

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JUNE 17, 2002**

CALL TO ORDER: 8:00 P.M.

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

INVOCATION: lead by President of Council David Gillock.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

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

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

MINUTES - Corrections and Approval:

Public Hearing Minutes of June 3, 2002.

motion by Butkowski to approve, 2nd by Olesen

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

Clerk of Council Norris: On the motion to approve Public Hearings.

Yes, 7 No, 0

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

Regular Municipal Council Minutes of June 3, 2002.

motion by Butkowski to approve, 2nd by Johnson

President Gillock: Are there any corrections or additions? Seeing none, please call the roll.

Yes, 7 No, 0

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

COMMITTEE REPORTS:

Clerk of Council Norris:

1) BUILDINGS & LANDS COMMITTEE REPORT #7159 Members of Council, we have considered the matter of adjusting PCD zoning to address housing density and business zoning issues and recommend that an ad hoc committee be organized for the purpose of reviewing the PCD ordinance.

Submitted by Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Pagel, 2nd by Olesen.

Council Member Johnson: Mr. Chairman. I'd like to thank the Committee for answering my questions on that and coming up with a report. Thanks a lot.

Council Member Olesen: I was going to mention, it was a request by Mr. Johnson and where we are on this. Mrs. Pagel has volunteered to head this ad hoc committee to meet with other City officials, developers, etcetera, to iron out some of the problems that we have with the PCD ordinances and discuss matters of commercial aspects, PCD's and the density. So this will be, hopefully, resolved to some effect in the future.

President Gillock: Who else is on the Committee?

Council Member Olesen: I don't know yet.

Council Member Pagel: It's a representation of the major developers in the City, the administration, the Buildings and Lands Committee and then residents.

President Gillock: Can you give us a specific list when you arrive at it.

Council Member Pagel: Yes, sir.

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

Yes, 7 No, 0

Council Clerk Norris: The vote is seven, zero in favor.

2) BUILDINGS & LANDS COMMITTEE REPORT #7172 Members of Council, we have considered the matter of T 65-2002, an ordinance establishing Special Development Districts as a new zoning classification in the City of North Ridgeville and recommend that this request be analyzed with appropriate suggestions and changes and submitted to the City Planner for his approval and another report be submitted.

Signed: Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel

motion to accept by Pagel, 2nd by Olesen

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

Council Member Butkowski: Mr. Chairman, who is the City Planner?

President Gillock: We don't have a City Planner. There would have to be one specifically hired for this case and money would have to be approved by Finance Committee before we can do that.

Council Member Butkowski: Who would do the hiring of this City Planner?

President Gillock: I would assume that would be up to the administration.

Council Member Pagel: Mr. President, I'd like to ask a question, possibly of the Auditor, considering the time frame on this, do we have monies that we could possibly hire the City Planner or to at least get a City Planner on a contractual basis for this, just to review this?

Auditor Costin: What we have done in the past, Mrs. Pagel, is we have an amount appropriated called contingency. When things that were not forecasted during appropriations come up and Council still approves, we can appropriate from that contingency line item and then when the next appropriation comes up we just remove the money from that line and put it where it appropriately goes. In answer to your question, depending on the amount of money we're discussing here, there is money available in the contingency line item.

Council Member Pagel: My next question, Mr. President, if I may, is what actually needs to be

done so we can move forward on this and find out the amount of money needed for the City Planner.

President Gillock: If the Committee Report is accepted I would refer it to Finance for funding.

Council Member Pagel: Thank you.

President Gillock: And, of course, the Law Department would be able to do their review at the same time. Is there any other discussion on 07172? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is accepted by seven, zero.

President Gillock: I would REFER THAT TO FINANCE COMMITTEE to meet with the Administration to determine what it might cost and come back with a recommendation.

3) BUILDINGS & LANDS COMMITTEE REPORT #7173 Members of Council, we have considered the matter of amending the PCD ordinance specifying the addition of adding triplexes in the PCD ordinance and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed, Chairman Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Pagel, 2nd by Olesen

President Gillock: Discussion? Mrs. Butkowski?

Council Member Butkowski: Mr. Chairman, once again, as I just stated, I think this is against our Charter and I don't think that we need triplexes. We had a vote of the City and they do not want this type of rezoning.

Council Member Olesen: Mr. President, perhaps an opinion from our legal director would be in order here as to whether he feels this is infringement on the Charter.

President Gillock: Okay, I'll go along with that. Would you like to respond?

Law Director Zagrans: Thank you. I do not feel that it violates Section 9.7 of the Charter because of what we discussed during the Work Session, what Mr. Gillock and others mentioned. The definition of multi-family does not include this and the provision that was up for the vote of the electorate last November was whether or not, when there is a change in adding multiple family dwellings, like apartment buildings in areas that are not currently zoned that way, does that have to be voted on by all of the voters of the City? A change in that procedure was voted down by the voters. That doesn't go to whether or not triplexes specifically, as a form of dwelling unit, are accepted or not accepted by the voters. So, for all of those reasons, plus the ones stated at the Work Session, I don't feel that adopting this report would violate the Charter.

Council Member Buescher: Mr. Gillock, I believe that our zoning codes state that anything over single or double dwellings is considered multiple. It states that right in 1240 and therefore I think that applies and that was the intent of the Charter that anything over that is considered multiple dwellings.

President Gillock: Also, 9.7 does speak specifically to rezoning of property and we are not rezoning property. It's a PCD. Anyone else? Clerk, please call the roll.

Yes, 4 No, 3 (Buescher, Butkowski, Johnson)

Council Clerk Norris: 7173 is accepted by a vote of four to three.

4) BUILDINGS & LANDS COMMITTEE REPORT #7174 Members of Council, we have considered the matter of amending 1240.10(45) to add "three family dwelling" to the exclusions listed in dwelling, multiple. The definition of three family dwelling is three dwelling units attached by means of common walls and occupied exclusively as a residence by three families and recommend that this request be approved and proper legislation be drawn authorizing the above.

Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Pagel, 2nd by Olesen

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

Yes, 4 No, 3 (Buescher, Butkowski, Johnson)

Clerk of Council Norris: 7174 is accepted by a vote of four to three.

5) BUILDINGS & LANDS COMMITTEE REPORT #7175 Member of Council, we have considered the matter of transferring a liquor permit from Lovcen, Inc., DBA Laurels to Nela, Inc., DBA Laurels and have no objections and recommend that this request be approved and in addition we do not request a hearing.

Signed: Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Pagel, 2nd by Olesen

President Gillock: Any discussion?

Council Member Olesen: Yes, Mr. President. What I found out in this request is that this is just a transfer and if we vote on it tonight and get it through, it will go through the State quicker or else it sits for two months. We could do the people who are requesting this a big favor.

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

Yes, 7 No, 0

Clerk of Council Norris: 7175 is accepted by a vote of seven, zero.

6) BUILDINGS & LANDS COMMITTEE REPORT #7176 Members of Council, we have considered the matter of T 64-2002, rezoning at Root and Lorain Roads, and recommend that this request be approved.

Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Pagel, 2nd by Olesen

President Gillock: Is there any discussion?

Council Member Olesen: Mr. President, there's just one thing I'd like to bring up, if I might. There's also a traffic study being done at this intersection and the applicant is aware that the traffic study may result in some changes that he'll have to live with if it goes through and affects his property. Right now he has a very small frontage but he's willing to go along with whatever the Engineer recommends on this.

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

Yes, 7 No, 0

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

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

Yes, 5 No, 2 (Buescher, Johnson)

Clerk of Council Norris: Motion to suspend By-Laws carries by a vote of five to two.

7) BUILDINGS & LANDS COMMITTEE REPORT #7177 Members of Council, we have considered the matter of T 42-2002, rezoning from R-1 to B-1 on Sugar Ridge Road. While the Committee does not generally favor spot zoning, it was felt that the nature of the request, the area in question, and the absence of opposition to this request, the Buildings and lands Committee supports this rezoning and recommends that this request be approved. Signed: Chairperson Robert Olesen, Members Nancy J. Buescher and Josanne K. Pagel.

motion to accept by Olesen, 2nd by Pagel

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

Council Member Olesen: Mr. President, we discussed this thoroughly and you've read our statement. The Council Clerk read the statement. We don't really relish the idea of spot zoning but this is a situation where the property, if you look at it and the nightmare that it's across from, industry. This gentleman is in the back. We asked, in addition, if he'd get some letters back from some of the owners of the property. He does have one back from a neighbor and she doesn't care. You have that letter, I believe, with you. And also, there's a gentleman on the other side who verbally told him he doesn't care but he's out of town so he can't get a letter from this individual. I believe you also have a letter from the church.

President Gillock: Keep the conversation up here, please. He's not allowed to speak at this time.

Council Member Olesen: So this is why I would recommend that we do approve this. We asked in Planning Commission if anyone was in the audience to speak for against and there was nobody there. I don't know whether we're going to see the same thing tonight or not.

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

Yes, 7 No, 0

Clerk of Council Norris: Committee Report is accepted by a vote of seven to zero.

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

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

Yes, 5 No, 2 (Buescher, Johnson)

Clerk of Council Norris: Motion to suspend carries by a vote of five to two. That concludes the Committee Reports.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Gillock: That's all our Committee Reports. We now come to the written reports. We have a report from the Mayor in regards to the Fourth of July. A band concert, fireworks display will be held at South Central Park on Saturday, July 6, 2002, with fireworks after dark and the band concert will be from 8:00 to 9:00. Mayor Hill, is there anything you'd like to add to that or speak to?

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

JUNE 17, 2002

PAGE 6

Mayor Hill: No, I guess that you've presented my written report. Thank you.

President Gillock: Are there any questions for the Mayor in regards to her report? And we have no other written reports from the Administration this evening.

Mayor: Written Report dated June 11, 2002

Safety-Service Director: None

Engineer: None

Law Director: None

AUDITOR'S REPORT:

Auditor Costin: You have a written report or should have received a written report for May 31.

President Gillock: Is there a motion to approve?

Auditor's Written Financial Report for May, 2002

motion to approve by Butkowski, 2nd by Johnson

President Gillock: Is there any discussion in regards to the Auditor's written report? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Auditor's Report is accepted by a vote of seven, zero.

President Gillock: Is there anything else?

Auditor Costin: No further comments.

OTHER REPORTS:

Planning Commission Liaison Report:

Clerk of Council Norris: Planning Commission regular meeting June 11, 2002.:

Applicant:	Russell Preferred Properties, 36178 Center Ridge Road
Owner:	Oster Homes, Tom Oster, 6150 Park Square Drive, Lorain, 44053
Request:	Final subdivision plan approval for Villas of Stone Creek Subdivision No.1 under Chapter 1282, Planning & Zoning Code
Location:	Stoney Ridge Road vacant land Permanent Parcel No. 07-00-032-000-051
PC Action:	Application was withdrawn at applicant's request

No action by Council is required.

Applicant:	Russell Preferred Properties, 36178 Center Ridge Road
Owner:	Oster Homes, Tom Oster, 6150 Park Square Drive, Lorain, 44053
Request:	Final subdivision plan approval for the Stone Creek Estates

Location: No. 1 under Chapter 1282 of Planning & Zoning Code
Stoney Ridge Road vacant land
Permanent Parcel No. 07-00-032-000-051

PC Action: Application was withdrawn at applicant's request
No action by Council is required.

Applicant: N A R D O, Inc., 5656 Lasater Street, NW#11
Owner: Cleveland United Partners, 11311 Villa Grande Drive,
North Royalton, OH 44133
Request: Build an athletic facility as shown in drawings submitted
Location: 32796 Bagley Road, in R-1
Permanent Parcel No. 07-00-002-101-001 and -002
PC Action: Approved contingent upon Board of Zoning and Building Appeals
granting Conditional Use changes

motion to approve by Olesen, 2nd by Butkowski

President Gillock: Any discussion? Mr. Olesen?

Council Member Olesen: Mr. President, this request passed Planning Commission three to two and there's some doubt whether we should have reviewed it before the Zoning Board because I had some problems with it and I don't know how Zoning Board is going to treat this but our action is to let the Zoning Board handle the Conditional Use problem so that's why we favor passing this.

Council Member Pagel: Mr. President, when this initially brought to Planning Commission, wasn't it referred to get a legal opinion on the Conditional Use because they were asking for their Conditional Use that was approved way back in 1989 and then I thought they were bringing it forward again to Planning Commission. I'd like to know what the legal opinion on that was, if there was any.

President Gillock: Mr. Olesen, do you have any information in regards to that?

Council Member Olesen: I'd like to defer to our Law Director on that one.

President Gillock: Did the Planning Commission get a legal opinion from Mrs. Morgan? I know she was at the meeting.

Council Member Olesen: I can't answer. I don't remember.

President Gillock: Do you remember anything?

Law Director Zagrans: No, she didn't refer it to me so if she was asked, she either handled it or she wasn't asked.

Mayor Hill: Mr. President, it wasn't a formal legal opinion but what she recommended is that this particular issue had to go before the Board of Zoning Appeals. That's where it was to be properly determined whether they met the Conditional Uses or not because normally, in fact, we couldn't find any record of something going to the Board of Zoning Appeals and then to Planning Commission. So she recommended that Planning Commission make the decision and then refer it on to the Board of Zoning Appeals.

President Gillock: Thank you. I know it was referred back to the Board of Zoning Appeals for

their review again. Any other discussion? Mrs. Pagel?

Council Member Pagel: Mr. President, may I ask who is the first recommendation for the Planning Commission? On the report here it was not signed, the one that states my recommendations.

President Gillock: I don't know what you're referring to or looking at.

Council Member Pagel: It seems there are multiple recommendations there and I'm not sure who those recommendations were from.

Council Member Olesen: Is that the Planning Commission Report to Council?

President Gillock: It's the Administrations recommendations that are attached that were discussed at the Planning.

Mayor Hill: Mr. President, I recognize the handwriting. I believe that's from the Building Department, Guy Fursdon. Thank you.

President Gillock: I know he was at the meeting also to discuss it. Any other discussion? If not, please call the roll on the acceptance of the NARDO application.

Yes, 6 No, 1 (Pagel)

Council Clerk Norris: Report is accepted by a vote of six to one.

Applicant:	Joseph Contracting, Stephen Joseph, 39095 Stallion Court, Avon
Owner:	Stephen Joseph, 39095 Stallion Court, Avon 44011
Request:	Rezone from R-1 to B-1 for office building
Location:	Vacant land on Sugar Ridge Road, 260 foot east of Maddock Road Permanent Parcel No. 07-00-026-102-018 and -019
PC Action:	Approved and recommended to Council motion to approve by Pagel, 2 nd by Olesen

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

Yes, 7 No, 0

Clerk of Council Norris: Report is accepted by a vote of seven to zero.

Applicant:	Ralph & Bonnie Woodward, 600 Guilford Road, Vermilion 44089
Owner:	Ralph & Bonnie Woodward, 600 Guilford Road, Vermilion 44089
Request:	Approval to construct driveway in recorded right-of-way Sandlewood is a paper street, in R-1
Location:	Sandlewood Avenue, Permanent Parcel No. 07-00-020-101-111
PC Action:	Approved motion to approve by Olesen, 2 nd Swindig

President Gillock: Is there any discussion?

Council Member Butkowski: Mr. President, I'd like to make a motion to send this back to the Planning Commission to give us more information on this and whether this is the only access to this property or give us more. We don't have enough information to make that decision I don't think.

President Gillock: You want to send it back to Planning Commission? Planning has passed it.

Council Member Butkowski: Well, we need more information. Who can give us more information before we.

Council Member Swindig: I think we should refer that to Buildings and Lands since Planning Commission acted on it. Let Buildings and Lands do a little more research on it and at the same time get an opinion from our Law Director because I've heard different opinions from different Council people on that.

President Gillock: Would you withdraw your motion to approve?

Council Member Olesen: I would do that.

President Gillock: And your second?

Council Member Swindig: Yes.

President Gillock: Then I will REFER IT TO BUILDINGS AND LANDS COMMITTEE before we approve. Mr. Johnson.

Council Member Johnson: Mr. Chairman, I note there's no recommendation to the Planning Commission on the copy from the Mayor. I'd like the Mayor to address that before it goes back to Buildings and Lands Committee.

President Gillock: You mean one of the recommendation sheets?

Council Member Johnson: Yes. Maybe I'm just missing my copy.

President Gillock: She may not have commented. If you wish to have another opportunity? Okay.

Applicant:	PNL Holdings, LLC, 30628 Detroit Road #299, Westlake
Owner:	PNL Holdings, LLC, 30628 Detroit Road #299, Westlake
Request:	Rezoning from R-1 to B-2 to construct office building, as submitted by Council for Planning consideration/recommend
Location:	Northwest corner of Lorain and Root Roads, unimproved land, Permanent Parcel No. 07-00-014-103-029
PC Action:	Approved and recommended to Council motion to approve by Mayor Hill, 2 nd by Swindig

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

Yes, 7 No, 0

Clerk of Council Norris: Report is accepted by a vote of seven, zero.

Applicant:	Lake Ridge Academy, 37501 Center Ridge Road
Owner:	Lake Ridge Academy, 37501 Center Ridge Road
Request:	Construct 40 by 60 storage building
Location:	37501 Center Ridge Road in R-1 Permanent Parcel No. 07-00-033-000109
PC Action:	Postponed to meeting of July 9, 2002

No action by Council is required.

Applicant:	Whitlatch & Co., P. O. Box 363, Twinsburg, 44087
Owner:	Sugar Chestnut LLC, 50 Public Square, Ste. 1050, Cleveland

44113

Request: Final Plan of development area for Chaddwyck at Waterbury
Location: Block "E" within Phase 1 of Waterbury Subdivision, in PCD
Permanent Parcel No. 07-00-036-000-003 and -004

PC Action: Approved
motion to approve by Pagel, 2nd by Olesen

President Gillock: Is there any discussion?

Council Member Olesen: Yes, Mr. President, there are no triplexes involved in this request.

Yes, 7 No, 0

Clerk of Council Norris: Report is accepted by a vote of seven, zero.

Applicant: Whitlatch & Co., P. O. Box 363, Twinsburg, 44087
Owner: Sugar Chestnut LLC, 50 Public Square, Ste., 1050, Cleveland
44113

Request: Site plan approval of 37 unit condominium development to be
known as Fairfield Lane Condominium, Waterbury PCD

Location: Block "E" within Phase 1 of Waterbury, in PCD
Permanent Parcel No. 07-00-036-000-003 and -004

PC Action: Postponed at applicant's request.

No action by Council is required.

Applicant: Pulte Homes, 30575 Bainbridge Road, Solon, 44139
Owner: Pulte Homes, 30575 Bainbridge Road, Solon, 44139
Request: Final Plat approval of Andover at Waterbury
Location: Chestnut Ridge Road and Victoria Lane, in PCD
Permanent Parcel No. 07-00-036-000-051

PC Action: Approved
motion to approve by Pagel, 2nd by Olesen

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

Yes, 7 No, 0

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

Please note:

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for April and May 2002

Public Water System Operation Report for May 2002

Service Department Activity Report for May 28 through June 10, 2002

OLD BUSINESS:

President Gillock: There is no old business. We will go right into new business.

Council Member Pagel: Mr. President, in old business, you referred a letter in the past that was a request from the Fire Department.

President Gillock: We can bring it up. I had it under Unfinished Business but we can bring it up now. We have a letter from the Fire Department requesting a donation for fireworks.

Council Member Pagel: Yes sir. You had put it into Safety Committee and I would like to request that you remove it from Safety Committee to the floor tonight and have us take action on that today.

President Gillock: Would you like to make a motion?

motion to grant the request by the North Ridgeville Firefighters for the donation of \$5,000.00 to their fireworks fund, 2nd by Johnson

President Gillock: This would come out of the same contingency fund I believe we mentioned earlier. Is there any other discussion? If not, please call the roll.

Yes, 7 No, 0

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

President Gillock: Might bring that up again under Unfinished Business. Don't let me vote on it again. New Business.

NEW BUSINESS:

Request for new D1, and D2 liquor permit from Kims Family Restaurant Inc., 37863 Center Ridge Road

President Gillock: REFER TO BUILDINGS AND LANDS.

T 80-2002 An ordinance amending Ordinance 3614-2000, Section 1.

motion by Swindig to suspend By-Laws to give T 80-2002 a first reading tonight, 2nd by Pagel

President Gillock: Is there any discussion on the suspension?

Council Member Butkowski: There are some revisions to put on this.

President Gillock: Okay, we're just discussing the By-Laws suspension to give it a first reading tonight. You can bring it up then. Any other discussion on the suspension of By-Laws? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend By-Laws carries by a vote of seven, zero.

President Gillock: And T 80-2002 will receive a first reading this evening.

Mayor Hill: Mr. President, I have another item for new business.

motion by Mayor Hill for Executive Session to consider purchase of property that would be following Lobby and I would appreciate a second, 2nd by Pagel

Yes, 7 No, 0

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

President Gillock: That will follow the Lobby. Correspondence.

CORRESPONDENCE:

Clerk of Council Norris: We have seven items of Correspondence before the Council this

evening.

- 1) Received from the Lorain County Board of Elections a Certificate of Result of Election on Question or Issue, the City having the authority to aggregate the retail natural gas loads. Votes for Yes, 1,978; Votes for No, 1,345.
- 2) Received a letter the City of Amherst submitting a copy of their Resolution designating September 11 of each year as Safety Forces Appreciation Day in the City; encouraging similar action by other municipalities in Lorain County; and encouraging Congress of the United States to designate September 11 of each year as National Safety Forces Appreciation Day.
- 3) Received a letter from AT&T Broadband announcing price adjustments to cable products and services and changes to their Music Choice services.
- 4) Received a letter from Kevin Crow, Senior Pastor of Harvest Ridge Assembly of God thanking Council for their dedication and inviting Council Members to a prayer rally June 30, 2002 at 6:00 P.M. on the City Hall lawn.
- 5) Received a letter from Ronald Twining, Director of Lorain County Community Development Department submitting current demographic profiles for Lorain County.
- 6) Received a letter from N.J. Preston, ACLU North Central Chapter, requesting information or other public records as it relates to the current policy of recording conversations without notifying the other party that they are being recorded.
- 7) Received a letter from Paul Sadowski, President of North Ridgeville Firefighters Association Local 2129 and Fireworks Committee Co-Chairman, requesting a donation for the 2002 fireworks display at South Central Park on July 6, 2002.

Council Member Pagel: Mr. President, on the letter from the ACLU, there was a question in there they'd like response from the City within thirty days. Is there any action on that?

President Gillock: Not from Council as a body.

Council Member Pagel: But from the Administration?

President Gillock: That would be up to the Administration.

Mayor Hill: I can answer that. We're working on it.

LOBBY:

President Gillock: We now come to the lobby portion of our meeting. Anyone who wishes to can address Council. We ask that you fill in one of the Lobby sign-in sheets so we have your name and address for our records. We'll give you three minutes. Does anyone wish to speak?

No one spoke.

Lobby is over. Do we need another motion to go into Executive Session? We will now adjourn to Executive Session.

Council recessed into Executive Session at 8:41 P.M.

Council resumed from Executive Session at 9:05 P.M.

President Gillock: We'll call the meeting to order. The next item on the agenda is recess. We will recess until ten after.

RECESS: from 9:05 P.M. until 9:10 P.M.

President Gillock: I'd like to call the meeting back to order. First Readings for this evening.

FIRST READINGS:

Clerk of Council Norris:

T 66-2002 AN ORDINANCE TRANSFERRING VARIOUS FUNDS OF THE CITY OF
3808-2002 NORTH RIDGEVILLE, OHIO REPRESENTING REIMBURSEMENT OF
ADMINISTRATIVE EXPENSES OR OPERATING TRANSFERS.

First Reading

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

President Gillock: Is there any discussion on dispensing with the second and third? If not, please call the roll.

Yes, 7 No, 0

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

motion by Butkowski, 2nd by Swindig to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven, zero T 66 becomes permanent ordinance 3808-2002.

Permanent Ordinance No. 3808-2002

T 79-2002 AN ORDINANCE ADOPTING CITY OF NORTH RIDGEVILLE TELEPHONE
RECORDING USAGE POLICY.

First Reading

President Gillock: I would like to REFER THIS BACK TO UTILITIES COMMITTEE FOR FURTHER REVIEW.

Clerk of Council Norris:

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

COMMERCIAL AND INDUSTRIAL DISTRICTS.

First Reading

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

First Reading

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

First Reading

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

First Reading

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

First Reading

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

First Reading

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

First Reading

- T 64-2002 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND: PROPERTY LOCATED ON THE NORTHWEST CORNER OF ROOT ROAD AND BUTTERNUT RIDGE ROAD, PERMANENT PARCEL NUMBER 07-00-014-103-029 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO B-2 CENTRAL BUSINESS DISTRICT, AND OWNED BY PNL HOLDINGS, LLC, DONALD PORTER, PRESIDENT.

First Reading

T 80-2002 AN ORDINANCE AMENDING ORDINANCE 3614-2000, SECTION 1.

3809-2002 First Reading

Council Member Butkowski: Mr. President I would like to amend that and refer to the Auditor for it.

President Gillock: We will defer to the Auditor.

Auditor Costin: This ordinance, actually, surfaced from our office for the reason indicated in the preamble. What we had originally recommended, in speaking with the Service Director, that we just remove the hour limitation from the original ordinance, 3614, since now the position is covered under AFSCME and the hours can be controlled by appropriations. My suggestion is in the preamble where it says, "Whereas, this position is covered in the AFSCME contract as a part-time position; and," I would request that you strike the "and" and strike the second whereas. If you deem it appropriate, also, section one, "Section 1 of Ordinance 3614-2000 is hereby amended to read as follows: There is hereby created a", I would recommend you strike "25 hour per week" so, it simply reads "There is hereby created a part-time position of Assistant Cook, which position is described in Exhibit A". Accordingly, you're getting rid of the handicap that required this ordinance, this amending ordinance as well. As I said, the position is covered under AFSCME and it can be controlled by appropriation of funds. Anyway, I believe the original ordinance actually established the position at 20 hours and at the appropriations we went through in April, there was a request for 25 which we so granted. Accordingly we can't adhere to the appropriation request unless this ordinance would be either changed as it came to the floor or revised as I would recommend so we get rid of the handicap. The original 20 hours. That would be my recommendation.

President Gillock: Is there any other discussion? We need a motion to amend T 80 by removing the second whereas and deleting 25 hour per week from section one.

Council Member Johnson: Mr. President, also the, and, in the first whereas.

President Gillock: That's a given. Mrs. Butkowski?

motion by Butkowski, 2nd by Swindig to amend T 80

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to amend passes by a vote of seven to zero.

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

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

Yes, 7 No, 0

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

motion by Swindig, 2nd by Butkowski to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven, zero and becomes permanent ordinance 3809-2002.

Permanent Ordinance No. 3809-2002

President Gillock: That's all the first readings. Second readings.

SECOND READINGS:

Clerk of Council Norris:

T 43-2002 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS
THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND:
PROPERTY LOCATED AT 31684 COOK ROAD, APPROXIMATELY 1,560
FEET EAST OF THE COOK AND LORAIN ROADS INTERSECTION, ON
THE NORTH SIDE OF COOK ROAD AT THE NORTH
RIDGEVILLE/OLMSTED TOWNSHIP BORDER; PERMANENT PARCEL
NUMBER 07-00-004-110-037 (AS SHOWN BY LEGAL DESCRIPTION
BELOW); FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY
COMMERCIAL DISTRICT, AND OWNED BY THE ESTATE OF FRANK A.
GUTAUCKAS, DECEASED; ROSEANN H. DEAN, EXECUTRIX.
Second Reading

T 68-2002 AN ORDINANCE ACCEPTING THE LORAIN COUNTY DISTRICT
3810-2002 ADVISORY COUNCIL RESOLUTIONS 2002-01, 2002-02 AND 2002-03.
Second Reading

motion by Swindig, 2nd by Pagel to dispense with third readings

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

Yes, 7 No, 0

motion by Swindig, 2nd by Pagel to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt T 68 carries by a vote of seven, zero, becomes
permanent ordinance 3810-2002.

Permanent Ordinance No. 3810-2002

T 69-2002 AN ORDINANCE AMENDING ORDINANCE SECTION 1046.05 BY
3811-2002 ELIMINATING THE AUTOMATIC WATER RATE INCREASE FOR THE
YEAR 2002.

Second Reading

motion by Swindig, 2nd by Pagel to suspend third readings

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

Yes, 5 No, 2 (Johnson, Gillock)

motion by Swindig, 2nd by Pagel to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven, zero and becomes permanent ordinance 3811-2002.

Permanent Ordinance No. 3811-2002

- T 70-2002 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE SECTION 1286.03(F) AND SECTION 1228.01(F) TO ADDRESS THE ISSUE OF DEVELOPMENT ENTRYWAY SIGNAGE AND ACCOMPANYING DECORATIVE AND FUNCTIONAL COMPONENTS AND ESTABLISHING A FEE FOR ENTRYWAY PERMITS.
Second Reading
- T 71-2002 AN ORDINANCE AMENDING NRCO CONDITIONAL USE LANGUAGE FOR BUSINESS ZONES B-1 THROUGH B-5 TO ACHIEVE UNIFORMITY IN THE PROCEDURAL LANGUAGE.
Second Reading
- T 72-2002 AN ORDINANCE AMENDING NRCO SECTION 1288.05, BUSINESS AND COMMERCIAL DISTRICTS ABUTTING RESIDENTIAL DISTRICTS, BY ADDING B-4 AND B-5 ZONING DISTRICTS.
Second Reading
- T 73-2002 AN ORDINANCE AMENDING NRCO SECTION 1286.07, HEIGHT OF SIGNS; DESIGN AND CONSTRUCTION STANDARD FOR FREEWAY-ORIENTED SIGNS.
Second Reading
- T 74-2002 AN ORDINANCE AMENDING NRCO SECTIONS 1268.02, 1270.02, AND 1272.04, PERMITTED AND CONDITIONAL USES.
Second Reading
- T 75-2002 AN ORDINANCE AMENDING NRCO SECTIONS 1274.02, 1276.02, AND 1278.02, PERMITTED USES.
Second Reading
- T 76-2002 AN ORDINANCE AMENDING NRCO SECTION 1272.03(B), STREET LIGHTING.
Second Reading

President Gillock: That is all the second readings. Third readings.

THIRD READINGS:

Clerk of Council Norris:

T 58-2002 AN ORDINANCE AMENDING NRCO SECTION 1279.23(A), AREA, YARD
3812-2002 AND HEIGHT REGULATIONS.

Third Reading

motion by Olesen, 2nd by Buescher to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is adopted by a vote of seven, zero and becomes permanent ordinance 3812-2002.

T 59-2002 AN ORDINANCE AMENDING NRCO SECTION 1279.23(B), AREA, YARD
3813-2002 AND HEIGHT REGULATIONS.

Third Reading

motion by Pagel, 2nd by Butkowski to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is adopted by a vote of seven to zero becoming permanent ordinance 3813-2002.

Permanent Ordinance No. 3813-2002

T 60-2002 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
3814-2002 ORDINANCE SECTION 1294.01(G) AREA AND YARD REQUIREMENTS;
PROJECTIONS.

Third Reading

motion by Butkowski, 2nd by Olesen to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion carries by a vote of seven to zero and becomes permanent ordinance 3814-2002

Permanent Ordinance No. 3814-2002

T 61-2002 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
3815-2002 ORDINANCE SECTION 1286.02 CLASSIFICATION OF SIGNS.

Third Reading

motion by Olesen, 2nd by Butkowski to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: T 61 is adopted by a vote of seven, zero and becomes permanent ordinance 3815-2002.

Permanent Ordinance No. 3815-2002

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

PAGE 19

JUNE 17, 2002

T 62-2002 AN ORDINANCE AMENDING SECTION 1286.05(C) AREA OF SIGNS.

3816-2002 Third Reading

motion by Pagel, 2nd by Butkowski to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven, zero becoming permanent ordinance 3816-2002.

Permanent Ordinance No. 3816-2002

UNFINISHED BUSINESS: None

President Gillock: Thank you. We no longer have any unfinished business. Could the Clerk please read the committee meeting announcements.

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Public Hearings Monday, July 1, 2002 as follows:

6:45 P.M.	T 70-2002
6:50 P.M.	T 71-2002
6:55 P.M.	T 72-2002
7:00 P.M.	T 73-2002
7:05 P.M.	T 74-2002
7:10 P.M.	T 75-2002
7:15 P.M.	T 76-2002

Public Hearing Monday, July 1, 2002 at 7:20 P.M. regarding T 43-2002

Next Council Work Session Monday, July 1, 2002 at 7:30 P.M.

Next Regular Council Meeting Monday, July 1, 2002 at 8:00 P.M.

Public Hearings Monday, July 15, 2002 as follows:

6:40 P.M.	Budget
6:45 P.M.	T 64-2002
6:50 P.M.	T 42-2002
6:55 P.M.	T 81-2002
7:00 P.M.	T 82-2002
7:05 P.M.	T 83-2002
7:10 P.M.	T 84-2002
7:15 P.M.	T 85-2002
7:20 P.M.	T 86-2002

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

JUNE 17, 2002

PAGE 20

Utilities Committee to meet Thursday, June 20, 2002 at 7:00 P.M.

ADJOURNMENT:

motion to adjourn by Butkowski
President Gillock: Meeting adjourned.

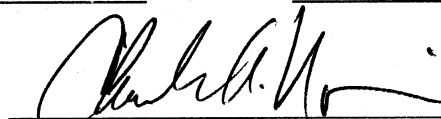
Meeting adjourned at 9:33 P.M.

MOTION Butkowski 2ND Olesen DATE July 1, 2002

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL