

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
JULY 15, 2019**

CALL TO ORDER: 7:30 p.m.

President Corcoran called the Monday, July 15, 2019 Council meeting to order.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Dennis Boose, Martin DeVries, Gregg Westover, Michelle Hung, President Kevin Corcoran, President Pro-Tem Bruce Abens and Robert Chapek.

Also present was Mayor David Gillock, Law Director Brian Moriarty, Safety-Service Director Jeff Armbruster, Auditor Jeff Wilcheck, Engineer Dan Rodriguez and Clerk of Council Nancy Linden.

MINUTES - Corrections (if any) and approval:

President Corcoran asked for any corrections to the City Council meeting minutes of July 1, 2019. No discussion was offered. The minutes stand approved as submitted.

President Corcoran noted that Council received the Board of Zoning and Building Appeals meeting minutes of June 27, 2019 and the Special Civil Service Commission meeting minutes of July 2, 2019.

LOBBY:

President Corcoran opened the lobby session and stated there would be one lobby session this evening.

He asked anyone that would like to speak to come to the podium and state their name and address for the record. He further added each person will be given three minutes to speak. He requested anyone that wished to speak to fill out a lobby sheet located in the back of the room.

Kim Stermole, 37872 Sugar Ridge Road: asked if Sugar Ridge and Race Road would be closed at the same time as her concern were safety service vehicles being able to reach homes in that area.

Engineer Rodriguez stated they won't be closed at the same time. Race Road will maintain traffic and will be milled and filled.

ADMINISTRATORS REPORTS:

A. Mayor: Mayor Gillock stated T 81-2019 was an ordinance adopting the Solid Waste Management Plan for the Lorain County Solid Waste Management District for 2020-2029. He asked that it be adopted with the emergency in order to meet the July 29, 2019 deadline.

Transmission Vegetation Management will be conducting aerial patrols on transmission lines across the entire FirstEnergy transmission system. The company performing the patrols will be Geo-Digital and they will be conducting their work between July 15 and August 31, weather permitting. These patrols gather information pertaining to corridor condition and identification of any vegetation conditions warranting further inspection from the ground and/or corrective action. The pilots will be in communication with any local airports, when in their airspace. The aircraft will be flying at a speed of about 35-40 mph at approximately 300-400 feet above the transmission lines and may circle around as needed.

Free movies in the park continue Friday, July 19 at South Central Park. The last movie of the summer is Aquaman and it will be shown on Friday, August 2.

The summer concert series continues on Friday, July 26 at South Central Park with the sounds of Queen Bees featuring blues and classic rock. Concerts are free admission and take place at the gazebo from 7:00 to 9:00 p.m. There will also be food vendors available to purchase dinner and snacks.

B. Safety-Service Director: Safety-Service Director Armbruster stated the Street Department continues to pave in 2019. They are keeping up with mowing and crack sealing. The City contracted out for crack sealing and that should begin soon.

C. Engineer: Engineer Rodriguez stated Sugar Ridge is closed and a detour is posted. It will be closed from Waterbury Boulevard to Line Drive where they will tie in the Westerly Sewer. As a safety measure, the road will be closed. The closure will shift as they go down to the east. The next shift will close the Line Drive intersection (the park will be accessible) and then Waterbury will open.

Engineer Rodriguez stated the crack sealing will occur within the next couple of weeks because the vendor was backed up.

D. Auditor: Auditor Wilcheck stated T 83 is the approval of the budget information to be submitted to the Lorain County Budget Commission due July 19. The Commission waived the requirement for a formal tax budget, formal adoption and the public hearing. Auditor Wilcheck stated the Law Director concluded that the resolution should still be put before Council for approval. He noted it was unclear if that were required by O.R.C.

Auditor Wilcheck stated T 84 is a supplemental appropriation which addressed a few things. He noted property tax information that is due to the County Treasurer – the City is required to pay

tax on property until the exemption is granted. Bills that came in for the second half are higher than expected based upon first half. The other item in General Fund is a transfer out relating to the closing of the Surface Drainage Fund where the City has to transfer the money to General Fund then transfer the dollars to the Stormwater Management Fund. He noted that additional receipts came in on some of the permits. The fee is determined on when the application is submitted. Some other items are the changes regarding the Street Levy Fund, Capital Projects Fund and the Ohio Public Works Concrete Street Project. This is a project that was budgeted in the Capital Projects Fund, but due to grant requirements, it needs to be set in a separate fund. The dollars are just being shifted over. Avon Belden Roundabout Fund has a small balance to transfer out and the fund can be closed. He noted at the next meeting, he will have a resolution to approve the transfer of the funds. Auditor Wilcheck stated the TIF Improvements are revenue received by the City. The County Auditor/Treasurer fees were higher than he anticipated when budgeting. He noted the French Creek Repair and Improvement Fund increased appropriations due to an issue with a firm that did work for the City and they exceeded the dollar amount certified by the Auditor. There will be legislation forthcoming that Council will have to approve.

President Corcoran stated this is part of the Finance Committee meeting taking place on Thursday evening.

Auditor Wilcheck stated there are appropriations in the fund to cover it, but it will leave the City short for projects.

Auditor Wilcheck noted the Self Insurance Benefit Fund shows that claims for healthcare have been higher than usual. The Court Computerization Fund reflects a project jointly with the Police and Court to upgrade equipment in police cars. It will allow electronic transfer of information from a ticket to the court offices. The transfer of money will pay for the software.

Auditor Wilcheck stated there is a transfer of appropriations from Personal Service and Other in the Safetyville Fund to cover the wages for the program from this past summer.

E. Other Reports: President Corcoran noted Council received the June 2019 Mayor's Court Reports.

COUNCIL COMMITTEE REPORT(S): None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Planning Commission action(s) taken at the July 9, 2019 meeting:

APPLICANT: Gavril Budai; G&S Property Investments, LLC.
1960 Radcliffe Dr, Westlake, OH 44145

OWNER: Gavril Budai; G&S Property Investments, LLC.
1960 Radcliffe Dr, Westlake, OH 44145

REQUEST: Approval for construction of commercial storage units.

LOCATION: 34515 Mills Road and 34555 Mills Road; east of Jaycox Road and west of Mills Industrial Parkway, zoned within an I-2 Light Industrial District; Parcel Nos. 07-00-018-101-280, 07-00-018-101-020

PC ACTION: **Approved by a vote of 5-0 (with conditions).**
(Council action required)

Moved by Hung and seconded by DeVries to accept the Planning Commission action.

Councilwoman Hung stated the case was a storage unit facility that is unique to the City. It was approved with conditions.

Councilman Chapek and Councilman Westover asked for the conditions.

Councilwoman Hung stated the conditions were as follows:

1. Reference to appliances and utilities to be removed from HOA covenants;
2. Turn around and drive radius be verified;
3. A mound with fence and landscape, or something similar along those lines, is installed at the entire back end of the property where it abuts residential;
4. Measure waste going into City's system so HOA can pay; and
5. Drainage in accordance with the City Engineer.

Councilman Westover asked if they were required to have security cameras. He noted not every place has security cameras.

Mayor Gillock stated just like any other business, there is no ordinance that requires it.

Councilwoman Hung stated her and Councilman Boose discussed setbacks. She noted that 75 is very close to look at a 60 foot building. She indicated that Councilman Boose may be introducing legislation in the future to look at setbacks.

Councilman Boose stated this was the second time the case came to Planning. They are condominiums that are not rented but purchased. They will have their own rules and regulations. The Assistant Law Director noted that it can be changed but it needed to be in the same substantial content as was presented to Planning. From the first to the second meeting the applicant reduced the units and lighting. Instead of a light for every unit, it is every other unit. The mounding was in addition to the landscaping towards the residential end of the property. They meet all building requirements. He recommended it.

Councilman Abens asked if there were restrooms in the units.

Councilwoman Hung stated they are optional and they will pay extra.

Councilman Chapek asked if the unit owner is responsible for trash and waste removal.

Councilman Boose stated that was correct. The Association is not responsible.

Councilwoman Hung stated it was a tough discussion.

A voice vote was taken and the motion carried.

Yes – 5

No – 2 (Abens, Chapek)

APPLICANT: Thomas “Jeff” Kadusky; MCI-Metro
12300 Ridge Rd, North Royalton, OH 44133
OWNER: City of North Ridgeville – right-of-way
7307 Avon Belden Rd, North Ridgeville, OH 44039
REQUEST: Installation of fiber optic conduit in the right-of-ways of Lear Nagle Road
and Lorain Road.
LOCATION: Lear Nagle Road right-of-way, extending from Boulder Drive to Lorain
Road; a portion of Lorain Road right-of-way, extending northeast from
Lear Nagle Road.
PC ACTION: **Denied by a vote of 4-0-1 (It was moved to deny the action).**
(Council action required)

Councilman Abens stated Councilwoman Hung had to abstain for personal reasons.

Moved by Abens and seconded by Boose to accept the Planning Commission action.

Councilwoman Hung stated she abstained because of a family relationship. She stated...

President Corcoran stated with an abstention, Ms. Hung should not continue on.

Councilwoman Hung stated she was just going to summarize but she would defer to the City Engineer.

Engineer Rodriguez stated the reason the case was denied by Planning is that the applicant wanted to place the fiber optics too close to City utilities. It was too close to water lines and in some cases, on top of the City’s waterlines. He noted the Engineer for the plan indicates he will come back with new plans.

A voice vote was taken and the motion carried.

Yes – 6

No – 0

Abstain – 1 (Hung)

RECESS:

Moved by Boose and seconded by DeVries to dispense with the recess portion of the meeting.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Linden:

T 81-2019 AN ORDINANCE ADOPTING THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR 2020-2029.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Westover to dispense with the second and third readings for T 81-2019.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Moved by Boose and seconded by Westover to adopt T 81-2019.

Moved by Boose and seconded by Westover to add the emergency clause to T 81-2019 in order to meet the filing deadline of July 29, 2019.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7

No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 81-2019 will become **Ordinance number 5660-2019**.

Yes – 7

No – 0

Clerk of Council Linden:

T 82-2019 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

(Introduced by Mayor Gillock)

Clerk of Council Linden:

T 83-2019 A RESOLUTION APPROVING THE BUDGET INFORMATION FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE YEAR BEGINNING JANUARY 1, 2020 AND SUBMITTING THE SAME TO THE LORAIN COUNTY BUDGET COMMISSION.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Chapek to dispense with the second and third readings for T 83-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by Chapek to adopt T 83-2019.

Moved by Boose and seconded by Chapek to add the emergency clause to T 83-2019 in order to meet the filing deadline of July 19, 2019.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Auditor Wilcheck stated there is a formula correction and didn't know if needed addressed in the exhibit.

President Corcoran stated the exhibit will be attached to the resolution.

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 83-2019 will become **Resolution number 1457-2019**.

Yes – 7 No – 0

Clerk of Council Linden:

T 84-2019 AN ORDINANCE AMENDING ORDINANCE NUMBER 5595-2018 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Chapek to dispense with the second and third readings for T 84-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by Chapek to adopt T 84-2019.

Moved by Boose and seconded by Chapek to add the emergency clause to T 84-2019 in order to cover anticipated expenses that are forthcoming.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7

No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 84-2019 will become **Ordinance number 5561-2019.**

Yes – 7

No – 0

Clerk of Council Linden:

T 85-2019 AN ORDINANCE AMENDING CERTAIN PORTIONS OF CHAPTER 1446,
REGISTRATION OF CONTRACTORS.
(Introduced by Mayor Gillock and Councilwoman Hung)

President Corcoran referred the T 85-2019 to the Building and Lands Committee.

Clerk of Council Linden:

T 86-2019 AN ORDINANCE AMENDING N.R.C.O. SECTION 1294.01(H), FENCES.
(Introduced by Councilwoman Hung)

President Corcoran referred the T 86-2019 to the Building and Lands Committee.

SECOND READINGS: None.

THIRD READINGS:

Clerk of Council Linden:

T 75-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND TO ENTER INTO A CONTRACT FOR THE SALE OF TWO PARCELS
OF REAL PROPERTY ON THE WEST SIDE OF OLIVE AVENUE.
(Introduced by Mayor Gillock; First reading 06/17/2019; Second reading 07/01/2019)

Moved by Boose and seconded by DeVries to adopt T 75-2019.

A roll call vote was taken and the motion carried. T 75-2019 now becomes **Ordinance number 5662-2019.**

Yes – 7

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran stated there will be a Finance Committee meeting on Thursday, July 18, 2019 at 6:30 p.m. in Council Chambers.

The next regular Council meeting will be on Monday, August 5, 2019 at 7:30 p.m. in Council Chambers.

ADJOURNMENT:

President Corcoran adjourned the meeting at 8:00 p.m.

Approval of minutes on August 5, 2019:

A stylized, handwritten signature in black ink, appearing to be a cursive 'P' followed by a horizontal line.

PRESIDENT OF COUNCIL

A handwritten signature in black ink that reads 'Nancy Lee Linsen' in a cursive script.

CLERK OF COUNCIL