

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JULY 2, 2012**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, July 2, 2012 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, President Pro-Tem Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran. Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin, and Assistant Clerk of Council Tara Peet.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Council minutes of the Public Hearing dated June 18, 2012 regarding T 47-2012. Are there any comments, questions or objections to approving those minutes? Seeing none, those minutes are approved.

You also have before you the Council minutes of the regular meeting held June 18, 2012. Are there any comments, questions or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Parks & Recreation Commission minutes of May 23, 2012, Civil Service Commission minutes of June 19, 2012, and Records Commission minutes of June 20, 2012.

LOBBY:

President Corcoran: That brings us to the lobby session of our meeting. This is your opportunity to speak to Council. Rules are that you have three minutes to speak on a topic of your choice. Please make it relevant to the City's business. Is there anybody that would like to address Council this evening? Seeing none, we will move on to the Administrator's reports. Mr. Mayor, you are up first.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. First, you will find at your desk this evening a new ordinance authorizing the Mayor to advertise for bids and enter into a contract regarding replacement of roof shingles on nine city buildings not to exceed \$100,000.00. We did have roof damage earlier this year, in May, I believe; hail damage. We called our adjuster. They finally sent somebody out and looked at it and they said yes, you do have damage. We are treating all the buildings as one project; so, obviously, it is in excess of \$25,000. We will have to go out for bids. I'm going to ask that we put this ordinance on the agenda tonight and maybe give it its first reading, but we are not going to adopt until the next meeting because, unless the Auditor can suddenly find \$100,000.00 in a contingency somewhere, we are going to have to appropriate the money for it and we can adopt it at the July 16 meeting. I would like to make a motion, if the Deputy Clerk would give this a T number.

Assistant Clerk of Council Peet: That will be T 70-2012.

It was moved by Mayor Gillock and seconded by Olesen to suspend the By-Laws and place T 70-2012 on the agenda tonight and give it its first reading.

President Corcoran: Mr. Costin?

Auditor Costin: Just as a matter of explanation. While it is insured for all but \$2500.00, we are required to estimate the revenue and appropriate the dollars and so we have to go through those calisthenics technically and I would suggest as a result that we have an appropriation ordinance at the next meeting. I think that there is a French Creek matter that will also be covered and maybe some other miscellaneous matters. That is the process that we need to go through because this \$100,000.00 is appropriated. We have to estimate the insurance coming in which then allows us to appropriate it. Then we can do the work, get reimbursed and we are where we need to be. Thank you.

President Corcoran: Anybody else? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 70 is now added to the first readings.

Mayor Gillock: Thank you. Secondly, I just want to mention tomorrow night's fireworks. North Ridgeville has traditionally had fireworks on July 3. We do that for a number of reasons. One, the pyrotechnic companies are more available on July 3 since they are all busy on July 4 and sometimes it is hard to get them. Secondly, we like to do them on the 3rd because most people have July 4 off and they can bring the kids and stay up late, enjoy the fireworks and not worry about having to get up the next morning. This year we are moving the fireworks to Victory Park on Lorain Road as I assume most of you already know. I have a lot of questions as to why we did that since we have such a beautiful park and we have had them for years. Upon the advice of the Fire Department for safety reasons, South Central Park was just no longer the best place to have them. We use a five inch shell or the pyrotechnic people do, and our Fire Department uses a safety factor of 100 feet per inch of shell. With our increased crowds that we are getting because many

other municipalities are not having fireworks, we are seeing more people come and with the growth in the foliage in the park, we are really pushing that safety zone and in many cases, especially down by the splash pad and the pavilion there, we are actually inside the zone. So, it was really becoming a safety factor. The Corn Festival uses a smaller shell; so as far as we know, at this point, they are not moving. You may remember that the high school, I believe it is Prom, does fireworks, and they use a 2.5 inch shell. Both of those are much smaller. We entered into an agreement with Victory Park on Victory Lane. It works much better from a safety factor. I'm not going to argue with my Fire Department or differ with them when it comes to safety. We think it is going to work well. The Police will be there to help everybody get out. There is a lot of parking. You can bring your chairs. You can sit on the soccer fields. There will be grassy areas to sit on. Come early, as there will be entertainment and concessions. So, have a good time. One thing I would mention, as it is kind of a pet peeve of mine, is the sparklers. I don't like the sparklers within a close crowd. I wish people wouldn't bring them. This year, as we all know, the grass is pretty dry, so I think that could be an extraordinary hazard this year, especially those particular fields up there. The soccer fields were sodded about three years ago. When they put them in, in year number two, they weren't watered real well so I don't know how dry or green they might be so that is something to be concerned about. We hope you all come and enjoy the fireworks tomorrow night at Victory Park.

The third thing I want to mention is that we've received one of our contracts and we are working on the other one to get the repairs that we are making this year to Chestnut Ridge underway. I got one of the contracts today. We are still looking to make sure that we appropriated the money, but we have to make sure that we have the bid authorized and enter into a contract since it is also more than \$25,000.00. We will be beginning probably in August. We will not just be repaving as it is really more of a reconstruction and widening of the road in some cases, from Bainbridge to Lear Nagle and then from Lear Nagle half way to the Cuyahoga County line. Next year, as long as the funds are available, we will go the rest of the way to Cuyahoga County Line. This year we are going from Bainbridge to half way past Lear Nagle and we look forward to getting that done.

A week ago, Monday evening, we had a public meeting at the Education Center on the widening of Center Ridge Road. We had about 100 people in attendance. We had at least 70 sign in and there were many others there as presenters and from the cities. It was very well attended. We have a couple more days, about a week, for comments as far as what the design engineers concepts are for the widening of Center Ridge Road. We had a good meeting and we appreciate those that attended that meeting.

Lastly, I would like to request an Executive Session in place of the recess to discuss personnel issues.

It was moved by Mayor Gillock and seconded by Johnson to move into Executive Session during recess to discuss personnel issues.

President Corcoran: Any comments or questions? Clerk, please call the roll.

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Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carried seven to zero.

President Corcoran: Mr. Safety-Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: Just quickly, again, we do look forward to having everyone tomorrow night at Victory Park come out to see the fireworks. I just know from my own little survey that my employees at my other business that there will be an awful lot of people coming from Grafton and Eaton that maybe had not come to North Ridgeville before because of the space that we were using. Just remember; let's be nice to one another. Let's have a good time. When we are pulling out of Victory Park to remember to follow the rules and let's not have anybody get hurt. Just be calm, cool and collected tomorrow night even though the weather is hot. I look forward to that. Especially for the Mayor's sake, this is a tough one for the Mayor. For him to move it from South Central Park was very difficult because it is a tradition at South Central Park, but when you got into the safety side of it, it made more sense to move it to Victory. God Bless and let's have a good, safe Fourth of July fireworks tomorrow at Victory Park. That ends my report.

President Corcoran: Mr. Engineer.

C. Engineer:

Engineer Wangler: No report this evening.

President Corcoran: Thank you. Mr. Auditor.

D. Auditor:

Auditor Costin: Yes, thank you. I would like to draw your attention to T 66, for which we had the budget hearing and request that Council consider passing this tonight with the emergency. The Ohio Revised Code requires that we have it to the County Auditor on or before July 20. So, we would need the emergency with it to allow us to forward the budget to the County in adequate time. When we get to its first reading, I will be glad to answer any questions that anyone might have. That completes my comments. Thank you.

President Corcoran: Thank you.

E. Other Reports:

President Corcoran: Other reports: There are the May 2012 Building Department Report, May 2012 Parks and Recreation Improvement Report, and the June 2012 Parks and Recreation Directors Report.

COUNCIL COMMITTEE REPORTS:

President Corcoran: There are no Council Committee reports or correspondence or old business.

CORRESPONDENCE: None

OLD BUSINESS: None

President Corcoran: Moving right along to new business. First up, we have T 66.

NEW BUSINESS:

Ordinance and Resolution Submittals

Assistant Clerk of Council Peet:

T 66-2012 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, IN THE FORMAT PRESCRIBED BY THE LORAIN COUNTY AUDITOR, AND SUBMITTING SAME TO THE LORAIN COUNTY AUDITOR.

It was moved by Boose and seconded by Johnson to suspend the By-Laws to allow T 66 to have its first reading this evening.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 66 is now added to first readings. T 67.

Assistant Clerk of Council Peet:

T 67-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A 60 MONTH AGREEMENT FOR HIGH SPEED INTERNET AND DATA SERVICES FOR SIX CITY OWNED BUILDINGS FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR, IN ACCORDANCE WITH LAW, AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED A \$5,000.00 ONE-TIME FEE FOR INSTALLATION AND

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CONSTRUCTION, AND NOT TO EXCEED \$48,000.00 ANNUALLY FOR
INTERNET AND DATA SERVICES.

President Corcoran: T 68.

Assistant Clerk of Council Peet:

T 68-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CT
CONSULTANTS FOR ADMINISTRATION AND IMPLEMENTATION OF THE
2011 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) IN THE
AMOUNT OF \$3,125.63.

Auditor Costin: Mr. Chairman.

President Corcoran: Yes, Mr. Costin.

Auditor Costin: If I might. I would recommend that Council go ahead and approve passing that.
Each year, or when we have our CHIP grants, every two years, there is a little advance work that is
done by CT and the money that they do is reimbursed out of the funds and out of the grant funds
that we receive and so technically, the purchase order isn't in place because the money is not
available and again, it is a technicality. They have done the work. It is paid out of the federal
grants and again, I recommend that Council consider moving this for passage tonight.

It was moved by Boose and seconded by Buescher to suspend the By-Laws to allow T 68
to have its first reading this evening.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say
no.

Yes, 7 No, 0

President Corcoran: T 68 is now added to first readings. T 69.

Assistant Clerk of Council Peet:

T 69-2012 A RESOLUTION OF SUPPORT FOR OHIO PUBLIC WORKS COMMISSION
PRIORITIES.

RECESS:

President Corcoran: That brings us to the recess portion of our meeting. We will be going into
Executive Session.

Council adjourned into Executive Session at 7:46 P.M. to discuss personnel issues.
Council reconvened at 8:16 P.M.

President Corcoran: We are alive and we are back. First readings we have T 63.

FIRST READING:

Assistant Clerk of Council Peet:

T 63-2012 AN ORDINANCE AMENDING CHAPTER 854, *PEDDLERS, CANVASSERS
AND SOLICITORS*.

First Reading

Council Member Boose: Mr. President, just a comment on this and just so it doesn't wait until the third meeting when I bring it up. I just want to clarify in the ordinance in 854 it talks about the registration has to be done or a certain period of time not to exceed one year. So, this actually is an annual fee. I just want to make sure everybody understands that and if a solicitor comes around every year; they have to pay this every year. If that's correct, I mean, am I reading that correct?

Law Director Crites: I believe so.

Mayor Gillock: Yes, Mr. President, that is correct, but keep in mind that nonprofits and schools are exempt from this particular ordinance.

Council Member Boose: Thank you.

President Corcoran: Next up, T 70.

Assistant Clerk of Council Peet:

T 70-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER
FOR REPLACEMENT OF ROOF SHINGLES ON NINE CITY BUILDINGS/
STRUCTURES, NOT TO EXCEED \$100,000.00.

First Reading

President Corcoran: T 66.

Assistant Clerk of Council Peet:

T 66-2012 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE
4936-2012 CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR BEGINNING
JANUARY 1, 2013, IN THE FORMAT PRESCRIBED BY THE LORAIN
COUNTY AUDITOR, AND SUBMITTING SAME TO THE LORAIN COUNTY
AUDITOR.

First Reading

It was moved by Boose and seconded by Johnson to dispense with the second and third reading this evening.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Boose and seconded by Butkowski to adopt T 66.

It was moved by Boose and seconded by Butkowski to add the emergency to T 66 in order to meet the July 20 filing deadline.

President Corcoran: On the emergency clause, any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

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President Corcoran: It was moved by Boose and seconded by Butkowski to adopt T 66 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carries seven to zero.

President Corcoran: That brings us to T 68.

Council Member Boose: Point of order.

President Corcoran: Oh yeah, ordinance number?

Assistant Clerk of Council Peet: That will be ordinance number 4936-2012.

Permanent Ordinance No. 4936-2012

President Corcoran: And now, T 68.

Assistant Clerk of Council Peet:

T 68-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CT
1258-2012 CONSULTANTS FOR ADMINISTRATION AND IMPLEMENTATION OF THE
2011 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) IN THE
AMOUNT OF \$3,125.63.

First Reading

It was moved by Boose and seconded by Olesen to dispense with the second and third reading this evening.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Boose and seconded by Olesen to adopt T 68.

President Corcoran: Any comments or questions?

Council Member Boose: Just a question for the Auditor. Mr. Auditor, does this need to be passed by emergency?

Auditor Costin: Likely not.

Council Member Boose: Thank you.

President Corcoran: With that, Clerk, please call the roll.

Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carries seven to zero and that will now be known as 4937-2012.

Council Member Boose: Point of Order it is a resolution.

Assistant Clerk of Council Peet: I am sorry, excuse me, resolution number 1258-2012.

Permanent Resolution No. 1258-2012

President Corcoran: That is the end of the first readings.

SECOND READINGS:

President Corcoran: There are no second readings. We are up to third readings. T 53.

THIRD READINGS:

Assistant Clerk of Council Peet:

T 53-2012 AN ORDINANCE AMENDING N.R.C.O. SECTION 618.13 *NUISANCE*
4937-2012 *CONDITIONS PROHIBITED.*

Third Reading

It was moved by Olesen and seconded by Butkowski to adopt T 53.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carries and that will now be known as Ordinance number 4937-2012.

Permanent Ordinance No. 4937-2012

T 56-2012 AN ORDINANCE ACCEPTING CERTAIN STREETS/ IMPROVEMENTS
4938-2012 LOCATED IN WATERSIDE PLACE PHASE 1 AT WATERBURY AND
DEDICATING THEM FOR PUBLIC PURPOSES.

Third Reading

It was moved by Olesen and seconded by Butkowski to adopt T 53.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carries seven to zero and that ordinance number will now be known as Ordinance number 4938-2012.

Permanent Ordinance No. 4938-2012

President Corcoran: And finally we have T 19.

Assistant Clerk of Council Peet:

T 19-2012 AN ORDINANCE ESTABLISHING COURT APPOINTED ATTORNEY FEES
4939-2012 FOR REPRESENTATION OF INDIGENT DEFENDANTS IN THE ELYRIA
MUNICIPAL COURT.

Third Reading

It was moved by Buescher and seconded by Johnson to adopt T 19.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Assistant Clerk of Council Peet: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

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Yes, 7 No, 0

Assistant Clerk of Council Peet: Motion carries seven to zero and is now known as ordinance number 4939-2012.

Permanent Ordinance No. 4939-2012

Mayor Gillock: Mr. President, I may have missed it, but did we do T 69 or did we skip over it?

President Corcoran: We did read it.

Mayor Gillock: We did read it? Okay. Thank you.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Upcoming meeting announcements. The next regular Council meeting will be held on Monday, July 16, 2012 at 7:30 P.M. here in Council Chambers.

Tomorrow is the Firework Show at Victory Sports Park. I hope to see everybody there. Happy Fourth of July!

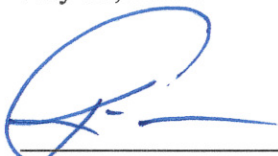
ADJOURNMENT:

President Corcoran: With no other business to be brought before the city, this meeting is adjourned.

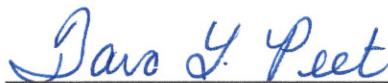
Meeting adjourned at 8:25 P.M.

Approval of Minutes:

These Minutes were approved at the regular meeting of the North Ridgeville Municipal Council on July 16, 2012.



PRESIDENT KEVIN CORCORAN



ACTING CLERK OF COUNCIL TARA L. PEET