

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING**

JULY 7, 2003

CALL TO ORDER: 8:00 P.M.

President of Council David Gillock: I would like to call this meeting of the North Ridgeville City Council to order. Please stand for the Invocation and Pledge of Allegiance.

INVOCATION: lead by Council Member Denny Johnson.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

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

Also, present were, Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Chuck Norris.

MINUTES - Corrections and Approval:

President Gillock: Thank you, Mr. Johnson for the Invocation this evening. You have before you the

Public Hearing Minutes of June 16, 2003 regarding Waterbury PCD Fairfield Lane Condos
motion to approve by Butkowski, 2nd by Olesen

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

Yes, 7 No, 0

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

President Gillock:

Regular Council Minutes of June 16, 2003

motion to approve by Pagel, 2nd by Olesen

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

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved by a vote of seven to zero.

President Gillock: Please note:

Parks and Recreation Commission Minutes of regular meeting May 28, 2003;

Planning Commission Minutes of regular meeting June 10, 2003; and

Civil Service Commission Minutes of regular meeting June 17, 2003.

COMMITTEE REPORTS:

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Gillock: We have no committee reports this evening. We have no administrative reports this evening. Auditor's report, we have no auditor's report but, are there any comments you would like to make Mr. Costin?

AUDITOR'S REPORT:

Auditor Costin: No, sir.

OTHER REPORTS:

President Gillock: Thank you. Other reports, please note:

Police Department Support Car Report for May 2003;

Police Department Report for May 2003;

Service Department Activity Report for June 9, 2003 through June 29, 2003; and

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for June 2003.

Senior Citizens Advisory Board Liaison Report:

Mrs. Butkowski, you asked to give a Seniors report this evening.

Council Member Butkowski: On August 5th, the Senior Center and the Department of Aging in Columbus will have an interactive distance learning at the Middle School. It's opened to all seniors. It will be held at 9:00 A.M. on August 5th and all Seniors are invited to set in on this. It's something new and should help everybody. It will be at the Middle School on the second floor. On August 14th, there will be a pinnacle tournament from 12:00 P.M. to 4:00 P.M. and seniors must sign up by July 24th.

Planning Commission Liaison Report: Special Meeting of July 1, 2003

Applicant: Latina & Latina Builders, 25300 Lorain Road, Suite 3A, North Olmsted

Owner: Cary C. Case, 32360 Nottingham, Avon 44012

Request: Final approval of 12 lot subdivision to be known as The Woods of Stradford

Location: Vacant land on Mills Road in an R-1

Permanent Parcel No. 07-00-006-102-179

PC Action: Approved

motion by Pagel, 2nd by Olesen to approve

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

Council Member Olesen: Planning Commission had a special meeting on this project and everything is in according to our Engineer.

President Gillock: Thank you. Anyone else? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Planning Commission report is accepted by a vote of seven to zero.

OLD BUSINESS:

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President Gillock: We have no old business. Moving right into new business.

NEW BUSINESS:

Clerk of Council Norris:

Request for a new C1 and C2 liquor permit from Smokers Outlet LTD, DBA Smokers Outlet, 6480 Pitts Blvd.

President Gillock: REFER THAT TO BUILDINGS AND LANDS COMMITTEE.

Clerk of Council Norris:

Petition to the Council from Kevin Beckett, President of R.W. Beckett Corporation for the vacation of Taylor Woods Industrial Parkway from its easterly terminus at Race Road westerly a distance of approximately 1,260 feet to its westerly terminus and of the property and easements on which the Parkway and related improvements are located.

President Gillock: REFER THAT TO THE PLANNING COMMISSION.

Clerk of Council Norris:

T 79-2003 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2004, AND SUBMITTING THE SAME TO THE LORAIN COUNTY AUDITOR
motion by Butkowski, 2nd by Johnson to suspend By-Laws to give this a first reading tonight

President Gillock: Is there any discussion on suspending By-Laws to give T 79 a first reading?
If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero. T 79 will have a first reading this evening.

T 80-2003 AN ORDINANCE PROVIDING THAT THE PLANNING COMMISSION OF THE CITY OF NORTH RIDGEVILLE, OHIO SHALL HAVE NINETY (90) DAYS WITHIN WHICH TO ACT UPON ANY RESIDENTIAL MATTER REFERRED TO THE PLANNING COMMISSION.

President Gillock: We will have the Clerk set a hearing for this. Mayor Hill?

Mayor Hill: I would like to request that this be referred to committee.

President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

T 81-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE SECTION 1224.05(a)(3)A. RELATING TO THE REVIEW OF PRELIMINARY PLAN AND OTHER MATERIAL SUBMITTED FOR SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS.

President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

T 82-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE SECTION 1224.05(b)(4) RELATING TO THE PLANNING COMMISSION APPROVAL OF A FINAL PLAT FOR SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS.

President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

T 83-2003 AN ORDINANCE PROVIDING FOR THE VACATION OF TAYLOR WOODS INDUSTRIAL PARKWAY FROM RACE ROAD WESTERLY A DISTANCE OF APPROXIMATELY 1,260 FEET; APPROVING A RELATED AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE AND R.W. BECKETT CORPORATION.

President Gillock: REFERRED TO PLANNING COMMISSION TO COINCIDE WITH THE PETITION.

T 84-2003 AN ORDINANCE PROVIDING FOR THE FUNDING AND CASH DEFEASANCE OF THE \$215,000 OF OUTSTANDING STREET IMPROVEMENT BONDS, SERIES 1995, THAT ARE STATED TO MATURE ON DECEMBER 1 IN EACH OF THE YEARS FROM 2003 THROUGH 2007, 2010 AND 2015, AND WERE ISSUED AS A PART OF THE CONSOLIDATED ISSUE OF \$3,670,000 VARIOUS PURPOSE IMPROVEMENT BONDS, SERIES 1995, DATED AS OF SEPTEMBER 1, 1995, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE PROPERTY OWNERS PORTION OF THE COST OF IMPROVING TAYLOR WOODS INDUSTRIAL PARKWAY BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, CURBING, PAVING AND CONSTRUCTING STORM SEWERS, A WATER MAIN AND WATER SERVICE LATERALS AND DRIVEWAY APRONS, WHERE NECESSARY, AND BY MAKING STORM WATER DRAINAGE IMPROVEMENTS IN CERTAIN ADJACENT EASEMENTS OF THE CITY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL FOR OPTIONAL REDEMPTION ON DECEMBER 1, 2005 OF ALL OF THE DEFEASED BONDS MATURING AFTER THAT DATE; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT WITH RESPECT TO THE FUNDING AND DEFEASANCE OF THE OUTSTANDING BONDS.

T 85-2003 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

President Gillock: We need to process this evening, an expenditure of funds. Once it's certified by the Auditor, we have to pass this within 30 days. I would entertain a motion to suspend By-Laws to give this a first reading this evening.

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motion by Olesen, 2nd by Butkowski to give T 85 a first reading

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

Yes, 7 No, 0

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

T 86-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS AND
SPECIFICATIONS, FOR THE CONSTRUCTION OF THE CENTER RIDGE
SEWERS FROM RACE ROAD EAST TO STATE ROUTE 83, NOT TO EXCEED
\$65,000.00.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give T 86 a first reading

President Gillock: Is there any discussion?

Council Member Buescher: Mr. President, as an owner of commercial as well as residential property in this particular area on Center Ridge Road, I will be abstaining from the vote this evening.

President Gillock: Anyone else? If not, please call the roll on the suspension of By-Laws.

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six, zero, one abstention.

T 87-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER
PRESCRIBED BY LAW, FOR THE PURCHASE OF FOUR (4) MOTOR
STARTERS/CONTROLLERS FOR THE FRENCH CREEK WASTEWATER
TREATMENT PLANT, NOT TO EXCEED \$300,000.00.

motion by Mayor Hill, 2nd by Swindig to suspend By-Laws for a first reading

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

Mayor Hill: Mr. President, I'd just like to add that this money was already appropriated by Council.

President Gillock: Thank you. Is there any other discussion? If not, please call the roll on T 87.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

T 88-2003 AN ORDINANCE AMENDING ORDINANCE NOS. 3721-2001, 3592-2000, AND
3497-1999 BY INCREASING THE AMOUNT OF THE FRENCH CREEK
WASTEWATER TREATMENT PLANT EXPANSION FROM \$6,096,000.00 TO
\$6,681,400.00.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give T 88 a first reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

T 89-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH

RIDGEVILLE, OHIO, TO ENTER INTO AN AGREEMENT WITH MICHAEL J. SMITH AND BRETT J. SMITH OF STONE RIVER HOMES INC. AND STONE RIVER CONDO PROPERTIES LLC, FOR A SEWER EASEMENT.

CORRESPONDENCE:

Clerk of Council Norris: Council has before it, this evening, six items of correspondence.

- 1) Memo from the Office of the Clerk of Council regarding receipt of legislation from the Law Department in response to Council's referral of Buildings and Lands Committee Report #4187 regarding to signs that resemble traffic control signs or signals.
- 2) Received a certified letter from Council Member Nancy Buescher regarding legislation establishing a Special Development District.
- 3) Received a memo from Assistant Law Director Toni Morgan regarding a street vacation petition by R. W. Beckett Corporation.
- 4) Received the City's Tax Year 2004 Annual Budget of Estimated Revenues and Expenditures from Auditor Chris Costin.
- 5) Received from Auditor Chris Costin, 2004 budget highlights.
- 6) Received a letter from Bob Schmitt of Bob Schmitt Homes, Inc. in reply to Mrs. Buescher's letter to Council Members on the proposed Special Development District legislation.

LOBBY:

President Gillock: We now come to the lobby portion of our Council meeting. Anyone is welcome to address Council. We ask that you sign in using the lobby sign-in sheets in the back and as you come to the podium, please give us your name and address so we might be able to respond if we need to. You'll have three minutes. Does anyone wish to speak to Council? Okay, we will then move to recess. Mrs. Pagel?

motion by Pagel, 2nd by Swindig to dispense with recess due to one of our members not feeling well tonight

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

Yes, 7 No, 0

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

RECESS: dispensed with.

FIRST READINGS:

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Clerk of Council Norris:

T 90-2003 AN ORDINANCE ACCEPTING THE FINAL PLAT OF AVALON ESTATES
 PHASE II FOR APPROVAL AND FOR RECORDING PURPOSES.
 First Reading

T 79-2003 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY
3928-2003 OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING
 JANUARY 1, 2004, AND SUBMITTING THE SAME TO THE LORAIN
 COUNTY AUDITOR
 First Reading

 motion by Butkowski, 2nd by Swindig to dispense with second and third readings

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

 Yes, 7 No, 0

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

 motion by Butkowski, 2nd by Olesen to adopt

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

 Yes, 7 No, 0

Clerk of Council Norris: T 79 is adopted by a vote of seven to zero and becomes permanent ordinance 3928-2003.

 Permanent Ordinance No. 3928-2003

T 85-2003 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

980-2003 First Reading

 motion by Swindig, 2nd by Butkowski to dispense with second and third readings

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

 Yes, 7 No, 0

 motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion?

 motion by Butkowski to add the emergency because this bill has to be paid in 30 days,
 2nd by Olesen

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

 Yes, 6 No, 1 (Swindig)

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

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

 Yes, 7 No, 0

Clerk of Council Norris: T 85 is adopted with the emergency by a vote of seven to zero and becomes permanent resolution 980-2003.

 Permanent Resolution No. 980-2003

T 86-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
3929-2003 CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS AND

SPECIFICATIONS, FOR THE CONSTRUCTION OF THE CENTER RIDGE
SEWERS FROM RACE ROAD EAST TO STATE ROUTE 83, NOT TO EXCEED
\$65,000.00.

First Reading

motion by Swindig, 2nd by Butkowski to dispense with second and third readings

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six, zero, one abstention.

motion by Swindig, 2nd by Pagel to adopt

President Gillock: Is there any discussion on the adoption? Mr. Swindig?

motion by Swindig to add the emergency so that we can start this project for the
benefit, the health and welfare of the citizens, 2nd by Pagel

President Gillock: Is there any discussion on adding the emergency? Mr. Johnson?

Council Member Johnson: I question the need for the emergency on this one. Passage tonight would
allow the Mayor to negotiate and begin the process without the emergency. It's going to be a rather
expensive project. I think we need to preserve the people's right to question it.

Mayor Hill: Mr. President, I'd like to refer this to our City Engineer.

President Gillock: Mr. Griffith?

Engineer Griffith: Time is very essential on this project because we need to have this sewer project
completed before ODOT comes through in 05 to pave Center Ridge Road. We need to get a
consultant on board. We've already gone through the selection process. That's how we know what
the dollar figure is going to be. We want to get him going ASAP.

Council Member Johnson: Mr. Chairman, it took the administration 30 days to get it to Council and I
don't think 30 days to become law is out of the question. Like I said, passage tonight allows some of
the process to begin.

Mayor Hill: Mr. President, I'd like to refer this to Mr. Johnson.

President Gillock: Mr. Johnson?

Safety-Service Director Johnson: Actually, we just got the results back from the bids about 10 days
ago. We didn't do that for 30 days. As soon as we got it we put it to Council to meet cloture last
week.

President Gillock: Thank you. Anyone else? If not, please call the roll on adding the emergency.

Yes, 5 No, 1 (Johnson) Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of five, one with one abstention.

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: T 86 is adopted by a vote of six, zero with one abstention and becomes
permanent ordinance 3929-2003 with the emergency.

Permanent Ordinance No. 3929-2003

T 87-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3930-2003 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND

ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER
PRESCRIBED BY LAW, FOR THE PURCHASE OF FOUR (4) MOTOR
STARTERS/CONTROLLERS FOR THE FRENCH CREEK WASTEWATER
TREATMENT PLANT, NOT TO EXCEED \$300,000.00.

First Reading

motion by Swindig, 2nd by Butkowski to dispense with second and third readings

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

Yes, 7 No, 0

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

motion by Swindig, 2nd by Butkowski to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero. T 87 becomes permanent ordinance 3930-2003.

Permanent Ordinance No. 3930-2003

T 88-2003 AN ORDINANCE AMENDING ORDINANCE NOS. 3721-2001, 3592-2000, AND
3931-2003 3497-1999 BY INCREASING THE AMOUNT OF THE FRENCH CREEK
WASTEWATER TREATMENT PLANT EXPANSION FROM \$6,096,000.00 TO
\$6,681,400.00.

First Reading

motion Swindig, 2nd by Butkowski to dispense with second and third readings

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

Yes, 7 No, 0

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

motion by Butkowski, 2nd by Pagel to adopt

President Gillock: Is there any discussion?

motion by Pagel, 2nd by Swindig to add the emergency

President Gillock: Purpose? Reason?

Council Member Pagel: Additional security measures and security for the public. That is what the intent is here in the second paragraph.

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

Yes, 7 No, 0

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

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

Yes, 7 No, 0

Clerk of Council Norris: T 88 is adopted with the emergency by a vote of seven to zero and becomes permanent ordinance 3931-2003

Permanent Ordinance No. 3931-2003

SECOND READINGS:

- T 71-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
ORDINANCE SECTION 1272.06 "LOT AND YARD REQUIREMENTS."
Second Reading
- T 72-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE CODIFIED
ORDINANCE SECTION 1274.03 "PROHIBITED USES."
Second Reading
- T 73-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE CODIFIED ORDINANCE
SECTION 1274.12 "CERTIFICATES OF OCCUPANCY; BUILDING PERMITS."
Second Reading
- T 74-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE CODIFIED
ORDINANCE SECTION 1274.13 "STREETS; INSTALLATION OF CURBS AND
GUTTERS."
Second Reading
- T 78-2003 AN ORDINANCE AMENDING SUBSECTIONS OF CHAPTER 618
REGARDING ANIMALS.
Second Reading

THIRD READINGS:

UNFINISHED BUSINESS:

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Public Hearings to be held Monday, July 21, 2003. The individual hearings will be held in the following order beginning at 7:15 P.M.

- 1) T 71-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE
CODIFIED ORDINANCE SECTION 1272.06 "LOT AND YARD
REQUIREMENTS."
- 2) T 72-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE
CODIFIED ORDINANCE SECTION 1274.03 "PROHIBITED
USES."
- 3) T 73-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE
CODIFIED ORDINANCE SECTION 1274.12 "CERTIFICATES OF
OCCUPANCY; BUILDING PERMITS."
- 4) T 74-2003 AN ORDINANCE REPEALING NORTH RIDGEVILLE
CODIFIED ORDINANCE SECTION 1274.13 "STREETS;
INSTALLATION OF CURBS AND GUTTERS."

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Next Council Work Session Monday, July 21, 2003 at 7:30 P.M.

Next Regular Council Meeting Monday, July 21, 2003 at 8:00 P.M.

Finance Committee to meet Monday, July 14, 2003 at 7:00 P.M. in the Conference Room to discuss City finances and the 2004 budget.

Buildings and Lands Committee to meet Tuesday, July 15, 2003 at 8:30 A.M. in the Conference Room to consider Special Development Districts.

President Gillock: We will also schedule a hearing July 21, 2003 just prior to the other ones in regards to T 83, the vacation of Taylor Woods Parkway. Are there any other announcements to be made?

ADJOURNMENT:

 motion to adjourn by Swindig
President Gillock: Meeting adjourned.

Meeting adjourned at 8:34 P.M.

MOTION Johnson 2ND Olesen DATE July 21, 2003

YES 6 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL