NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JULY 6, 2004

CALL TO ORDER: 7:30 P.M.
President Ronald Arndt: The Chair calls to order our regular meeting of the North Ridgeville City Council dated July 6, 2004. If you all rise for our Invocation followed by the Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President of Council 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 Chuck Norris.

President Arndt: We would like to welcome back, Mr. Dick Jaenke. It's good to see him looking so dapper. He's looking terrific. Mr. Jaenke, is there anything that you would like to share with the Council or the public?
Council Member Jaenke: Other than my vacation in Florida for the past two months has been great. No, really, I appreciate the support and all the cards and when I came home I thought it would be fairly easy to recover. I found out, it takes more time than I had thought. It's good to be back, thank you.

MINUTES - Corrections (if any) and Approval:
Clerk of Council Norris: Council has before them the
Council Minutes of the regular meeting held June 21, 2004

moved by Butkowski, seconded by Olesen to approve the Council Minutes of regular meeting June 21, 2004

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

Clerk of Council Norris: Also, Council please note:
Civil Service Commission minutes of regular meeting June 15, 2004;
Board of Zoning & Building Appeals minutes of regular meeting June 24, 2004; and
Planning Commission minutes of special meeting June 29, 2004.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Directors reports this evening and the Chair invites the Mayor and our Directors the opportunity to provide Council tonight with an oral report. We would like to begin with our Mayor. Mr. Mayor, is there any report from your office?

Mayor

Mayor Gillock: Thank you, Mr. President. I would like to add my welcome back to Mr. Jaenke. He was sorely missed and it's good to have you back. We do have a busy evening tonight.

We have seven proposed Charter amendments to be placed on the ballot this November. I will go over them each in more detail as they come up on the agenda tonight. In addition, you will have a Finance Committee Report recommending that a police levy be placed on the ballot as well. As funding from the State continues to fall and our expenses continue to rise, we can no longer deliver the level of service that we need to. It becomes harder and harder to avail ourselves of grant opportunities which typically requires some investment on our part and we have to borrow funds to maintain our fleet, for example. It is imperative that this be placed on the ballot this November.

I would also point out that our street levy, after discussions with the County Auditor, will not need to be placed on the ballot until next year. That will not be on the ballot this year.

I would like to thank the residents and businesses on Race Road for their patience in getting the west Center Ridge Road sewer line project started. In addition to the anticipated interruption of services due to the construction, a gas line was also struck and a water main broke twice requiring Race to be closed unexpectedly and repeatedly. We know this had an impact on residents and businesses in the area and I apologize for all the inconvenience. We have now progressed some distance west and hopefully the project will continue without any more major disruptions.

I would now like to ask that Council approve Chris Rangus for the position of Street Superintendent. We had 15 applications for the position which we reduced to five. We then reviewed those with our foreman from the Street Department before I made the final decision. We had several excellent applicants. I felt that Chris had the overall attributes that we were looking for primarily, construction skills, ability to work with people and technology training that is needed in that position today. Chris is a North Ridgeville resident and has been attending City Council meetings for some time and currently serves on the Planning Commission and as liaison to the Board of Zoning and Building Appeals. Now, as required under Charter Section 2.1, paragraph j, I would make a motion that Council approve Chris Rangus as Street Superintendent, effective July 12, 2004.

moved by Mayor Gillock, seconded by Buescher to appoint Chris Rangus as our Street Superintendent

President Arndt: Is there any discussion? Yes, Mr. Young?
Council Member Young: I think Chris Rangus will do a fantastic job. I'm going to endorse Chris Rangus and vote in his favor. He's got his work cut out for him for sure. Especially now that the street levy is no longer on the ballot and also, there's a lot of roads that are desperately in need of repair. Case Road being one of them. As you know, Al Rosich has approached us once again, from February 17 all the way up to today, to make sure that we get Case Road put together and get him a date certain as to when that would be prepared and I trust you with that job. Thank you.
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: Congratulations, Mr. Rangus.
Mayor Gillock: Chris, would you please stand up so that everyone here knows who you are. Congratulations and see me as soon as possible. You have a lot of work to do. Thank concludes my report, thank you.

President Arndt: We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

Safety-Service Director
Safety-Service Director Johnson: I would like to start where the Mayor left off. I'd like to welcome Chris. I look forward to working with you and I have a list that will keep him busy for quite some time.

On the Race Road issue with all the utility outages, I want to add my apologizes to the residents out there. One thing that the Mayor possibly skipped over was the railroad crossing gates were failing and added to the misery that was caused on the other end. That's back in order now. Hopefully, these people can get on with their lives and let the construction move on down the road.

We had a large crowd for Independence Day, fire works celebration last Saturday and they were treated to a fantastic show. Several City departments worked very hard to ensure the event was ready for the crowd. Parks and Recreation, Police, Grounds Maintenance, all did a great job. I'd like to give a special mention to Fire-Fighter Bob Becker, Paul Sadowski and Fire Chief Rick Miller. These three men worked hard to get donations and make the arrangements for the actual fireworks show. Of course, we want to thank everybody who donated to the fund. The campaign for our 2005 fire works fund starts today.

Finally, Fire Chief Rick Miller reported to me, there were no fire work injuries, paramedic calls this weekend. That's great news. That completes my report.

President Arndt: Thank you, Mr. Johnson. We now have the opportunity to hear from our Engineer, Mr. Griffith.

Engineer

Engineer Griffith: I wanted to talk about storm water management, but I'm sure it won't be as exciting and crowd pleasing as the one last meeting. There are many septic tanks in North Ridgeville. How many, we do not currently know. However, by February of 2006, the EPA will require that we not only know how many but, we will have to know all their discharge points. The reason for this is that it's been found that the septic tanks do not work as well as everyone thought. They are a large contributor to storm water pollution. Septic tanks can work well if properly maintained. Some items to keep in mind are, inspect your system every year and have the tank pumped out at least once every five years. Do not dispose of hazardous waste such as household chemicals, gasoline, oil, paint, pesticides, so on, through your sinks and toilets. These materials will kill the bacteria in the septic tank that is purifying the waste. Do not place items like diapers, cat litter, cigarette filters, coffee grounds, grease, personal hygiene items, so on, in the system as they will clog the system. Plant grass over and near the system. Do not allow trees or shrubs to grow there since they will clog and damage the system. Do not park vehicles over the system as the compacted soil will inhibit the drainage and will damage the system components. The City is working toward providing sanitary sewers for everyone but, because of the financial burden involved, the going is very slow. Thank you, Mr. President. That concludes my report.

President Arndt: Thank you, Mr. Griffith. We now have the opportunity to hear from our Auditor, Mr. Costin. Do you have a report?

Auditor

Auditor Costin: Mr. Chairman, there is no report scheduled for tonight's meeting. I would like to draw your attention to three items of finance tonight. The first being T 89-2004, which is our annual budget. I would request that if you pass, tonight, the deadline looms and the County has made us aware that there will be no budget extension allowed this year. I would request that you pass that tonight and when T 89 has its reading, I will be glad to discuss it briefly and answer any questions that Council might have.

The second item is T 88-2004 which is simply our annual recurring transfer ordinance. We pass this every year typically, around appropriation time. There is no necessity to pass it tonight with the emergency but, I do request it be passed at your first convenience. It does not need the emergency.

The third item is Finance Committee Report 07244. That refers to a resolution which is the first step in the levy process, contacting the County Auditor for certain financial information. The actual resolution that committee report refers to was transmitted to you in correspondence from the Auditor's office and Council may wish to consider passing that resolution tonight if you would like to begin the process of getting the certification. We'll be able to pass the resolution to put the issue on the ballot at the second meeting in July. That would complete my report and comments. Thank you very much.

President Arndt: Question, Mr. Costin, on T 89. Are you suggesting we pass that tonight with the emergency?
Auditor Costin: I would request that, yes sir.
President Arndt: Thank you, Mr. Costin. If the Clerk will continue on with our other reports.

Other Reports

Clerk of Council Norris: Planning Commission Report of special meeting June 29, 2004

APPLICANT:	James P. Martynowski, Forest City, 50 Public Square, Suite 1050, Cleveland, OH 44113
OWNER:	Sugar Chestnut, LLC, 50 Public Square, Suite 1500 Cleveland, OH 44113
REQUEST:	Final approval of Waterbury Phase 4 - Subdivision 4
LOCATION:	Waterbury Subdivision - Bender Road in a PCD
PC ACTION:	Approved 4-0

moved by Jaenke, seconded by Olesen to approve the Planning Commission action regarding the final approval of the Waterbury Phase 4, Subdivision 4.

President Arndt: Is there any discussion? Yes, Mrs. Butkowski?
Council Member Butkowski: I noticed again that the performance bond has not been filed. It says that they're going to but, usually these are filed by the time they're approved by Planning Commission. So, here we go again.
President Arndt: Mr. Engineer, Mr. Griffith?
Engineer Griffith: I did amend my report at the Planning Commission meeting. Between the time I turned in my report and the time of the Planning Commission meeting, those performance bonds were presented and accepted. It's very unusual for a developer to present his performance bond at that time because, usually at that time we haven't had a chance to review the plans. With that in mind, not knowing what changes we're going to require, it's difficult for them to tie down the cost. They would be able to provide us with an approximate dollar figure but, it would always have to be adjusted at some point in the future. The way I read the ordinance and correct me if I'm mistaken, that performance bond has to be posted before the plat is signed. Before any of the plats that we get in Building or Engineering, before we can sign those and bring them around to the Mayor and anyone else to sign, all that has to be posted by that time.
Council Member Buescher: Mr. President, I would request that if that is the way we intend to go about that, Council should be notified at the time that is signed so that we're sure about that because, we have been running into a problem with not posting those performance bonds which

are very important.
President Arndt: Any other discussion? It's my understanding that the bonds have been posted, been accepted and everything is in order.
Engineer Griffith: That's correct.
President Arndt: We have a motion on the floor by Mr. Jaenke, seconded by Mr. Olesen to approve the Planning Commission action of the final approval of Waterbury, Phase 4, Subdivision 4. All those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 7 No, 0

Clerk of Council Norris:

APPLICANT:	James P. Martynowski, Forest City, 50 Public Square, Suite 1050, Cleveland, OH 44113
OWNER:	Sugar Chestnut, LLC, 50 Public Square, Suite 1500 Cleveland, OH 44113
REQUEST:	Final approval of Waterbury Phase 5 - Subdivision 5
LOCATION:	Waterbury Subdivision - Bender Road in a PCD
PC ACTION:	Approved 4-0

moved by Jaenke, seconded by Olesen to approve the Planning Commission action with regard to the final approval of Waterbury Phase 5, Subdivision 5.
President Arndt: Is there any further discussion? The chair has a question and that is to follow suit on the comment made by Mrs. Buescher and it is, how is it that we will know in the case that she just described that in the event we've got this time lapse, how is it we will know with certainty that those performance bonds have been indeed satisfied? Is there a procedure in place that we can feel comfortable that that's taken care of?
Law Director Crites: If I may interject, what our ordinance requires is that they enter into an agreement which provides in it, as one of the terms in the agreement, that they post the performance bond. In my interruption of the process as is the layout of the map thereof, is laid out through our ordinances. The ultimate or the final filter which should detect whether or not that bond as been posted adequately, has to be the Planning Commission and so, whether or not that appears to us in the Planning Commission's report for final approval and/or through the Engineer's office, either way, they shouldn't get the final approval unless they've complied with that aspect of the ordinance which says they have an agreement in which, it states, that they will provide the performance bond. The reason, if I may say why that's good and I wouldn't want to change that, is because every project is different. Like, Mr. Griffith was insinuating, saying, you have to have the performance bond at original application time. That doesn't always work that way because there's variables that have to be worked out and you can work with those variables and address them in the body of the agreement. I agree with you. It has been a problem recently. In my opinion, not to throw blame whatsoever, is I think the best stage in the process for Council to be apprized as whether or not that requirement has been fulfilled is going to be from the Planning Commission who is going to also be working with the Engineer before it comes to you for final approval.

Mayor Gillock: Mr. President, a couple of things. One, the Secretary to the Planning Commission is putting together a check list to be used and that would be one of the items on there that at some point in the process, that the performance bonds are provided. The way I understand it, when you come for your final approval and the plat approval, we have to have an ordinance. Prior to that ordinance being introduced to Council and prior to Council adopting that ordinance, is when we should verify that the performance bonds have been put into place. Performance bonds are like loans. You have to go through an application procedure through an insurance company to get it. They are not free. You have to pay for them. Unlike insurance, they're not changeable. A developer doesn't want to go buy a performance bond for projects that hasn't received its final approval yet because, he's going to be obligating a huge chunk of his money that's going to be stuck out there. That's why they're normally looking for the final approval before they get the performance bond, before we pass the ordinance finalizing the plat. Hopefully, with the check list and with the checks and balances that we don't send it to you without making sure it's there and you don't adopt it without making sure it's there, that we'll have the performance bonds in place and that is the check and balances plus the new procedure with the check list should supplement that.
Council Member Buescher: Mr. President, I am aware that the Assistant Clerk of Council has devised a check list which I think is excellent and long overdue and I really appreciate the fact that she has put so much time into that and I think we'll all benefit from it.
President Arndt: Mr. Olesen, did you have a comment?
Council Member Olesen: I think the Mayor pretty much answered it but, I also agree that you can't make him put most of his bond up front when they don't know what the project is going to cost. This system works that we do now. The Engineer's come out and said it's already in but, we didn't know it. I don't see any reason why there couldn't be a notice, maybe from the Clerk's office, when this takes place so that we know that when we come to the meeting. Just a correspondence. I don't think it's illegal to do that, to let us know that something has happened that's on our agenda. If that can be done, I think that can work.
Council Member Young: Mr. President, I make a recommendation that we send this to the Buildings and Lands Committee and maybe review over possibly adding an amendment to the ordinance in order to stop this gap that we seem to have.
President Arndt: Absolutely, I would make that recommendation. Thank you.
REFERRED TO BUILDINGS AND LANDS COMMITTEE.
President Arndt: Any further discussion? So to state our motion on the floor by Mr. Jaenke and seconded by Mr. Olesen, the Planning Commission action on the final approval of Waterbury, Phase 5, Subdivision 5, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris:
APPLICANT: FJD Properties, 37000 Center Ridge Road

OWNER:	Same
REQUEST:	Cluster Site Plan Approval & Final Approval of Subdivision 7 in Phase 3 of Meadow Lakes PCD
LOCATION:	Meadow Lakes located West of Meadow Lakes Blvd. and South of Barres Rd. in a PCD District; Permanent Parcel No. 07-00-032-000-324
PC ACTION:	Approved 4-0

Council Member Jaenke: I move to approve the Planning Commission action with regard to the Meadow Lakes FJD Properties.
Council Member Olesen: Second.
President Arndt: Is there any discussion? Yes, Mrs. Butkowski?
Council Member Butkowski: There seems to be a lot of concerns about the Planner that's hired on this. I know there's some comments from Mr. Fursdon about it but, he says there's no guest parking indicated on the plans. All our plans come through with guest parking on there. That's part of the basic plan and there's also, the Fire Chief has some concerns about fire hydrant locations aren't indicated on the drawing. That's all basic stuff that should be in the drawings before they are submitted to the Planning Commission. Again, there's something about the performance bond but, the Engineer seems to have taken care of that. We have considerable problems here and I'm concerned whether this should have gone to the Planning Commission to begin with. It's all spelled out, in here. The density cannot be determined until the final phase is submitted according to what Mr. Fursdon said. The Planner says it does not conform with Meadow Lakes preliminary plan and the plan indicates streets and lots cluster units not shown, therefore, impossible if units will meet the requirements of Section 1279.23 area, yard, height regulations, no guest parking indicated, cannot determine if subdivision seven density is in compliance. It has so many questions in it I don't understand why it was passed.
Engineer Griffith: Mr. President, there hasn't been a performance bond posted on this project The improvement plans that we have thus far we are going to require some further extensive changes so, it's premature, at this time, for there to be a performance bond on this project.
Council Member Buescher: Mr. President, I just wanted to mention that it was brought to my attention that the approval for this phase in Meadow Lakes has been approved by, I believe, Mr. Hill, the Planner but, this has happened before where we get approval that probably is faxed to the City and we don't have an actual signature from the Planner himself and I have a big problem with that because when you want to go back and look the records over there's no signature from Mr. Hill and I think that has to be changed. I've brought this up before.
Mayor Gillock: Mr. President, I concur with Mrs. Buescher and that is something that we're very dissatisfied with, that we're looking at. We're not real happy with this first instance that we've had with the review by this particular planner. The report that we got was not on letter head. It was not signed. It was a very basic memo which I don't think meets our professional standard that we're looking for. In addition, it became quite clear that the comments that he had made, some of the comments were in error in reviewing this with both the Building Department and the Clerk's office. It was quite clear that the preliminary plan did show clusters in this area where

the Planner said that they didn't and there were a couple of other things. There will be future correspondence with that particular Planner. We may interview others but, I agree, we were not happy with it however, the Planner report that we got, it also has errors in it but, we do have a planning report. What we do at this point, it's really up to Council. We have a Planners report but, it's not very professional in my opinion.
President Arndt: The Chair would like to go back to the Engineer, once again. I heard you say that there's some extensive changes yet to come before, is that correct?
Engineer Griffith: To the improvement plans, yes. Basically, I think, and there may be a little bit of misunderstanding in that Planning Commission does not review or approve the improvement plans. There can be further extensive changes in the improvement plans that would never be reflected on what Planning Commission reviews.
Council Member Olesen: My only question is, did the Planner have all of the information he needed to make an informed decision? Did he have a copy of the preliminary plan?
Mayor Gillock: Yes, he did.
Council Member Buescher: Mr. President, since there are so many issues here that I think still need to be looked at, I would recommend that this not be approved this evening.
Council Member Butkowski: I'll second that motion.
President Arndt: We have a motion on the floor for approval by Mr. Jaenke, seconded by Mr. Olesen, currently. Do you wish to withdraw?
Council Member Buescher: I did not make that as a motion, just a recommendation.
President Arndt: Any further discussion before we call the vote.
Council Member Jaenke: Mr. President, it's my understanding that our Building Official has reviewed all of our ordinances and that this application is in proper form so, I'm not exactly sure what our grounds would be to vote no at this point.
Council Member Butkowski: Mr. Chairman, one of our Building Officials is the Planner under the PCD ordinance. Everything has to go to a Planner. This is the Planner we went to and he doesn't seem to think to highly of this plan. There seems to be a lot of problems with it. It just seems to be that's one opinion against the other opinion and it's not up to me to decide who's right on this. That's why we hire these professionals to do this and along with the comment that I made with the fire hydrant locations weren't even on the drawing which seems like something that should be. How can you put water lines in if you don't know where your fire hydrants are? There's just a lot of things. I just don't think this is complete. I think it should be sent back to the Planning Commission and whoever and we just not approve it and let it go, whoever wants to take it from there.
President Arndt: The Chair would like to request some feedback from our Law Director in the event that Council should not pass the action approved by the Planning Commission, the next step would be.
Law Director Crites: I think you're putting the developer in a re application situation. The Planning Commission's there for the step in the process to review to see if it does comply with our codes and then they bring it to Council for ratification of what their report is and if Council

disagrees, I think the recommendation is denied and the developer's going to be in a position where he's going to have to reapply. I think it's just that simple. I'm willing to entertain any counterpoints but, that's what Council does. Planning Commission's suppose to be at that stage where they say it's okay or not. They say it's okay, you can disagree as Council.
Council Member Buescher: That's right, Mr. President, that's why it comes to City Council for us to approve or disapprove and I want to mention once more, there was a very serious issue that came before Council and was worked through in the Buildings and Lands Committee and the planner was Mr. Hill and he sent approval of this particular issue without a signature and I demanded at that time he send a signature to the City with a letter head, and he did. Now, he has turned around and done exactly the same thing again without signature, without any professional approval on this project and so, I simply can't vote for it.
Mayor Gillock: I tend to agree with Mrs. Buescher. The problem here seems to be with an unprofessional planner report. Planning has looked at it and says it's met our codes. Our Chief Building Official said the Planners Report is wrong and it's in black and white however, we require a Planners Report. If Council wants to send this back to Planning or postpone it, I concur. As I said, we are going to be communicating with the Planner to either get this particular plan redone in a professional manner or we may have to go somewhere else. I think we have to realize that we're holding up this developer based upon a poor work product by an outside Planner. We have to take that into consideration.
Council Member Olesen: Mr. President, I'd rather see at this point, a postponement of this until we get more information that we need on this rather than denying it. Denying it is a strong step because the project may be all right. We're not definitely positive on that. So, if we postpone it until we got all our ducks in a row, I think we'll be in better shape.
Council Member Butkowski: Mr. Chairman, I'm not sure that's exactly true. According to Mr. Fursdon, on his report he says, utilities on proposed streets not shown on plans. Guest parking not shown on plans. Street names not shown on plans. The Fire Chief said that the fire hydrants weren't shown on the plans. All this is basic stuff that should have been on the plans. I don't know why somebody would submit plans without utilities. What kind of plan do you have if you don't have the utilities on it. You have to have that. How can a Planner look at it? How can the Engineer look at it if they don't know where the utilities are going to be? They haven't been drawn on the plan. This should be sent back. The other plans that come in from other developers have that on. We start approving stuff like this, I feel sorry for the poor engineer that's going to have to keep going back to everybody to figure out. How can you approve something like this?
Council Member Buescher: Mr. President, I attended both of the Planning Commission meetings that dealt with this and I have to tell you, I don't have a clue of what's going on here. It's a very strange situation and I can't believe that the Planning Commission approved it.
President Arndt: The Chair would entertain a withdrawal of the original motion.
Council Member Jaenke: Mr. President, I will withdraw my original motion.
Council Member Olesen: I will withdraw my second.

Council Member Jaenke: I also agree with Mr. Olesen that we should postpone this and not reject it.
President Arndt: Is that a motion?
Council Member Olesen: I'll second that motion.
President Arndt: The original motion by Mr. Jaenke and seconded by Mr. Olesen has been withdrawn and we now have on the floor a new motion.
moved by Jaenke, seconded by Olesen to postpone this Planning Commission action
President Arndt: Is there any further discussion?
Council Member Butkowski: Mr. Chairman, if we postpone this, what do we want them to do before we'll pass it? Do we want them to get all these plans in order with showing where the utilities are, showing where the parking is, showing where their fire hydrants are? Where the street names are? Is that what we want? Is that what we want before we approve it?
President Arndt: Not only that, the Chair will refer this to Buildings and Lands.
Mayor Gillock: This is not an ordinance. Can this go to Buildings and Lands? There's nothing for them to approve or do.
Law Director Crites: Absolutely. It's a Planning Commission report and I think just the general issue of the process is appropriate for review by Buildings and Lands.
Council Member Young: Mr. President, our Law Director raises a very interesting point in our discussions about performance bonds and making sure that all our ducks are in a row. We do have to send it through Buildings and Lands. I know it increases the work in Buildings and Lands, but I'm on Buildings and Lands and I'm willing to shoulder the burden on that work and that way we don't have to waste Council's time on these issues and we can also send a powerful message to the developers that we will not accept shoddy work. The slippery slope stops here and it's time we actually accept good work from the developers and all the ducks are in the row from everybody from developers all the way through the administration through Council.
Council Member Olesen: Mr. President, I think we also have to know why the Planners report differs so much with our Building Officer's report.
Council Member Swindig: Mr. Chairman, I think we ought to have a professional planner's report and not the memo we did receive and that should be another reason for the postponement.
President Arndt: We do have on the floor a motion by Mr. Jaenke and a second by Mr. Olesen to postpone the Planning Commission action on this particular Meadow Lakes, FJD Properties. I will ask the Clerk to take roll.
Yes, 7 No, 0
President Arndt: The Chair now refers this issue to Buildings and Lands.
REFERRED TO BUILDINGS AND LANDS COMMITTEE.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris:
1) FINANCE COMMITTEE REPORT #4243 Members of Council: We have considered the matter of the Police Levy for five (5) years at 1.9 mills and recommend that this request be

approved and proper legislation be drawn authorizing 1.9 mill levy for five (5) years. Signed: Chairperson Bernadine Butkowski and Members Swindig and Jaenke; and Council Members Buescher, Olesen, Young and President Arndt.

moved by Butkowski, seconded by Swindig to accept the Finance Committee Report #4243

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

2) FINANCE COMMITTEE REPORT #7244 Members of Council: We have considered the matter of the Police Levy for five (5) years at 1.9 mills and recommend that this request be approved and proper legislation be drawn authorizing to get the valuation of the City for the levy. Signed: Chairperson Bernadine Butkowski and Members Swindig and Jaenke; and Council Members Buescher, Olesen, Young and President Arndt.

moved by Butkowski, seconded by Swindig to accept Finance Committee Report #7244

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

Yes, 7 No, 0

Council Member Butkowski: Mr. Chairman, I would like to suspend the By-Laws tonight to introduce the resolution declaring the necessity to levy a tax to be read for new business tonight. That resolution is in your packet. It is the resolution to request the Lorain County Auditor to certify that tax valuation.

moved by Butkowski, seconded by Young to suspend By-Laws to introduce our resolution tonight into our meeting

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

Mayor Gillock: Mr. President, can the Clerk give a T number to that resolution.

Clerk of Council Norris: T 99-2004.

CORRESPONDENCE:

Clerk of Council Norris: Council has before them, five items of correspondence this evening:

1) Received a memo from Council Member Nancy J. Buescher in regard to suggestions of Council President Arndt relating to holding a Planning Session.

2) Received a memo from Administrative Assistant Sandy Hall regarding a resident's message on the professionalism during Council meetings.

President Arndt: The Chair would move at this particular point, that the Clerk read this memo in its entirety in large part because it's a lovely, positive communication and our City can continue to have that kind of positive feedback. I will entertain a second.

moved by Arndt, seconded by Olesen to instruct our Clerk to read the entirety of the memo in reference

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: The following is a memo to Council President Arndt and Members of Council and various administrative members from Sandy Hall, Administrative Assistant, regarding a phone message:
I received an unusual phone call recently. It was unusual because it wasn't a complaint or a problem. A resident from Stoney Ridge by the name of Brian Cordy called and asked me to pass along this message to the Mayor and Council and everyone involved with the Council meetings. He said he felt compelled to call and compliment everyone on their professionalism during the meetings. He added that the meetings are "a breath of fresh air" compared to the previous squabbling that went on. Mayor Gillock was pleased that someone had noticed and asked that I share the conversation with everyone involved.
President Arndt: So, Mr. Cordy, if you should be watching, we thank you for your positive words and your kind comments. Thank you. If the Clerk will continue on, please, with our correspondence.

Clerk of Council Norris:
3) Received a memo from Auditor Chris Costin submitting legislation regarding the police levy which corresponds with the committee report on the July 6, 2004 agenda.

4) Received the City of North Ridgeville 2004 for 2005 Budget.

5) Received an invitation from the Ohio Department of Transportation inviting you to attend a public meeting for Access Ohio 2004-2030 transportation plan on various days.

NEW BUSINESS:
Request for new D5 liquor permit by Mould Development Co. LLC, SE Cor Butternut Ridge & Ohio Turnpike.
REFERRED TO BUILDINGS AND LANDS COMMITTEE.
President Arndt: The Chair refers this to Buildings and Lands. The Chair would like, before I go any further, is there any other new business to be brought before Council by any of our Members? Mr. Costin.

Auditor Costin: Wasn't it voted on that T 99 be added to new business as well?
Mayor Gillock: I thought it was added as a first reading.
Law Director Crites: I was under the impression it was added to new submittals.
Council Member Butkowski: New submittals.
Mayor Gillock: Just so we don't miss it.
President Arndt: We will entertain T 99 under ordinances and resolutions.

President Arndt: The Chair would like to take a moment, at this point and comment, that on June 8, 2004, the Chair submitted a memo to each Member of Council and the Administration regarding a proposal to schedule within the next three to six months, a facilitated joint planning session that relates to the future of our City, North Ridgeville. The purpose is stated in that memo that this planning session is to identify future goals and objectives for our City by developing a wish list that supports, not replace, not rewrite, our current master plan. Once we've developed this list of wants through the use of a trained meeting facilitator and in full compliance, incidently, with our sunshine laws, we will prioritize our objectives, establish realistic time lines and project some completion dates. We will then present these results and the results of all of our work together to our community as a whole. The Chair recognizes that he speaks as only one member of Council however, would like feedback regarding this memo so that the Chair can determine the direction of this suggested planning. Mr. Olesen?
Council Member Olesen: Back about eight months ago, we were questioned thoroughly as to our goals and objectives as potential office holders in the City by various news media, Chamber of Commerce, etcetera. One of the responses I gave was goal setting. A meeting of Council to set goals for the City and methods of how we can get there and I think it's still important and I think it's a good idea.
Council Member Jaenke: Mr. Chairman, as everyone knows, I spent 33 years with Ohio Bell and during that 33 year period we had several of these types of sessions and meetings and in all cases a lot of positive things came out of this type of a group effort so, I certainly support it.
President Arndt: Any other comments? Mr. Swindig?
Council Member Swindig: That has been tried by other administrations but, you have to have the cooperation of everybody to make it work. That's all I have to say. I will support it.
President Arndt: Thank you. Any other comments? Mr. Young?
Council Member Young: I too, also think it's a fantastic idea. It will give our City a chance to become proactive as opposed to reactive so that we can start tackling some of those bigger agenda items. Not to say that we're reactive as it is, this administration with Council's help has already worked hard on the City's sewer project on getting funding to an engineering department to widen Center Ridge Road. Those are the big issues that we need to start focusing on instead of just getting eaten alive by some of the smaller items that affect individuals as opposed to the community as a whole. I, 100 percent support it and I want to throw on connecting City sidewalks as one of the first agenda items.
President Arndt: Any further comment? So the position, at this particular point is, the Chair

will continue to do some research. The Chair has been in contact with the PSI, Public Services Institute at Lorain Community College. They potentially have the ability and the capability to provide a facilitator, people who are trained in working with government entities like ourselves. As soon as more information becomes available, the Chair will share that and see about moving forward. Working in concert with the administration and giving all of us an opportunity to create a plan that supports our master plan.

AUDIENCE PARTICIPATION (Lobby):
President Arndt: We now reach the audience participation section of our meeting. Any members of the audience tonight, are invited to address your Council. We request that you fill out the lobby form that you can find in the back of the room, because it enables us to contact you personally if there should be a need for followup. You are now welcome and invited to approach the podium at this time, however, when you do approach the podium, please state, clearly, your name and address and please limit your comments to three minutes. The lobby is now open.

Roger Murphy asked where we are with mosquito spraying.
Mayor Gillock: That's a responsibility and function of the County Health Department. We don't really have anything to do with it. If you call a specific location, sometimes they'll do it. I know they're real busy. They haven't notified us of any potential spraying or anything at this point.

Council Member Butkowski: Mr. Chairman, I know the Health Department is out in the City doing catches of mosquitoes to send them back for testing of West Nile Virus and they also determine then, how many mosquitoes are in various locations of the City and that enables them to check those areas where they have the most mosquitoes first. I would expect they will be spraying soon.
President Arndt: Do we have a number for Mr. Murphy to contact or is it possible, from your office?
Safety-Service Director Johnson: He can contact me in my office, 353-0812 and I'll put you in touch with Mark Smith of the Health Department.
President Arndt: Thank you, Mr. Johnson. Any other individuals from our lobby?

moved by Butkowski, second by Jaenke to dispense with recess
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

RECESS dispensed with.

ORDINANCES AND RESOLUTIONS:
President Arndt: The Chair requests that our Clerk read our ordinances and resolutions.

- **Ordinances & Resolutions Submittals**

Clerk of Council Norris:

T 89-2004 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2005, AND SUBMITTING THE SAME TO THE LORAIN COUNTY AUDITOR.

moved by Swindig, seconded by Buescher to suspend By-Laws to give T-89-2004 its first reading tonight

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

Yes, 7 No, 0

T 90-2004 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

moved by Mayor Gillock, seconded by Swindig to suspend By-Laws to give T 90-2004 its first reading tonight

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I can explain this one. I'll take responsibility for it. When we were looking at reallocating the issue two money to Lorain and Root Roads, we asked KS Associates to assist us in dividing that project and seeing how much we can get done with the money that was allocated which we are no longer getting. They did that but, we did not get a purchase order. That's what this is for. By State law, once we get one of these and start addressing it, we have 30 days to do what we're going to do with this. I would ask that this be adopted this evening.

President Arndt: Thank you. Is there any further discussion? Yes, Mr. Young?

Council Member Young: Just a brief question for the Mayor. Is there any additional issue two money left or is that basically it?

Mayor Gillock: No, he took it all. The indication was that they would make it up to us next year. Actually, what happened is, we had 260,000 dollars allocated for Case Road. The County Engineer came to me and said, his allocation had been cut by a million dollars and if we were willing to wait a year, he would help us next year, perhaps, and do that whole project to make it up to us next year. I viewed it as my options were to agree and hopefully stay on his good side and get the money next year or to say no and not get the money anyway and he be mad at me. I agreed and that's what happened to the money.

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

Yes, 7 No, 0

President Arndt: The Chair would like to refer to the Administrative Committee the following:

T 92-1004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 3.8 OF ARTICLE

III OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 93-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 3.15 OF ARTICLE III OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 94-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 4.2 OF ARTICLE IV OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 95-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 5.2 OF ARTICLE IV OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 96-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 10.3 OF ARTICLE X OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 97-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 11.6 OF ARTICLE XI OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

T 98-2004 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO AMEND SECTION 11.7 OF ARTICLE XI OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO.
REFERRED TO ADMINISTRATIVE COMMITTEE.

President Arndt: Also with the request that the Administrative Committee meet promptly and efficiently so that by our next meeting they can provide Council with a report.
Council Member Buescher: Mr. President, I believe that the Mayor was going to explain these

to us tonight and I was wondering if he would still want to do that?
Mayor Gillock: I can do that. It's up to Council if they would like for me to give a brief explanation for each one, I'll be glad to.
President Arndt: I will take the recommendation of our Law Director and the answer to that is, Mr. Mayor, if you would please explain each of those for us please.
Mayor Gillock: T 92 is an ordinance allowing the Assistant Clerk to act as the Clerk of Council when the Clerk of Council is absent from the municipality or unable to do his duties. That provides a back up for the Clerk.
Law Director Crites: Mr. Mayor, if I may? It's an ordinance that is proposing a Charter amendment, correct?
Mayor Gillock. Correct. All of these are proposed Charter amendments. T 93 is a Charter amendment allowing us to adopt ordinances by reference. When this ordinance was originally put on the books, as it says, due to limited resources, it was necessary to keep at least five copies of all the various codes that we have, in the Clerk's office in order to offer them for viewing and/or for sale. With unlimited resources today on the internet, email and the library, there's no longer any reason to maintain this vast library. This would allow us to adopt standard ordinances by reference rather than maintaining this massive library. The information is readily available. Such as, we might adopt the National Electric Code and which is readily available and rather than keeping a number of copies around.
T 94 is a Charter amendment allowing the Deputy Auditor to act as backup for the Auditor should he be out of town or unable to perform his functions for some reason.
T 95 is a similar amendment to the Clerk of Council and the Auditor allowing the Assistant Director of Law to act as the Director of Law should the Director be temporarily absent from the municipality and unable to perform their duties.
T 96 is an ordinance which clarifies, this one takes a little explaining, the intent is to clarify our Charter to make it coincide with our ordinances and with the Ohio Revised Code. When our Charter was written, it listed six positions that it said shall be in the unclassified position meaning they are not Civil Service and it said all others shall be in the classified category. Subsequent to that, the City hired an Assistant Law Director, and this is no reflection on any person in that position, the City hired an Assistant Law Director and passed an ordinance saying the Assistant Law Director shall report to the Director of Law and shall be in the unclassified category. Last year, last administration, the Law Director made a ruling that said the Assistant Law Director shall be classified. This Charter amendment changes our Charter simply to state the unclassified shall include, and it's the same six items that were listed before, all officers elected by the people, all department heads or directors of departments, the members of all boards or commissions appointed by the Mayor, all officers and employees appointed by Council and unskilled labor. What is added is, all positions, service or employees designated as unclassified by ordinance. Therefore, our ordinances say we create the position that reports to the Law Director and shall be unclassified will be valid and the Ohio Revised Code says, basically, all employees that require a law degree to perform their job shall be in the unclassified.

We want to change our Charter to be in line with the intent of Council and the ordinance and with the Ohio Revised Code.
T 97 corrects what our attorney from Squires, Sanders and Dempsey indicateD it was a typographical error. Under Section 11.6 the Charter requires that each net expenditure, and the intent was, or any contract for services in excess of the State statutory level of 25,000 dollars has to be approved by Council. The last time the Charter was printed, the word or was changed to for and the Charter read, each net expenditure for any contract for purchase of supplies. It was interrupted by the Law Director to state that when the City was contracting for legal or professional services in excess of the State statutory limit, they didn't need Council's approval. Council passed an ordinance changing that. The Mayor vetoed it. Council overrode it. It's always been the intent of Council and I think the Ohio Revised Code, that when you're spending in excess of the State statutory limit, you have to get Council's approval. Council is the purse strings for the City. This, basically, corrects that typographical error so that we'll have that checks and balances in place.
T 98, lastly, is an ordinance eliminating the limit on what is called forced accounts. When the City desires to undertake an improvement using our own crews and equipment such as paving shorter roads, according to State law, if the estimate for that project is in excess of 30,000 dollars, we have to go out for bids. We have to go through a process of advertising in the paper, getting bids from contractors, having a bid opening and we also have to submit our own bid including wages, fringe benefits, contingencies, material. In other words, compete against ourselves. This takes that 30,000 dollar limit off so that when we want to do a job ourselves, which we know we can do and save money, that we'll be able to do that. It just removes that 30,000 dollar cap. That's all.
President Arndt: Thank you, Mr. Mayor. Very nice summary. Dr. Norris, we have T 99.

T 99-2004 A RESOLUTION DECLARING IT NECESSARY TO LEVY AN ADDITIONAL TAX FOR THE PURPOSE OF PROVIDING AND MAINTAINING EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT AND PAYING SALARIES OF PERMANENT POLICE PERSONNEL.

moved by Butkowski, seconded by Swindig to suspend By-Laws to give T 99-2004 its first reading

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

- **First Readings**

T 90-2004 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.
1014-2004 First Reading
moved by Swindig, seconded by Buescher to dispense with second and third

readings on T 90-2004

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

moved by Swindig, seconded by Butkowski to adopt T 90-2004

President Arndt: Is there any discussion? Yes, Mr. Young?

Council Member Young: A brief question of clarification from the Mayor. Mr. Mayor, was this money originally slated for Case Road or was this always slated for this project?

Mayor Gillock: This money is engineering costs when we were looking at moving the issue two money from Case to Root and Lorain. Root and Lorain, the total is like 600 and some thousand and we had them divide it into two phases so we could use that money and they had to re engineer it, the drawings and the plans to tell us how much we can get done for that 260,000 dollars. It's not far to the 260,000.

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 90-2004 is adopted becoming permanent resolution 1014-2004.

Permanent Resolution No. 1014-2004

T 88-2004 AN ORDINANCE TRANSFERRING VARIOUS FUNDS OF THE CITY OF
4041-2004 NORTH RIDGEVILLE, OHIO REPRESENTING REIMBURSEMENT OF ADMINISTRATIVE EXPENSES OR OPERATING TRANSFERS.

First Reading

moved by Swindig, seconded by Butkowski to dispense with second and third readings of T 88-2004

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

Council Member Young: I abstain.

President Arndt: I will request that our Clerk take roll.

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

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

moved by Swindig, seconded by Butkowski to adopt T 88-2004

President Arndt: Is there any discussion? Yes, Mr. Young?

Council Member Young: The reason that I abstain last time and now, since it's up for adoption it's probably a better point for discussion, we're transferring a lot of money from different funds to the general fund. For example, just to educate the people who are watching and the people in the audience, we're transferring what appears to be 36,000 dollars from the Solid Waste Management Fund to the General Fund. We're transferring 72,000 dollars from the Water Fund to the General Fund. We're transferring 15,000 from the French Creek WWTP Fund to the French Creek R & I Fund. Also, the French Creek WTP Fund to the General Fund in the tune of

79,500 dollars and we're transferring from the Sewer Fund to the General Fund 72,000 dollars. We're transferring monies around of about 274,500 dollars. I understand that in the past this is something that is common. Something necessary. I think our ordinance is flawed in the sense that in section one, two, three, four, five and six it says that it is hereby deemed necessary to transfer from and then dot, dot dot, all those things I talked about but, it doesn't tell us why and that's what I'd like to know before I put a vote toward transferring these funds. Especially in light of the fact that, some of this money would be nice to say, for Solid Waste Management Fund, let's transfer some money in order to set it aside for a sewer project on Dyke Road, for example, or something to that nature. If I could get a general explanation, I'll probably vote in favor of it.
President Arndt: The Chair would request some comment from our Auditor, Mr. Costin.
Auditor Costin: This is an ordinance that we have historically passed and here's the theory behind it. The majority of our local government officials that aren't dedicated to a specific levy fund, IE police, that consist of our Engineer, our Mayor, our Auditor, our Treasurer, all their salaries, exclusively, come out of the General Fund. A few cities have a time reporting mechanism to take the hours spent by the officers of the City, if you will, and departments that are charged to the General Fund and delegate them to the various other funds. Periodically, we do an estimate of hours spent. About every five years or so we do an estimate of the hours by the administration spent including the Engineer, the Mayor and Safety-Service Director, and the Auditor and Treasurer and so forth and we try and do a calculation that's fair, reasonable and probably something less than actual expenses so it wouldn't be questioned and have the General Fund reimbursed for the time that is spent on those specific other funds. That is the theory behind it for the majority of these. Section three, this will be the last year we do that and that simply was set aside from the operating fund for the reason Councilmen indicated to set aside for, upcoming projects. Due to the positive economic condition that we have for French Creek Sanitary Sewer Fund, right now, this will probably be the last year that we have that set aside. Other than section three, all the rest of them represent reimbursement to the General Fund for time and expenses incurred by the General Fund as I have indicated previously. That's the reason for the ordinance. It actually represents an expense reimbursement.
President Arndt: Any additional questions you might have of our Auditor?
Council Member Young: Last year, what was the total amount we ended up transferring?
Auditor Costin: Last year, they were these exact same dollar amounts.
Council Member Young: So, they haven't increase or decrease?
Auditor Costin: We haven't increased them. I think we increased it two years ago.
Council Member Young: Are we taking away from projects? For example, the Solid Waste Management Fund, why is that fund setup and what is the funding if we're transferring some money out and into the General Fund?
Auditor Costin: Solid Waste Management represents our refuse collection fund. It's our fund that we collect from our residents fees that are paid to BFI. Again, we have certain administration input into that fund. I don't believe it's as large, as great as some of the others

and that's what it represents. In fact, it's about half of what the Water Fund is for the reason I said, we did a study a couple of years ago and we estimated about these many hours are spent. This was the cost and these were the estimates that we came up for the amounts necessary to transfer back to the General Fund, reimburse the General Fund.
Council Member Young: In the past, did we ever run into a problem where these dollar figures were missed at a later date?
Auditor Costin: No.
Council Member Young: How long have we been doing this?
Auditor Costin: Probably 15 years plus.
Council Member Young: Thank you.
President Arndt: Is there any further discussion? As a reminder, ladies and gentlemen, we have a motion on the floor by Mr. Swindig, seconded by Mrs. Butkowski to adopt tonight, T 88. I will request that the Clerk take roll.

Yes, 7 No, 0

Clerk of Council Norris: The ordinance is adopted by a vote of seven to zero and becomes permanent ordinance 4041-2004.

Permanent Ordinance No. 4041-2004

All those in favor signify by yes. All those opposed by no. Any abstentions?

T 91-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONEGATE AT WATERBURY, PHASE I.
First Reading

Mayor Gillock: Mr. President, just an editorial comment. The discussion we had earlier about the performance bonds, this is the point to be in your check list. This is where you're accepting the final plat for a phase and you'll see in there that the City Engineer has reviewed the site plan and plat. He with others are authorized to approve it and document showing compliance has been satisfied. This is the point that you want to make sure that everything is in place before you adopt that plat.
President Arndt: Mr. Mayor, would this also be where this check list fits into place as you were discussing.
Mayor Gillock: I'm not sure if you're going to have the check list earlier at Planning or you'll have it with this. You'll have it no later than this. You may have it earlier.
President Arndt: Thank you. We just need to be reminded of that. If Dr. Norris will continue on with our first readings.

T 89-2004
4042-3004 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2005, AND SUBMITTING THE SAME TO THE LORAIN COUNTY AUDITOR.

First Reading
moved by Swindig, seconded by Buescher to dispense with second and third readings tonight on T 89-2004

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

moved by Swindig, seconded by Olesen to adopt
moved by Swindig, seconded by Olesen to add the emergency to meet the County deadline

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: In addition we have a motion by Mr. Swindig and a second by Mr. Olesen to adopt tonight, T 89, with the emergency. 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

Clerk of Council Norris: T 89-2004 is adopted becoming permanent ordinance 4042-2004.
Permanent Ordinance No. 4042-2004

T 99-2004
1015-2004
A RESOLUTION DECLARING IT NECESSARY TO LEVY AN ADDITIONAL TAX FOR THE PURPOSE OF PROVIDING AND MAINTAINING EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT AND PAYING SALARIES OF PERMANENT POLICE PERSONNEL.

First Reading
moved by Swindig, seconded by Butkowski to dispense with second and third readings on T 99-2004

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

moved by Swindig, seconded by Butkowski to adopt
moved by Swindig, seconded by Butkowski to add the emergency to T 99-2004, the reason being to meet the time deadline so that we can get this placed on the ballot

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: In addition, we have a motion on the floor by Mr. Swindig and a second by Mrs. Butkowski to adopt T 99-2004 with the emergency. 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

Clerk of Council Norris: T 99-2004 is adopted becoming permanent resolution 1015-2004
Permanent Resolution No. 1015-2004

•Second Readings

T 80-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF WINDSOR POINT SUBDIVISION NO. 3
Second Reading

T 81-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONE CREEK ESTATES SUBDIVISION NO. 3
Second Reading

T 82-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF VILLAS OF STONE CREEK ESTATES SUBDIVISION NO. 2
Second Reading

T 85-2004 AN ORDINANCE REPEALING ORDINANCE NO. 3287-97, THE OHIO BUILDING OFFICIALS ASSOCIATION ONE, TWO, AND THREE FAMILY DWELLING CODE OF 1996, AND ALL AMENDMENTS THERETO.
Second Reading

T 86-2004 AN ORDINANCE ADOPTING THE 2004 RESIDENTIAL CODE OF OHIO FOR ONE-, TWO- AND THREE-FAMILY DWELLINGS.
Second Reading

T 87-2004 AN ORDINANCE AMENDING AND MAKING ADDITIONS AND DELETIONS TO ORDINANCE ________ - 2004, THE 2004 RESIDENTIAL CODE OF OHIO FOR ONE-, TWO- AND THREE-FAMILY DWELLINGS.
Second Reading

OLD BUSINESS:

President Arndt: That concludes our second readings. Tonight, we have no third. Under old business, is there anything to be brought before Council tonight?

Council Member Young: Mr. President, very briefly, back on February 17 of this year, we had a constituent, Alan Rosich, come before our Council to discuss the deplorable condition of Case Road and also to bring to our attention that it's a hazardous condition in its current form and there's a definite potential for an accident. This matter was referred both to Council Committee, Streets, Sidewalks and Bridges and also the administration has been working on it too. I brought

it to the attention of the Safety-Service Director and the reason why I bring it up now, while it is old business, the letter that I received, I did not receive it in time for cloture. It's my understanding that the Mayor has addressed a lot of the concerns that Mr. Rosich has brought up in the letter. It looks as things are under way. I've also talked to the Mayor and the Safety-Service Director, it's my understanding that once Chris Rangus is in place, that will be one of the priorities to get that street repaired so that we don't have any unfortunate incidences on that street. I would like to challenge both Chris and the administration to try and get it taken care of as soon as possible if not within the next 30 days, provide at least a date certain as to when it will get done so that we can all put that to rest and put our minds at ease so we don't lose any sleep over that.
Mayor Gillock: Mr. President, that will be one of the first priorities for Mr. Rangus. This is an exact example of the ordinance we were talking about with the forced accounts. The estimate for the work that we will probably be doing there is somewhere in the area of 90,000 dollars because we do not have that Charter amendment passed, we will have to go out for bids for this. Once Chris gets there, you're going to have to look at that project and then it's going to have to go to the newspapers and be posted. I believe it's twice for a certain number of days, accept bids, set up a bid opening, prepare our own bid, go through that whole process before we can even begin to start scheduling the work. That's one of the things we're dealing with. It is our intention to make improvements on that road this year. When? We don't know at this point. We'll do the best we can.
Council Member Young: Mr. President, I will ask the Mayor, respectfully of course, to try and get the process underway, especially with the bids, before Chris gets into office so that he has a roadmap to work from in the future because he's going to have one heck of a learning curve. Maybe if we can get that roadmap underway for Chris so that he has an easier time on future projects would be greatly appreciated. That way we can get it done as quickly as possible because, I'm concerned about it from a legal and liability standpoint.
Mayor Gillock: Mr. Rangus has to create that roadmap because this has never been done before. That's part of the problems in the process that we're going through. This is something new that we have to do and there's certain forms that have to be done. It has to be done a certain way. We're hoping to use Chris's expertise with the computers and so forth, to stream line that in anticipation of November, the electorate allowing us to do away with that. In the meantime, we'll work our way through it as fast as we can.
President Arndt: Thank you, Mr. Mayor. Mr. Olesen has a comment or question.
Council Member Olesen: Just an observation. How can we expect any contractor to give us a serious bid on a project like this when we know and they know that we're going to do it ourselves and we can do it a lot cheaper? It just doesn't seem very logical to me.
President Arndt: Yes, Mr. Johnson?
Safety-Service Director Johnson: We don't have to have bids. We have to advertise for bids.

Council Member Buescher: Mr. President, I certainly hope that this is old business but, being the ward one representative, I have to mention again how much I appreciate the incredible patience that the people on Race Road had during this horrible week that we had last week. I had the opportunity to speak with people and they really went through a rough time not having any gas all week long and water off most of the time. I think a lot of people would have been extremely angry and they were great and I really appreciate it.

President Arndt: Thank you. Anything else under old business tonight? Will the Clerk please be kind enough to read our upcoming meeting announcement.

UPCOMING COMMITTEE MEETING ANNOUNCEMENTS:
Clerk of Council Norris: Next Regular Council Meeting Monday, July 19, 2004 at 7:30 P.M. in Council Chambers

Public Hearings to be held Monday, July 19, 2004 beginning at 7:15 P.M. on the following proposed ordinances:

1)	T 85-2004	AN ORDINANCE REPEALING ORDINANCE NO. 3287-97, THE OHIO BUILDING OFFICIALS ASSOCIATION ONE, TWO, AND THREE FAMILY DWELLING CODE OF 1996, AND ALL AMENDMENTS THERETO.
2)	T 86-2004	AN ORDINANCE ADOPTING THE 2004 RESIDENTIAL CODE OF OHIO FOR ONE-, TWO- AND THREE-FAMILY DWELLINGS.
3)	T 87-2004	AN ORDINANCE AMENDING AND MAKING ADDITIONS AND DELETIONS TO ORDINANCE ________ - 2004, THE 2004 RESIDENTIAL CODE OF OHIO FOR ONE-, TWO- AND THREE-FAMILY DWELLINGS.

Public Hearing Tuesday, September 7, 2004 at 7:20 P.M. regarding:
T 91-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONEGATE AT WATERBURY, PHASE I.

ADJOURNMENT:
motion to adjourn by Swindig
President Arndt: Meeting adjourned.

Meeting adjourned at 9:06 P.M.

MOTION as corrected by Olesen 2ND Buescher DATE July 19, 2004

YES 5 NO 0 ABSTAIN 0

Bernadine Butkowski
PRESIDENT PRO-TEM BERNADINE BUTKOWSKI

Charles A. Norris
CLERK OF COUNCIL CHARLES A. NORRIS