

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JULY 15, 2002**

CALL TO ORDER: 8:00 P.M.

President of Council David Gillock: I would like to call this Regular meeting of the North Ridgeville Municipal Council to order. Mr. Swindig, would you please lead us in the Invocation.
Council Member Swindig: Please rise for the Invocation.

INVOCATION: lead by Council Member Swindig.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Denny Johnson and David Gillock.

Absent was Council Member Bernadine Butkowski.

Also, present were Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Tom Beutler, Auditor Chris Costin and Clerk of Council Chuck Norris.

Absent was Mayor Deanna Hill.

MINUTES - Corrections and Approval:

Public Hearing Minutes of July 1, 2002 regarding T 70-2002, 6:45 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 71-2002, 6:50 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 72-2002, 6:55 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 73-2002, 7:00 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 74-2002, 7:05 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 75-2002, 7:10 P.M.

Public Hearing Minutes of July 1, 2002 regarding T 76-2002, 7:15 P.M.

President Gillock: Without any opposition, do we have a motion recommending approval of these minutes?

motion by Pagel to approve, 2nd by Olesen

President Gillock: Is there any discussion? Mr. Johnson.

Council Member Johnson: Mr. President, can we add T 43 on that?

President Gillock: We'll do that one after these because it's a little bit different. It's a re-zoning.

Council Member Johnson: Okay.

President Gillock: T 70 through T 76 are all Building and Zoning Codes. Any other discussion?
If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Minutes are approved by a vote of six, zero.

President Gillock: Now, the Public Hearing Minutes on T 43-2002.

motion by Pagel to approve, 2nd by Buescher

President Gillock: Is there any discussion on T 43-2002? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T 43 Minutes are approved by a vote of six to zero.

President Gillock: You have before you the Regular Council Minutes of July 1, 2002.

motion by Swindig to approve, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Regular Council Minutes of July 1 are approved by a vote of six, zero.

President Gillock: You have before you the Special Council Minutes of July 8, 2002. Are there any additions or corrections? If not, is there a motion to approve?

motion by Pagel to approve, 2nd by Johnson

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Special Council Minutes are approved by a vote of six, zero.

COMMITTEE REPORTS:

Clerk of Council Norris:

FINANCE COMMITTEE REPORT #7186 Members of Council: We have considered the matter of hiring a City Planning to review plans for a special development district and recommend that this request be approved and proper legislation be drawn authorizing hiring Robert Hill, for an amount not to exceed \$1,500.00.

Signed by Chairperson Bernadine Butkowski, Dennis L. Johnson and Allen C. Swindig.

President Gillock: Is there a motion to accept?

motion to accept by Johnson, 2nd by Swindig

President Gillock: Is there any discussion? Mrs. Pagel?

Council Member Pagel: Mr President, I just have a question. I appreciate the Finance Committee looking at this with expedience and approving and their requesting this approval. But putting the not to exceed \$1500.00 on it? Can't the Administration go to \$15,000.00 without Council approval? This is just clarification here. If they needed to spend more could they not spend more without us approving this?

President Gillock: I think they could if they so desire, they have the authority. Mr. Costin?

Auditor Costin: Mr. Chairman, if the money is appropriated. If the money has not been appropriated, it cannot be spent. Now I think the \$1,500.00, and I would defer to our Safety-Service Director, but I believe that is the result of an estimate, a quote, an estimate that he gave us.

President Gillock: Any other discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Report is approved by a vote of six to zero.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Gillock: We do not have any written reports from the Administration this evening.

Mayor: None

Safety-Service Director: None

Engineer: None

Law Director: None

AUDITOR'S REPORT:

Auditor's Written Financial Report for June 2002.

President Gillock: You have the Auditor's Written Report for June 2002. Is there a motion to approve?

 motion by Swindig to approve, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll on the Auditor's Written Report.

Yes, 6 No, 0

Clerk of Council Norris: Auditor's Report is approved by a vote of six to zero.

President Gillock: Anything else you would like to add Mr. Costin?

Auditor Costin: Mr. Chairman, I would request that Council consider passing this evening with the emergency T 91-2002 which represents the budget for fiscal year 2003. I'll be glad to answer any questions when it comes up for a reading.

President Gillock: Thank you.

OTHER REPORTS:

President Gillock: Please note:

Fire Department Report for June 2002;

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for June 2002; and

Service Department Activity Report for June 25 through July 8, 2002.

We received a report from the Fire Chief that did not meet cloture. I would like a motion to allow this to be read into the minutes.

 motion by Johnson to approve, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MINUTES**

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Yes, 6 No, 0

Clerk of Council Norris: Motion carries by a vote of six, zero.

President Gillock: This is a Memo to Paula Cope, Assistant Clerk of Council, from Chief Richard E. Miller, dated July 15, 2002 in regards to hydrant flushing. Could you please make the following announcement:

The North Ridgeville Fire Department will be flushing hydrants the week of July 15, 2002 through July 31, 2002 on the following streets: Ridge Plaza, Mildred, Rhonda, Poplar, Laurel Circle, Westminster, Greenwich, Mills Industrial Parkway, Forest Park, Albert, Dorchester, Manchester, Chesterfield, Manning, Downing, Chaucer, Rosebelle, Ridgeview, Eastview, Lee, Oak, Drake, Aspen, Elder, Spruce, Woodbine, Wood, Oxford, Center Ridge, Chestnut Ridge. A slight discoloration of water is normal. Please run water until clear. Thank you for your assistance.

And that's from the Fire Chief Richard Miller.

Planning Commission Liaison Report: Planning Commission Regular meeting held July 9, 2002:

President Gillock: Planning Commission Liaison report. Mr. Olesen.

Applicant:	Lake Ridge Academy, 37501 Center Ridge Road
Owner:	Lake Ridge Academy, 37501 Center Ridge Road
Request:	Construct 40 foot by 60 foot storage building
Location:	37501 Center Ridge Road in R-1
	Permanent Parcel No. 07-00-033-000109
PC Action:	Approved

Council Member Olesen: This was a very simple request from Lake Ridge on a storage building. Planning Commission approved.

motion to approve by Member Olesen, 2nd by Buescher

President Gillock: This is an application from Lake Ridge Academy to construct a 40 by 60 foot storage building. Is there any other discussion? If not, please call the roll.

Yes, 6 No, 0

Council Clerk Norris: Planning Commission report is approved by a vote of six to zero.

OLD BUSINESS:

President Gillock: There is no old business to be brought before Council. New business.

NEW BUSINESS:

Clerk of Council Norris:

T 91-2002 An ordinance adopting and approving the budget of the City of North Ridgeville, Ohio for the fiscal year beginning January 1, 2003, and submitting the same to

the Lorain County Auditor.

Council Member Swindig: Mr. Chairman

President Gillock: Mr. Swindig.

motion to suspend By-Laws to give this a first reading tonight by Swindig, 2nd by Johnson

President Gillock: Is there any discussion? Please call the roll.

Yes, 6 No, 0

Council Clerk Norris: T 91 carries by a vote of six to zero, motion to suspend.

T 92-2002 An ordinance accepting the final plat of Andover at Waterbury for approval and for recording purposes.

motion by Olesen to suspend By-Laws to give this a first reading, 2nd by Swindig

President Gillock: Is there any other discussion? If not, please call the roll.

Yes, 6 No, 0

Council Clerk Norris: Motion is approved by a vote of six to zero.

President Gillock: T 92 will receive a first reading this evening. T 93.

Clerk of Council Norris:

T 93-2002 An ordinance accepting the final plat of Chaddwyck at Waterbury for approval and for recording purposes.

motion by Olesen to suspend the rules to give this a first reading tonight, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Council Clerk Norris: Motion is approved by a vote of six to zero.

President Gillock: T 93 will have a first reading this evening.

Clerk of Council Norris:

T 94-2002 A resolution declaring it necessary to levy an additional tax for the purpose of improving the City's Street System by grading, draining, widening, constructing and reconstructing curbs, culverts, gutters, sidewalks and turning lanes, surfacing, installing traffic signs, signals and signalization and otherwise improving intersections on Center Ridge Road and other designated streets; requesting the Lorain County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that levy.

motion by Swindig to suspend By-Laws to give this a first reading, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 4 No, 2 (Buescher, Johnson)

Council Clerk Norris: Motion carries by a vote of four, two.

President Gillock: Motion, is it four to two? Correct. It takes five to suspend By-Laws so it does not carry.

Council Clerk Norris: Motion fails for lack of majority.

President Gillock: That will not receive a first reading this evening. Correspondence.

CORRESPONDENCE:

Clerk of Council Norris: There are five items of correspondence before the Council this evening.

1) Received a letter from Thomas A. Giegerich, President of Vendome Associates Corp., Colonial Manor Apartments, in regard to a possible solution of opening Mildred Street to Jaycox Road.

President Gillock: REFER TO STREETS, SIDEWALKS AND BRIDGES COMMITTEE.

2) Received a memo from Law Director Eric Zagrans in regard to the request for answers to questions pertaining to the construction of a driveway across a piece of property held by the City for the installation of a street and adopts the memorandum authored by Assistant Law Director Toni Morgan in its entirety setting forth the appropriate responses to the questions.

3) Received a letter from John Gasior, Board of Zoning and Building Appeals Chairman, Ronald Schwachenwald, Planning Commission Chairman and Guy Fursdon, Chief Building Official submitting proposed amendments to the Codified Ordinances that were approved and recommended to Council for consideration at a joint meeting of the Board of Zoning and Building Appeals and Planning Commission on March 28, 2002.

4) Received a letter from Michael L. Larkin, Vice President of PNL Holdings, LLC requesting that his request to re-zone the northwest corner of Lorain and Root Roads be withdrawn at the next Council meeting.

5) Received from Auditor Costin, 2003 budget highlights and the proposed 2003 tax budget.

LOBBY:

President Gillock: We now come to the lobby portion of our meeting. Anyone wishing to, can speak to Council for up to three minutes on any subject they so desire. We just ask that you come to the podium and please sign in using our sign in sheets in the rear. Is there anyone who wishes to address Council?

1) Mr. Westwater, 35248 Elder Street, stated they live at the last house on the left on Elder Street behind Liberty School.

Mrs. Westwater, which is a dead end road.

President Gillock: Ma'am, is this your husband? Just let him speak, would you please? If you want to speak we'll give you three minutes, too, but we'll take you both, one at a time.

Mr. Westwater continued that there has been some ditch cleaning in the area and tearing down some trees on the opposite end of them. Raised concern in what they were doing and others called as well because of talk about wiping out the trees, bringing the sidewalks in and installing a gate. Noted problems with kids crossing the property and wanted to know what's going to happen in the future.

President Gillock: I appreciate that. Now is there anything you'd like to add?

Mrs. Westwater noted an empty lot on Elder Street that's owned by Moreland Homes that hasn't been cleaned in three years. Stated that it's very overgrown and has mosquito problems and some vermin in there that needs to be cleaned out.

President Gillock: We'll have that checked out for sure. Thank you. Anyone else wishing to speak? Yes, sir.

- 2) Richard Kennedy, 31615 Cook Road stated that on July 8 he emailed our Law Director for some legal clarity on what Cook Road is. Noted that he hasn't had a response yet and asked if Cook Road is a designated major thoroughfare, a state highway or a federal highway.

President Gillock: You have to address Council and we'll see if he wants to respond when you finish your comments.

Richard Kennedy: That's it.

President Gillock: Is that something you'd like to respond to now or would you like to respond at a later date?

Law Director Zagrans: Well, I'll simply tell the gentleman, number one, I have not received your email. I don't know what email address you may have sent it to.

Richard Kennedy: The one listed on the North Ridgeville Web site.

Law Director Zagrans: And normally those get routed to me but, my point being, that I am hearing your question for the first time. What I will tell you I will do is, I will look into the query that you are raising and provide the Council President with an answer.

Richard Kennedy: Thank you.

President Gillock: Thank you. Mr. Beutler?

City Engineer Beutler: I received a copy of that email from the Law Department. Toni Morgan asked me to answer that. I've done my research. I have not had a chance to answer this gentleman. If I can do that now, I'd like to take that opportunity.

President Gillock: Please do. Thank you.

City Engineer Beutler: The Codified Ordinances, basically, within the B-3, lists that zoning has to be along a federal, a state highway or a major thoroughfare. I looked at two different places, one being a major thoroughfare plan I believe was adopted in 1973. On that it was listed as something greater than a major thoroughfare. It was listed as, I can't remember the exact definition, I don't have my notes with me, but it was a form of an arterial which would be something, by definition, greater than that. The other place we looked at, basically, and there

wasn't really a definition, but I looked in Webster's Dictionary and that basically gave another definition of, basically gave that Cook Road would fit into a major thoroughfare.

President Gillock: Mr. Kennedy. You're allowed to speak and then we let them respond. We have to let others speak and then when they're done, if you want to speak again, you can come back up.

Richard Kennedy: Okay.

President Gillock: Is there anyone else who wishes to address Council?

3) Trevor Edwards, 5955 Wallace Boulevard, stated he has had a situation with his sewer backing up and has had a plumber over. Noted the discovery of a lateral from the neighbors house coming into the sewer on his property and running out. Stated that he has lived there for eight years and in the last nine months he has had to have his sewer snaked out at least three or four times and in the last month they've been there twice. This is happening because of his lower floor space so he is taking the brunt of it. A gentleman from Engineering informed him that anything from the street back is his. While he would like to accept that and move ahead, he's trying his best to be neighborly. The only resolution is to dig it up and cap the neighbor off which creates a bigger problem and he doesn't want to do that. Questioned other recourses and asked if there is anything that the City can do in so far as having this lateral investigated or is he suppose to just handle that himself?

President Gillock: Thank you. Does anyone wish to respond at this time? Okay, we'll have someone from the Administration get back to you. I'll discuss it with Mr. Johnson or Mr. Beutler and see if we can't get a response for you. Anyone else wishing to address Council?

4) David Cribbs, 5844 Ridgeview, asked, having seen T 94-2002 for the first time, the validity of doing patch work instead of the whole job. Asked that if we're going to get taxed to do it right the first time.

President Gillock: Thank you. Anyone else? Mr. Kennedy?

5) Richard Kennedy, 31615 Cook Road, stated that for the last 13 years he's seen a sign that prohibits truck traffic on Cook Road. Stated the people he talked to from a State level say that a designated major thoroughfare cannot prohibit any type of traffic and asked Council's feelings regarding that?

President Gillock: You have to address Council, Mr. Kennedy. We want to take your comments and whatever we can get back to you with, whenever we can, we'll be glad to do that. We're not in a position, at this point, without the documents and so forth to get into a debate, so to speak. I tried to let them answer your earlier question, but unless they're prepared and volunteer that they want to respond, there's really not much we can do at this point.

Richard Kennedy: Okay.

President Gillock: Is there anyone who wishes to respond right now or could get back to Mr. Kennedy at a later date?

City Engineer Beutler: With that, I will have a written response for his question. Basically, what I said before, and I will look up this other that he's asked for tonight and get back with him.

President Gillock: Thank you, Mr. Beutler. Mr. Kennedy, we will get a written response to your questions. Mr. Johnson?

Council Member Johnson: I'd like to remind the Engineer that this issue has come up before with the Staubach property. You might look into that and see how it fits into all this.

President Gillock: Thank you. Anyone else wish to address Council?

Safety-Service Director Johnson: Mr. President, we'd like to answer on T 94, to respond. T 94, the levy will be to alleviate congested traffic in intersections which means we will be installing turning lanes. This will be a total construction of intersections, widening Center Ridge Road at intersections to alleviate the traffic there. Not only would that money be used but, we would also be going for Issue II money to help. With this generation of \$446,000.00 approximately every year, if we could get matching funds of say 60, 40 or 80, 20 from Federal or ODOT, then with these we could turn that \$400,000.00 a year into maybe a million two, a million three to improve congestion on our streets. We're really just asking the voters to decide. When that goes off, we're giving the voters a chance to decide whether they want to correct traffic problems that we have. Thank you.

President Gillock: Since we're discussing it, do you have any idea what the cost would be in regards to what is listed here in T 94, grading, draining, widening, constructing and so forth on Center Ridge Road and other streets. Is there any number that you're looking at, total number?

Safety-Service Director Johnson: Right at the present, we have on two intersections, Root and Lorain and Chestnut and Lear Nagle, Council approved us doing \$35,000.00 each to do the engineering study on those. The results are back. Approximately \$350,000 to \$400,000 an intersection on those two intersections. So it would take two years of those levies to take care of that if we had no other help. Tom could probably explain where we could get the other monies and what our plans are to get the additional money to do even more.

President Gillock: Mr. Beutler?

City Engineer Beutler: There are other sources of funds out there. There are State and Federal funds. The State has a whole list of different sources, you know, that we can apply for to get the funding. State Route 20 is a Federal Route so we might be able to get Federal money associated there. Things of that nature. If this levy would be passed, anything that we could do to get additional money for the City would basically make our dollars go further. This would at least give us money available that we could stretch those dollars into a lot more money for the various projects that would come up in order to alleviate the the traffic congestion.

President Gillock: Right now we don't have a budget for an estimated cost or what any fixed dollars or any amounts that are there. We know there might be money available but, it kind of looks to me like we're getting the cart before the horse here and we need to know what the cost

might be and what we wanted to do before we went for the money. Mr. Johnson?

Council Member Johnson: My words exactly, the cart before the horse. This ordinance speaks directly to Center Ridge Road and we just heard Lorain and Root Roads. After the confusion over on Lear Nagle Road with different projects overlapping and not being blended together properly, I think we've got to put things in order and talk about what we want to do to what intersections and then come back and ask the people to finance it.

President Gillock: I would point out that this resolution is just to have the Lorain County Auditor certify what a one mill, how much money a one mill tax levy would generate. It would take another ordinance to put this on the ballot for November. Mr. Johnson?

Safety-Service Director Johnson: Yes, additionally, in doing this, where do we come up with the money to do the Engineering, to do the cost studies for this? Our street budget right now is down to minimal. We're doing 11 less streets this year than we did last year. If we don't have the money to do the Engineering and to seek out these prices to know what the actual cost would be, we will never be there. So, a lot of this could be used for engineering. Once that is done and we get the approval, that engineering could be put in part of the project and then it would come back in the same form.

Council Member Johnson: I'm not asking for engineering, myself. Something made you come up with the figure that you came up with. You have an idea, I would imagine, of what intersections you want done and what you want done to them. Could you share that with Council? If you share that with the public I think it would help.

Safety-Service Director Johnson: I mentioned the two intersections that we have already done and Council has approved the engineering and spending the money to do, \$35,000.00 for each intersection. Those two intersections alone is approximately \$800,000.00 which will be two years of that levy going on those two intersections if we didn't get help from other projects. If we are ready to go, we will have a much better chance of getting Issue II money. They'll call us, for instance, south Barton Road was done this year and we weren't scheduled for that until next year. It was because another community wasn't ready. We were financially ready and able to do that this year. If we had these projects ready when we go in to apply for these grants and loans, then we have a much better chance of getting them over other cities.

President Gillock: Okay. Anyone else wishing to address Council. If not, we will take a recess until a quarter till.

RECESS: from 8:34 P.M. until 8:45 P.M.

President Gillock: I'd like to call the meeting back to order. First readings.

FIRST READINGS:

Clerk of Council Norris: First readings tonight.

T 91-2002 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE
3825-2002 CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR

BEGINNING JANUARY 1, 2003, AND SUBMITTING THE SAME TO THE LORAIN COUNTY AUDITOR.

First Reading

motion by Swindig to suspend second and third readings, 2nd by Johnson

President Gillock: Is there any discussion? If not, please call the roll on the suspension.

Yes, 6 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of six to zero.

motion by Swindig to adopt, 2nd by Buescher

President Gillock: Any discussion? Mr. Swindig?

motion by Swindig to add the emergency so it can be to the Lorain County

Auditor by July 20, 2002, 2nd by Buescher

President Gillock: Is there any discussion on the emergency? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Motion to add emergency carries by a vote of six to zero.

President Gillock: Is there any other discussion on the adoption? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T 91-2002 is approved by a vote of six to zero and is assigned
Permanent Ordinance Number 3825-2002.

Permanent Ordinance No. 3825-2002

T 92-2002 AN ORDINANCE ACCEPTING THE FINAL PLAT OF ANDOVER AT
WATERBURY FOR APPROVAL AND FOR RECORDING PURPOSES.

First Reading

T 93-2002 AN ORDINANCE ACCEPTING THE FINAL PLAT OF CHADDWYCK AT
WATERBURY FOR APPROVAL AND FOR RECORDING PURPOSES.

First Reading

President Gillock: There are no other first readings. Second readings.

SECOND READINGS:

Clerk of Council Norris:

T 89-2002 AN ORDINANCE AMENDING NRCO SECTION 1240.10, DEFINITIONS.

Second Reading

T 90-2002 AN ORDINANCE AMENDING CHAPTER 1279.17, DEFINITIONS, AND
1279.18, PERMITTED USES.

Second Reading

THIRD READINGS:

Clerk of Council Norris:

T 42-2002 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
3826-2002 ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS
THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND:
PROPERTY LOCATED ON THE SOUTH SIDE OF SUGAR RIDGE ROAD
APPROXIMATELY 260 FEET EAST OF MADDOCK ROAD, PERMANENT
PARCEL NUMBERS 07-00-026-102-018 AND 07-00-026-102-019 (AS
SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE
DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT, AND OWNED
BY STEPHEN A. JOSEPH.

Third Reading

motion by Pagel to adopt, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Motion is adopted by a vote of six to zero and is assigned Permanent
Ordinance Number 3826-2002

Permanent Ordinance No. 3826-2002

T 64-2002 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:
PROPERTY LOCATED ON THE NORTHWEST CORNER OF ROOT ROAD
AND BUTTERNUT RIDGE ROAD, PERMANENT PARCEL NUMBER 07-00-
014-103-029 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1
RESIDENCE DISTRICT TO B-2 CENTRAL BUSINESS DISTRICT, AND
OWNED BY PNL HOLDINGS, LLC, DONALD PORTER, PRESIDENT.

Third Reading

President Gillock: We received a letter from PNL Holdings withdrawing their application so I
would entertain a motion to withdraw this from our agenda.

motion by Pagel to withdraw, 2nd by Buescher

Is there any discussion on withdrawing this from the agenda? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Motion to withdraw carries by a vote of six to zero.

T 81-2002 AN ORDINANCE AMENDING NRCO SECTION 1284.02(J), ADDITIONAL
3827-2002 OFF-STREET PARKING AND LOADING REGULATIONS FOR
COMMERCIAL AND INDUSTRIAL DISTRICTS.

Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of six to zero and becomes Permanent Ordinance Number 3827-2002.

Permanent Ordinance No. 3827-2002

T 82-2002 AN ORDINANCE AMENDING NRCO CHAPTER 1288, BUFFER STRIPS, BY
3828-2002 ADDING A NEW SECTION.

Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T-82 is adopted by a vote of six to zero and becomes Permanent Ordinance Number 3828-2002.

Permanent Ordinance No. 3828-2002

T 83-2002 AN ORDINANCE AMENDING NRCO SECTION 1288.07, GROWTH
3829-2002 SETBACK FROM STREET LINE.

Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of six to zero, Permanent Ordinance Number 3829-2002.

Permanent Ordinance No. 3829-2002

T 84-2002 AN ORDINANCE AMENDING NRCO SECTION 1294.01(H), FENCES.
3830-2002 Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T 84-2002 passes by a vote of six to zero and becomes Permanent Ordinance Number 3830-2002.

Permanent Ordinance No. 3830-2002

T 85-2002 A ORDINANCE AMENDING NRCO SECTION 1294.01(H)(4), FENCES.
3831-2002

Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T 85-2002 is passed by a vote of six to zero, becoming Permanent Ordinance Number 3831-2002.

Permanent Ordinance No. 3831-2002

T 86-2002 AN ORDINANCE AMENDING NRCO SECTION 1294.02, PARKING AND
3832-2002 STORAGE OF RECREATIONAL EQUIPMENT ON RESIDENTIAL
 PROPERTY.

Third Reading

motion by Olesen to adopt, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 0

Clerk of Council Norris: T 86-2002 is passed by a vote of six to zero, becoming Permanent Ordinance Number 3832-2002.

Permanent Ordinance No. 3832-2002

President Gillock: That constitutes all the third readings.

UNFINISHED BUSINESS:

President Gillock: We have before us Buildings and Lands Report #07184. Some time ago we had a Planning Report. Planning approved an application to construct a driveway in a paper street named Sandlewood. This was referred to Buildings and Lands who asked to send it back to Council with four questions to be asked of the Law Director. Council did accept the Buildings and Lands report. The questions were forwarded to the Law Director and we received his answer and we would like to bring this back to Council for consideration tonight to approve the actions of the Planning Commission.

motion by Olesen to approve Planning Commission action, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call roll on approving Planning's action.

Yes, 3 No, 3 (Buescher, Johnson, Gillock)

Clerk of Council Norris: The vote is three to three and the motion fails.

President Gillock: Motion fails.

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Public Hearing Tuesday, September 3, 2002 at 7:10 P.M. regarding T 89-2002

Public Hearing Tuesday, September 3, 2002 at 7:15 P.M. regarding T 90-2002

Public Hearing Tuesday, September 3, 2002 at 7:20 P.M. T 93-2002 Chaddwyck at Waterbury
PCD Final Development Plan

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
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Public Hearing Tuesday, September 3, 2002 at 7:25 P.M. T 94-2002 Andover at Waterbury
PCD Final Development Plan

Next Council Work Session Tuesday, September 3, 2002 at 7:30 P.M.

Next Regular Council Meeting Tuesday, September 3, 2002 at 8:00 P.M.

Utilities Committee to meet Thursday, July 18, 2002 at 7:30 p.m.

President Gillock: Are there any other Council meeting announcements? Any other
announcements to be brought before Council?

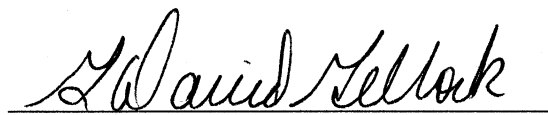
ADJOURNMENT:

motion to adjourn by Swindig, 2nd by Johnson
President Gillock: Meeting adjourned.

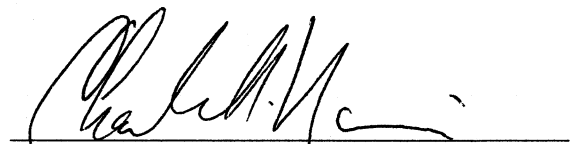
Meeting adjourned at 8:58 P.M.

MOTION Pagel 2ND Buescher DATE September 3, 2002

YES 6 NO 0 ABSTAIN 1 - Butkowski



PRESIDENT OF COUNCIL



CLERK OF COUNCIL