106 to add at the end of
Section One, retroactive to July 1, 2007

Council Member Boose: Could you restate the motion one more time please.

President Arndt: Yes, Section one, where it says the supplemental job position of record
management is hereby created and shall be in an unclassified Civil Service, the Clerk of Council
or his designee shall hold this position and this becomes retroactive to July 1, 2007 and then I
will make a motion, should this pass, to dispense with the second and third readings tonight and
the reason that has been explained is that policies and posters and so forth are required now to be
up by September 27 and so consequently, it is desired that this position be in place so that, that
can all be handled.

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Boose to dispense with the second and third
readings tonight on T 106

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Boose to adopt tonight T 106

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 106 is adopted becoming permanent ordinance 4440-2007.
Permanent Ordinance No. 4440-2007

T 107-2007 AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE
4441-2007 SUPPLEMENTAL JOB POSITION OF RECORDS MANAGER.

First Reading

moved by Arndt, seconded by Boose to amend T 107 to add at the end of Section
One, retroactive to July 1, 2007

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Boose to dispense with the second and third
readings tonight on T 107

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Boose to adopt tonight T 107

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

JULY 16, 2007

Page 13

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 107 is adopted becoming permanent ordinance 4441-2007.
Permanent Ordinance No. 4441-2007

T 108-2007 AN ORDINANCE AMENDING NRCO SECTION 1046.06 BILLING TO ADD
THE LIEN PROCEDURES CONTAINED IN ORDINANCE NO. 4429-2007
FOR COLLECTING DELINQUENT DEBTS.
First Reading

T 109-2007 AN ORDINANCE AMENDING NRCO SECTION 1046.18 SECURITY
DEPOSITS.
First Reading

T 110-2007 AN ORDINANCE ACKNOWLEDGING THE USE OF PRIOR
4442-2007 APPROPRIATED FUNDS AND FOR THE MAYOR OF THE CITY OF
NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
WESTSHORE COUNCIL OF GOVERNMENTS (WCOG) FOR THE
OPERATION OF A CENTRAL FIRE DISPATCH CENTER.
First Reading
moved by Olesen, seconded by Boose to dispense with the second and third
readings tonight on T 110

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Buescher to adopt tonight T 110

moved by Boose, seconded by Buescher to add the emergency to T 110 so that the
Fire Department and Paramedics can begin working through the necessary
paperwork in order to make this happen as quickly as possible

Council Member Boose: They are going to be having to provide information about all our street
names and locations and such. That will require it to be done expeditiously.

President Arndt: Is there any discussion?

Council Member Olesen: Mr. President, I am not so sure the emergency is necessary because
they have about six weeks worth of work to do in transferring data to the new system and so they
really aren't going to be ready to start for about a month and a half.

Council Member Buescher: Mr. President, I did speak with the Fire Chief today and he did say
that because we won't be in session in August that it would be better if we would pass this now
on emergency this evening.

Council Member Boose: Yes, I spoke with the Fire Chief and he asked that we pass it by
emergency for the same reasons that Mrs. Buescher gave.

Council Member Olesen: Okay, that wasn't what he told me.

Council Member Butkowski: The conversation must have changed because he didn't tell me that,

but that does make sense to add the emergency.

President Arndt: On behalf of the Chief, that emergency or not emergency, we'll move forward with his request. Any further discussion?

Council Member Butkowski: Mr. Chairman, this is just another step in the right direction for regionalism and it will save the City money and it will increase the safety of our residents to be able to get calls to the right person in a speedy time. I think this is a great step forward for the City.

Council Member Olesen: I think the most important thing here is that it frees up one Firefighter who, in the past, had to answer the telephones from dispatch to do his work as a Firefighter. I think this is what the Chief is really in favor of.

President Arndt: Any other discussion from anyone?

Mayor Gillock: Yes, another key part is that it is our desire that by September 1, we will now have a third Paramedic Squad available. Right now, we use mutual aid usually through Avon and sometimes six or seven times a day it happens, which has really driven the demand for the third squad. This will allow us to remove that Dispatcher and set that third squad up and also through central dispatch; now, when we do need mutual aid, they will be able to direct the closest most efficient department rather than still having to wait fifteen or twenty minutes for a unit to get here from Avon. So it really does improve (Tape One, Side A ends)

President Arndt: Mr. Costin?

Auditor Costin: One addendum to this discussion is the fact that during appropriations we had discussed that it would be taken from the new monies generated in the ambulance fund. We still need a revised ambulance ordinance to come forward, which I suspect will be simultaneous.

Mayor Gillock: I think we just did that.

Auditor Costin: I don't think we amended the ambulance ordinance to this date. We discussed it. That will be forthcoming.

President Arndt: We have a motion on the floor by Mr. Boose and a second by Mrs. Buescher to add the emergency to T 110. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Boose and a second by Mrs. Buescher, to adopt tonight T 110 with the emergency as stated. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 110 is adopted with the emergency and becomes permanent ordinance 4442-2007.

Permanent Ordinance No. 4442-2007

T 94-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4443-2007 \$700,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
FOR THE PURPOSE OF IMPROVING LEAR NAGLE ROAD AND CENTER
RIDGE ROAD BETWEEN CERTAIN TERMINI BY REALIGNING LEAR
NAGLE ROAD AT THEIR INTERSECTION, GRADING, DRAINING,
WIDENING, CURBING, PAVING, CONSTRUCTING AND

RECONSTRUCTING STORM SEWERS, WATERLINES AND SIDEWALKS AND INSTALLING AND IMPROVING TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 94

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt T 94

moved by Boose, seconded by Buescher to add the emergency tonight to T 94 so that we can begin marketing to obtain the most favorable rates possible

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski, to adopt tonight T 94 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 94 is adopted with the emergency and becomes permanent ordinance 4443-2007.

Permanent Ordinance No. 4443-2007

T 95-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4444-2007 \$535,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING LORAIN ROAD
BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING,
CONSTRUCTING CURBS, CATCH BASINS AND STORM SEWERS,
RECONSTRUCTING THE PAVEMENT BASE AND PAVING AND
IMPROVING BAGLEY ROAD AT ITS INTERSECTION WITH LORAIN
ROAD AND SOUTHERLY APPROXIMATELY 450 FEET BY GRADING,
DRAINING, WIDENING AND PAVING TO ADD A TURN LANE AND BY
INSTALLING TRAFFIC SIGNS AND SIGNALS, IN EACH CASE
TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK
INCIDENTAL THERETO.

First Reading

moved by Olesen, seconded by Manning to dispense with the second and third readings tonight on T 95

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Olesen, seconded by Manning to adopt T 95

moved by Olesen, seconded by Manning to add the emergency tonight to T 95
because we have a short time frame to get this done

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Olesen; a second by Mrs. Manning, to adopt tonight T 95 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 95 is adopted with the emergency and becomes permanent ordinance 4444-2007.

Permanent Ordinance No. 4444-2007

T 96-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4445-2007 \$500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S
WATERWORKS SYSTEM BY REPLACING CERTAIN EXISTING WATER
MAINS, WATER SERVICE CONNECTIONS, FIRE HYDRANTS AND
VALVES ON DEBORAH DRIVE, PAULA BOULEVARD, CHARLES ROAD
AND LESLIE DRIVE, TOGETHER WITH NECESSARY APPURTENANCES
AND WORK INCIDENTAL THERETO.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third
readings tonight on T 96

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt T 96

moved by Boose, seconded by Butkowski to add the emergency tonight to T 96 so
that we can begin marketing and obtain the most favorable rates possible

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Boose; a second by Mrs. Butkowski, to adopt tonight T 96 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 96 is adopted with the emergency and becomes permanent ordinance 4445-2007.

Permanent Ordinance No. 4445-2007

T 97-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4446-2007 \$300,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
TO PROVIDE FUNDS TO PAY COSTS OF ACQUIRING AN EXISTING
BUILDING AND ITS SITE TO HOUSE CITY OFFICES AND FUNCTIONS.
First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third
readings tonight on T 97

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Olesen, seconded by Butkowski to adopt T 97

moved by Olesen, seconded by Butkowski to add the emergency tonight to T 97
in order to get these bonds to the market for sale

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Olesen; a second by Mrs.
Butkowski, to adopt tonight T 97 with the emergency. Any discussion? All those in favor
signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 97 is adopted with the emergency and becomes permanent ordinance
4446-2007.

Permanent Ordinance No. 4446-2007

T 98-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4447-2007 \$100,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
TO PROVIDE FUNDS TO PAY COSTS OF REHABILITATING AND
IMPROVING AN EXISTING BRIDGE ON CHESTERFIELD DRIVE BY
REPLACING THE BRIDGE DECK, IMPROVING ABUTMENT
BACKWALLS AND RESURFACING THE APPROACHES, TOGETHER
WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL
THERE TO.

First Reading

moved by Boose, seconded by Buescher to dispense with the second and third
readings tonight on T 98

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Buescher to adopt T 98

moved by Boose, seconded by Buescher to add the emergency tonight to T 98 so
that we can begin our marketing to obtain the most favorable funds possible

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no.
Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Boose; a second by Mrs. Buescher, to adopt tonight T 98 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 98 is adopted with the emergency and becomes permanent ordinance 4447-2007.

Permanent Ordinance No. 4447-2007

T 99-2007 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4448-2007 \$50,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO
PROVIDE FUNDS TO PAY COSTS OF ESTABLISHING AND IMPROVING
CITY PARK AND RECREATIONAL FACILITIES BY ACQUIRING
CERTAIN REAL ESTATE FOR A NEW PARK AT THE INTERSECTION OF
CENTER RIDGE ROAD AND AVON BELDEN ROAD AND BY ACQUIRING
AND INSTALLING A SPLASHPAD AQUATIC RECREATION SYSTEM
AND RELATED IMPROVEMENTS AT SOUTH CENTRAL PARK.

First Reading

moved by Butkowski, seconded by Manning to dispense with the second and third readings tonight on T 99

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Butkowski, seconded by Manning to adopt T 99

moved by Butkowski, seconded by Olesen to add the emergency tonight to T 99 so that we can get favorable bond ratings

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mrs. Butkowski; a second by Mrs. Manning, to adopt tonight T 99 with the emergency. Any discussion?

Council Member Boose: Mr. President, just a note for the audience and clarification. The ordinances T 94, 95, 96, 97, 98, and 99 were all approved through appropriations. They were all previously approved by separate ordinances for each of these and they are now just going out for funding. There is nothing that has been brought up this evening under the spur of the moment as they have all been in discussion and have all been approved at one point.

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 99 is adopted with the emergency and becomes permanent ordinance 4448-2007.

Permanent Ordinance No. 4448-2007

T 101-2007 AN ORDINANCE CREATING THE FULL-TIME JOB POSITION OF
4449-2007 CLERK/TYPIST.

First Reading

moved by Manning, seconded by Olesen to dispense with the second and third readings tonight on T 101

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Manning, seconded by Olesen to adopt tonight T 101

moved by Manning, seconded by Olesen to add the emergency to T 101 in order that we employ this employee before we have long term absences that are coming up

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mrs. Manning; a second by Mr. Olesen to adopt tonight T 101 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 101 is adopted with the emergency and becomes permanent ordinance 4449-2007.

Permanent Ordinance No. 4449-2007

T 102-2007 AN ORDINANCE ESTABLISHING A PAY SCALE FOR THE FULL-TIME
4450-2007 JOB POSITION OF CLERK/TYPIST.

First Reading

moved by Manning, seconded by Olesen to dispense with the second and third readings tonight on T 102

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Manning, seconded by Olesen to adopt tonight T 102

moved by Manning, seconded by Olesen to add the emergency to T 102 in order that we employ this employee before long term absences come up

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mrs. Manning; a second by Mr. Olesen to adopt tonight T 102 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 102 is adopted with the emergency and becomes permanent ordinance 4450-2007.

Permanent Ordinance No. 4450-2007

President Arndt: That concludes all of our first readings. Just a moment, please, so that our Law Director can make an inquiry.

Law Director Crites: If I can put it to the floor, were we to pass or did we pass the new position of Service Division Assistant for the Police Department?

Council Member Butkowski: No.

Law Director Crites: Was that not to be passed tonight?

President Arndt: No. Thank you. We now begin with our second readings, Dr. Norris, with T 47.

• **Second Readings**

Clerk of Council Norris:

T 47-2007 AN ORDINANCE AMENDING NRCO SECTION 1224.05 APPROVAL
PROCEDURE FOR SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS.
Second Reading

T 48-2007 AN ORDINANCE AMENDING NRCO SECTION 1242.03 BUILDING
PERMITS AND CERTIFICATES OF OCCUPANCY REQUIRED;
CERTIFICATES FOR NONCONFORMING USES; ISSUANCE OF STREET
NUMBERS FOR STRUCTURES; TIME LIMITATION FOR
COMMENCEMENT OF WORK.
Second Reading

T 93-2007 AN ORDINANCE APPROVING THE FINAL PLAT OF HAMPTON PLACE
SUBDIVISION FOR RECORDING PURPOSES ONLY.
Second Reading

President Arndt: That concludes all of our second readings. We have no third readings tonight, leaving us with one piece of old business.

OLD BUSINESS:

Clerk of Council Norris:

T 87-2007 A RESOLUTION ESTABLISHING THE PRELIMINARY PROCEDURES FOR
1107-2007 THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT
WITH EATON TOWNSHIP.
moved by Olesen, seconded by Jaenke to adopt T 87-2007

President Arndt: Is there any discussion?

Council Member Jaenke: Point of order, Mr. President. I believe that we have to have a public hearing on that.

Law Director Crites: Actually, if I may speak to that Mr. President. This is a very confusing ordinance because it is not doing what I believe what everyone is interpreting it to report to doing. This resolution itself, in passing it, creates our duty to set the public hearing. This is step one. What you are saying when you pass this resolution is that we now, because we want to look to the future of potentially creating a joint economic development district, we want to now begin the preliminary stages of doing so as required by law, which are one; hold a public hearing, two; set the proposed contract on file in the Clerk's Office for people to review with the maps, etc. There can not be a public hearing until this resolution is passed. My apologies and maybe I could have written the title better, but I don't know if I could as it is a very complex statute.

President Arndt: You said that during the last meeting and I think that buzzed by us too.

Law Director Crites: I have to relearn it every time I open the file, so I understand it.

Council Member Jaenke: The only reason that I brought it up in the language above as it talks about the public hearing on 9/4. I just wanted to make sure that we are all clear.

President Arndt: Thank you gentleman for being sharp on that. Is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 87 is adopted and becomes permanent resolution 1107-2007.
Permanent Resolution No. 1107-2007

President Arndt: That concludes all of our old business and we have several upcoming meeting announcements that I would ask that Dr. Norris share with all of us.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Special Council meeting Tuesday, July 17, 2007 at 7:00 P.M. at the North Ridgeville Education Center, 5490 Mills Creek Lane to discuss future building and funding plans

Public Hearings Tuesday, September 4, 2007 beginning at 7:15 P.M. in the following order:

- 1) T 47-2007, amend Section 1224.05 approval procedure for subdivisions involving more than five lots, and
- 2) T 48-2007, amend Section 1242.03 building permits and certificates of occupancy required; certificates for nonconforming uses; issuance of street numbers for structures; time limitation for commencement of work

Public Hearing Tuesday, September 4, 2007 at 7:20 P.M. regarding T 87-2007 establishing preliminary procedures for the creation of a JEDD with Eaton Township

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JULY 16, 2007**

Page 22

Next Regular Council Meeting Tuesday, September 4, 2007 at 7:30 P.M. in Council Chambers

Public Hearing Monday, September 17, 2007 at 7:20 P.M. regarding T 64-2007 to rezone 34626 and 34564 Center Ridge road from R-1 to B-3

ADJOURN:

moved by Butkowski to adjourn.

Meeting adjourned at 9:03 P.M.

MOTION Jaenke 2ND Manning DATE September 4, 2007

YES 5 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS