

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JUNE 18, 2012**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, June 18, 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, Robert Olesen, President Pro-Tem Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

Absent was Council Member Richard Jaenke.

Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin, and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Council minutes of the regular meeting held June 4, 2012. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved.

You also have before you the Council minutes of the special meeting held June 5, 2012. Are there any objections or corrections to approving those minutes? Yes, Mrs. Johnson?

Council Member Johnson: I have to abstain as I was not in attendance.

President Corcoran: We will need a roll call on those special minutes, Mr. Clerk.

Clerk of Council Smith: Buescher (yes), Boose (yes), Olesen (yes), Butkowski (yes), Johnson (abstain), Corcoran (yes)

Yes, 5 No, 0 Abstention, 1 (Johnson)

Clerk of Council Smith: One abstention, one absentee and the rest, yes.

President Corcoran: All right, those minutes are approved.

President Corcoran: Please note the Planning Commission minutes of 06.12.12.

LOBBY:

President Corcoran: That brings us to the lobby session of our meeting. This is your opportunity to speak to Council and discuss city issues. If you would like address Council, please approach the podium and you have three minutes.

Mayor Gillock: A timer now.

President Corcoran: Yes, I have a timer. It makes it easy and everybody can see it now right up on the board. So, if you would like to speak, you will have three minutes on the topic of your choice. Lobby session is open. Please join us. Is there anybody that would like to address Council this evening?

1) Robert Gaydash of 9400 Avon Belden Road spoke regarding the timer during lobby session as being fair for all and stated that his comments made during his last visit were not responded and he felt as though that wasn't fair.

Council Member Boose: Mr. President, could I ask through you if perhaps Mr. Gaydash could tell us what the question he asked that didn't get answered, because I would like to make sure that you get that answered Sir.

Robert Gaydash stated Mrs. Butkowski instructed him to do a little better job of getting to the point and he simply asked to receive an evaluation on whether or not he is doing a better job of getting his point across. All he was trying to do was fill in what he was instructed to do as he was curious.

Council Member Boose: I will get with you and we can talk about that, thank you.

Robert Gaydash concluded by expressing his opinion in which he felt Council was doing a very fine job with the addition of the timer.

President Corcoran: Would anybody else like to address Council this evening? Moving back to our regular scheduled meeting and move to the Administrators Reports. Mr. Mayor that would be you.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. First, you will find at your desk this evening an ordinance amending 4854-2011, which has to do with our railroad quiet zone; which is coming right along, but we need a change order. First, I would just ask for a temporary number.

Clerk of Council Smith: T 65, Mayor.

It was moved by Mayor Gillock and seconded by Butkowski to suspend the By-Laws to add T 65 to the agenda under first readings.

Mayor Gillock: I would ask the Law Director if he would speak to the reason for this ordinance.

Law Director Crites: If I may, Mr. President.

President Corcoran: Go right ahead.

Law Director Crites: In this project where the intersection selected and approved are going to be upgraded for a matter of safety and to create the quiet zone so the local residents don't have to hear the horns, the City's limited responsibility being the loop detectors, the thing that makes the lights go when a car pulls up, need to be improved and need to be retrofitted because of work that Norfolk and Southern is going to do. It was going to cost the city a lot of money to do that independent of the project that Norfolk and Southern is doing; meaning we would have to tear up the tracks after Norfolk and Southern already improved them. We've contacted Norfolk and Southern and they have agreed to coordinate the two projects, but to do so, we have to act fast. Meaning, we are going to have our contractor go do our loop detection while Norfolk and Southern is in there doing their work on the rails for the quiet zone; hence, the need to pass this change order quickly and with the emergency because it will save us substantial dollars to do it while they are already in there.

Mayor Gillock: And we are going to get reimbursed anyway.

Law Director Crites: Yes, for our portion which we have to advance.

Mayor Gillock: From the Rail Commission of Ohio.

Law Director Crites: They are the ones that are playing banker for all the federal and state dollars and will reimburse us.

Mayor Gillock: Do you need to take a vote?

President Corcoran: We do as a matter of fact, thanks. It was moved by the Mayor and seconded by Butkowski to suspend the By-Laws to give T 65 a first reading this evening. All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 65 is now added to first readings.

Mayor Gillock: Thank you. Secondly, Bruce Konya's term on the Fair Housing Board expires July 5. He was appointed to fulfill an unexpired term. He is willing to serve a full three year term and Mr. Hatmaker has been very pleased with his service.

It was moved by Mayor Gillock and seconded by Buescher to appoint Bruce Konya to the Fair Housing Board for a full term beginning July 6 of this year and running through July 5 of 2015.

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

Yes, 6 No, 0

Mayor Gillock: Thank you and finally we have several representatives here from the North Ridgeville Kiwanis with us tonight who want to make a presentation to our Fire Department and I couldn't get a hold of the Chief, so I will stand in for the Chief. First, I am going to introduce Bob Fortune and Bob can introduce the others or handle it how he sees fit.

Bob Fortune stated that back in January, the Mayor and he met and talked about what the needs were for the City and we came up with a need for the Fire Department for pedi-mates. We wrote a proposal to the Kiwanis Foundation and we have with us Bob Williams who is President of the

Ohio Kiwanis Foundation and he has a check for the city of North Ridgeville for pedi-mates for the Fire Department's rescue units.

Mayor Gillock: What pedi-mates are, we have four ambulances and they provide a pedi-mate for each one. If you put a small child on a stretcher they can tend to slide around and this is like an adapter that snaps off the stretcher.

Bob Fortune stated Bob Williams has a check for you.

Bob Williams stated he does and he is particularly excited to do this with the Mayor knowing him because he is a Rotarian and so, he wanted to let him know that the check is coming from Kiwanis. He stated Mayor Gillock has been extremely supportive of the Kiwanis Club which is new in this community and he is pleased as President of the Ohio District Kiwanis Foundation to present a check for \$700.00. Thank you.

Bob Fortune stated that the project was written for \$1,000.00 and Council only heard about \$700.00. So, the Kiwanis Club of North Ridgeville has come up with the additional \$300.00. He introduced Scott Hosler who is Vice President and Cindy Hemsoth who is the Treasurer and asked both to approach and present their check.

Cindy Hemsoth stated she was happy to present on behalf of the North Ridgeville Kiwanis Club, a \$300.00 check.

Mayor Gillock: This will cover, or very close, the entire cost of all four pedi-mates. They cost about \$250 a piece. So, on behalf of the citizens of North Ridgeville, I want to thank you and the Kiwanis of Ohio and North Ridgeville for their contribution and it will certainly be put to good use. Thank you very much.

President Corcoran: That is a nice way to end your report. Mr. Safety Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: No report this evening.

President Corcoran: Mr. Engineer.

C. Engineer:

Engineer Wangler: We've gotten a break this year so far in rain compared to last year and I'm happy to say life in my office is a lot different this year. We are still working diligently to keep our waterways safe in the event that it will come back as we know it will, which means that I can spend some time on water quality instead of the flooding issue, which we are obligated to do under EPA. So I would like to take this time to remind everybody that when they clean up their dog waste to dispose of it properly in a waste container and not cast it into a ditch or storm water. That is the end of my report.

President Corcoran: Thank you, thank you very much and Mr. Auditor. It is tough to follow that one.

D. Auditor:

Auditor Costin: Tough to follow. The only item I have Mr. President, is the written report that Council should have already received. No other comments. Thank you.

President Corcoran: Thank you very much.

E. Other Reports:

President Corcoran: Other reports: There are the May 2012 Mayor's Court reports, the May 2012 Water Distribution report, May 2012 Support Car report and the May 2012 Fire 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. We are up to T 63.

NEW BUSINESS:

Ordinance and Resolution Submittals

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

T 64-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BRANDSTETTER CARROLL INC. FOR PROFESSIONAL CONSULTING SERVICES TO PREPARE A COMPREHENSIVE PARKS AND RECREATION MASTER PLAN FOR THE PARKS AND RECREATION DEPARTMENT, NOT TO EXCEED \$35,000.00.

It was moved by Boose and seconded by Butkowski to suspend the By-Laws to give T 64 a first reading this evening.

President Corcoran: Are there any comments or questions?

Council Member Boose: Yes, Mr. President. As you are all aware, I am the Council Liaison to the Parks and Recreation Commission and earlier this year; during the last couple of months, we did hear from three different firms that were bidding for the professional consulting services to prepare a comprehensive Parks and Recreation Master Plan for our Parks and Recreation Department which will include as the ordinance suggests, not only the 22 acres of land at Shady Drive that we purchased, but all of our parks systems and so we had very lengthy and very

professional presentations by all three firms and it was decided by the Parks and Recreation Commissioners that this was the plan that we wanted to move forward with. I don't know that there would need to be an emergency on this, but I do know that we would like this to be passed as quickly as possible because the sooner we can get this passed, the sooner we can begin the process of doing the plan, which will include not only their initial analysis of our parks and recreational systems, but also meetings with a group to be selected later; also with citizen groups and community organizations throughout the city for their input and we can get that process started. Thank you.

President Corcoran: Anybody else that would like to comment tonight? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 64 is now added to the first readings.

RECESS:

President Corcoran: That brings us to the recess portion of the meeting.

It was moved by Johnson and seconded by Buescher to dispense with recess.

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

Yes, 6 No, 0

President Corcoran: That brings us to first readings and we have T 65 that is up first.

FIRST READING:

Clerk of Council Smith:

T 65-2012 AN ORDINANCE AMENDING ORDINANCE NUMBER 4854-2011 WHICH
4932-2012 AUTHORIZED THE MAYOR TO ENTER INTO A CONTRACT ACCORDING
 TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE DESIGN
 AND CONSTRUCTION OF THE RAILROAD QUIET ZONE VEHICLE
 DETECTION SYSTEM AND MEDIAN BARRIERS INCLUDING OTHER
 APPURTENANCES BY INCREASING THE AMOUNT FROM \$355,000 TO
 \$383,000.

First Reading

It was moved by Olesen and seconded by Johnson to dispense with the second and third readings tonight for T 65.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President.

It was moved by Mayor and seconded by Johnson to amend the amount from \$383,000 to \$385,000.

Mayor Gillock: The correspondence from our contractor from Campbell states that it will be \$25,000 labor plus \$3,848.79 material plus tax (\$30,000.00 maximum) and this is \$28,000, so I

would like to make it \$30,000 to at least be able to cover the 848 and give them a little bit of wiggle room.

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

Yes, 6 No, 0

President Corcoran: It was moved by Olesen and seconded by Johnson to dispense with the second and third readings for T 65 as amended. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Olesen and seconded by Johnson to adopt T 65 as amended.

It was moved by Olesen and seconded by Johnson to add the emergency due to the timing of the projects and cost efficiency in carrying out both projects at the same time.

President Corcoran: Any comments or questions on the emergency clause. All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: It was moved by Olesen and seconded by Johnson to adopt the amended T 65 with the emergency clause. Any comments or questions?

Council Member Boose: Yes, Mr. President.

President Corcoran: Yes, Mr. Boose.

Council Member Boose: Just curious as to what fund this will come out of.

Auditor Costin: What we will be doing is probably paying it out of the Street Levy Fund and then if and when the monies come back in the form of a grant reimbursement, that Levy Fund will be reimbursed. That is where the money is at right now and rather than have to go through transfers and all kinds of other technicalities, that is the plan.

Council Member Boose: Thank you.

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

Clerk of Council Smith: Buescher (yes), Boose (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 6 No, 0

Clerk of Council Smith: That becomes ordinance number 4932-2012.

Permanent Ordinance No. 4932-2012

Council Member Butkowski: Mr. Chairman. Did we vote on the emergency? Or are we just going to vote separately for the emergency.

President Corcoran: We already did. We did a voice vote for the emergency and the vote was for the adoption.

Council Member Butkowski: That's fine.

President Corcoran: T 64.

Clerk of Council Smith:

T 64-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN

4933-2012 AGREEMENT WITH BRANDSTETTER CARROLL INC. FOR
PROFESSIONAL CONSULTING SERVICES TO PREPARE A
COMPREHENSIVE PARKS AND RECREATION MASTER PLAN FOR THE
PARKS AND RECREATION DEPARTMENT, NOT TO EXCEED \$35,000.00.

First Readings

It was moved by Boose and seconded by Buescher to dispense with the second and third readings for T 64.

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

Yes, 6 No, 0

It was moved by Boose and seconded by Buescher to adopt T 64.

President Corcoran: Any comments or questions? Yes, Mrs. Johnson.

Council Member Johnson: This does say that it will be charged to the appropriate city fund. Would that be the Park and Recreation Improvement Fund?

Auditor Costin: Mr. Chairman. That is appropriated in the General Fund under the Park and Recreation Department Outside Services line.

Council Member Johnson: Not the Park and Recreation Improvement Fund?

Auditor Costin: That is where we appropriated it at.

Council Member Johnson: Thank you.

President Corcoran: Any other questions? It was moved by Boose and seconded by Buescher to adopt T 64. Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 6 No, 0

Clerk of Council Smith: Measure passes, one absent and becomes ordinance number 4933-2012.
Permanent Ordinance No. 4933-2012

President Corcoran: That is the end of our first readings. We have a few second readings. We have T 53.

SECOND READINGS:

Clerk of Council Smith:

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

Second Reading

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

Second Reading

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

President Corcoran: And for our third readings. First up we have T 46.

THIRD READINGS:

Clerk of Council Smith

T 46-2012 AN ORDINANCE APPROVING THE FINAL PLAT OF WINDSOR POINT
4934-2012 SUBDIVISION PHASE 6 FOR RECORDING PURPOSES ONLY.

Third Reading

It was moved by Olesen and seconded by Butkowski to adopt T 46.

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

Clerk of Council Smith: Buescher (yes), Boose (yes), Olesen (yes), Butkowski
(yes), Johnson (yes), Corcoran (yes)

Yes, 6 No, 0

Clerk of Council Smith: Measure passed with one absentee and becomes ordinance number 4934-
2012.

Permanent Ordinance No. 4934-2012

President Corcoran: T 47.

Clerk of Council Smith:

T 47-2012 AN ORDINANCE VACATING THE EXISTING 25-FOOT STUB STREET OF
4935-2012 RAVENWAY DRIVE LOCATED NORTH OF AVALON DRIVE IN WINDSOR
POINT SUBDIVISION.

It was moved by Butkowski and seconded by Olesen to adopt T 47.

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

Clerk of Council Smith: Buescher (yes), Boose (yes), Olesen (yes), Butkowski
(yes), Johnson (yes), Corcoran (yes)

Yes, 6 No, 0

Clerk of Council Smith: Approved unanimously with one absentee and becomes ordinance
number 4935-2012.

Permanent Ordinance No. 4935-2012

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: The next regular Council meeting will be held on Monday, July 2, 2012 at
7:30 P.M. here in Council Chambers.

ADJOURNMENT:

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

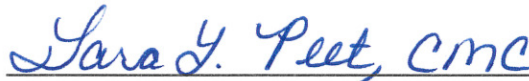
Meeting adjourned at 7:55P.M.

Approval of Minutes:

These Minutes were approved at the regular meeting of the North Ridgeville Municipal Council on July 2, 2012.



PRESIDENT KEVIN CORCORAN



ACTING CLERK OF COUNCIL TARA L. PEET