

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
MAY 21, 2018**

CALL TO ORDER: 7:30 p.m.

President Corcoran called the Monday, May 21, 2018 Council meeting to order.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Dennis Boose, Bruce Abens, Robert Chapek, Martin DeVries, Michelle Hung, Gregg Westover and President Kevin Corcoran.

Also present was Mayor David Gillock, Law Director Brian Moriarty, Safety-Service Director Jeff Armbruster, Auditor Jeff Wilcheck, City Engineer Daniel Rodriguez and Clerk of Council Nancy Linden.

MINUTES - Corrections (if any) and approval:

President Corcoran asked for any corrections or objections to the May 7, 2018 Council minutes. No corrections or objections were noted. The minutes stand approved.

President Corcoran noted Council received the Civil Service Commission minutes of May 15, 2018, the Employee Safety Committee minutes of May 3, 2018, the Planning Commission minutes of May 8, 2018 and the Streets, Sidewalks and Bridges Committee minutes May 7, 2018.

LOBBY:

Moved by President Corcoran and seconded by Boose to bifurcate the lobby session into two lobby sessions.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

President Corcoran stated the first lobby session is for the items that are on the agenda this evening. He stated if anyone would like to address Council or the Administration on any of those items, please step up to the podium and state your name and address for the record. President Corcoran further stated if anyone had another item they wanted to speak about, they would have the opportunity at the second lobby session toward the end of the meeting.

Bill Renninger, 4974 Somerset Ct.: urged Council to deny the rezone request on Case Road. He noted he moved to the area for the rural feel of Case Road.

Carol Grodi, 4982 Somerset Ct.: stated she felt the rezone request, if granted, would only benefit one family. Ms. Grodi felt the rezone would be spot zoning and would be bad for the City.

Tim Sas, 4932 Case Rd.: stated he is for the rezone and the progress.

Beth Gingery, 5630 Case Rd.: requested Council not approve the rezone as it only benefits one family.

William Wilburn, 5644 Case Rd.: stated he was opposed to the rezoning request which is spot zoning and bad for the City.

Karen Pawlicki, 36390 Chestnut Ridge Rd.: stated as a small business owner herself, she realizes the importance of small business to a City.

Moved by Boose and seconded by Abens to give Ms. Pawlicki up to an additional three minutes of time to speak.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Ms. Pawlicki urged the Council to approve the rezone request.

Mary Nowicki, 38520 Avalon Dr.: cited some crime statistics regarding North Ridgeville and surrounding areas.

Moved by Boose and seconded by Abens to give Ms. Nowicki up to an additional three minutes of time to speak.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Ms. Nowicki asked City Council to deny the rezoning petition on Case Road.

Jason Novicky, 38583 Avalon Dr.: stated he could see a residential area being built rather than a business in regard to the Case Road rezone. He felt the rezone would be spot zoning. He asked Council to vote no on the rezone petition of Case Road.

Botros Shenouta, 38597 Avalon Dr.: stated the barn is in his backyard – less than forty-five feet. He stated there was no advantage for anyone but the owner and the City. He stated a different area would be most suitable and asked the Council to vote the rezone down.

Kelly Smolik, 38610 Avalon Dr.: stated her issue is with spot zoning. She stated that the applicant has continuously changed his intention for the property. Ms. Smolik urged Council to vote down the rezone petition.

Urszula Swirydowiz, 38611 Avalon Dr.: stated rezoning the property would put the residents in jeopardy. She also noted this was spot zoning and asked Council not to adopt the ordinance.

Joe DiBaggio, Kaman & Cusimano, LLC, 50 Public Square, Cleveland, OH: stated he was at the meeting on behalf of the Avalon HOA. Mr. DiBaggio stated the HOA is concerned about the traffic, decreased property values and decreased quality of life due to noise.

Moved by Boose and seconded by Abens to give Mr. DiBaggio up to an additional three minutes of time to speak.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

He noted the intended use as non-conforming with B-1. Mr. DiBaggio urged City Council to reject the proposed rezone legislation.

Blaise Miller, 5305 Case Rd.: stated his issue is the spot zoning in the area. He urged Council to vote the rezone petition down.

Karen Toich, 36765 Chestnut Ridge Rd.: stated she is a victim of spot zoning on Chestnut Ridge where a hospital was once supposed to go. She urged Council to vote the rezone petition down.

Joe Lucas, 5011 Case Rd.: began to rebuttal to the residents comments. He stated it is spot zoning and he did request a bed and breakfast. He noted traffic is a problem in Avalon already.

Moved by Boose and seconded by Hung to give Mr. Lucas up to an additional three minutes of time to speak.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Mr. Lucas stated there is no assembly hall and that was not what he applied for. He stated he has been honest and up front since day one.

Krzysztof Swrydowcz, 38611 Avalon Dr.: stated there was drinking at Mr. Lucas' property last week with the Planning Commissioner and there were open bottles.

President Corcoran moved on to the Administrator's reports.

ADMINISTRATORS REPORTS:

A. Mayor: Mayor Gillock stated under first readings, T 65-2018, is an ordinance authorizing the Mayor to purchase galaxy water meters and appurtenances from Badger Meter not to exceed \$125,000. He suggested that Council adopt the ordinance with the emergency clause to get additional water meters.

Mayor Gillock stated the Service Department, depending on weather this week, will be paving the top coat on the southern halves of Cornell, Wallace and Olive. As they continue to move through the list of twelve residential streets to be paved this year. Information can be found on the City's website at www.nridgeville.org.

Mayor Gillock stated the Lorain County Solid Waste Management District Collection Center has new hours for dropping off household hazardous waste, e-scrap, recyclables, fluorescent lamps and ballasts, scrap tires, and papers to be shredded. The new hours of operation are Mondays 12:00 p.m. to 4:00 p.m., Wednesdays 12:00 p.m. to 6:00 p.m. and Saturdays 9:00 a.m. to 3:00 p.m. The Collection Center is located at 540 South Abbe Road in Elyria. This service is free to Lorain County residents with a valid I.D.

Mayor Gillock extended an invitation to join him for his monthly coffee and conversation Wednesday, May 23 from 8:00 a.m. to 9:00 a.m. in Council Chambers.

City Hall offices will be closed on Monday, May 28 in observance of Memorial Day. The Lions Club and VFW will be sponsoring a parade and ceremony that day. The parade will depart from the Senior Center at 9:45 a.m. and travel down Bainbridge Road into the Ranger Stadium. There will be a ceremony immediately following the parade at the stadium.

B. Safety-Service Director: Safety-Service Director Armbruster stated the poles are in and the traffic devices will be moved from Avalon to North Barton. He noted that two more devices will be purchased for \$6,050.00. There will be a total of four devices.

C. Engineer: Engineer Rodriguez stated bids have been received and opened for the Water Tower Rehabilitation Project. The City received nine bids and the apparent low bidder was FEDEWA, Inc. out of Hastings, Michigan.

The City's contractor has completed necessary storm sewer work associated with SR 83 Sidewalk Project and also has most of the sidewalk base prepared. Engineering expects the sidewalk to be poured this week, weather permitting.

Engineer Rodriguez stated for the US 20/Center Ridge Road Widening - storm sewer installation continues along the south side of US-20 (Center Ridge Rd.) from Lear Nagle Rd. to the west towards Pitts Blvd. Crews will continue grading the south side of US 20 from Jaycox Rd. to the east. There may be temporary interruptions to residential and commercial drives throughout the week. East and west bound lanes will be maintained at the current ten foot widths. The center turn lane will remain.

Engineer Rodriguez stated pavement work requires closing Ranger Way between North Ridgeville High School and Center Ridge Road from June 8th for thirty days. The detour uses Bainbridge west to Root Road and Bainbridge east to Chestnut Ridge Rd. Signs will be in place to alert motorists of the upcoming work zone and road closure. All work is contingent upon the weather.

Full Depth Concrete Repairs - The City's contractor has north lane repairs complete on Highland Drive. Those should be out of cure this week. Once those repairs are opened the City's contractor will begin tear out on the south lane. Please bear with the contractor and the City as the repairs are being made. There will be delays getting in and out of the street, especially on concrete pour days. Once all repairs are done the contractor will move over to Denise Drive and begin repairs. The contractor will notify all residents on the street prior to beginning repairs. Residents will also be notified directly if work is occurring around their driveway apron.

D. Auditor: Auditor Wilcheck stated T 61-2018 is amending of appropriations. The April Financial report will be mailed out next week. Appropriation meetings are tentatively scheduled for November 5-7, 2018 during the day.

E. Other Reports: President Corcoran noted that Council received the April 2018 Fire Department report, the April 2018 Mayor's Court report, the April 2018 Support Car report and the April 2018 Water Distribution report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Linden:

STREETS, SIDEWALKS AND BRIDGES COMMITTEE REPORT dated May 7, 2018 which recommends City Council adopt T 45-2018 as submitted.

Moved by Boose and seconded by DeVries to approve the Streets, Sidewalks and Bridges Committee report of May 7, 2018.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Clerk of Council Linden:

Liquor Permit Request

A request from the Ohio Division of Liquor Control for a new permit request for Game Day Tavern, LLC, 39140 Center Ridge Road.

Moved by Boose and seconded by DeVries to not request a hearing so that this permit can be sent to the state for final disposition by June 1, 2018.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Clerk of Council Linden:

Planning Commission action(s) taken at the May 8, 2018 meeting:

APPLICANT: Robert Yost, Mill Ridge Subdivision, LLC, 38642 Center Ridge Road

OWNER: Mill Ridge Subdivision, LLC, 38642 Center Ridge Road

LOCATION: Stoney Ridge Road in an R-1 District

REQUEST: Final plat approval for Mill Ridge Subdivision, Phase 2; Parcel No. 07-00-031-000-176

PC ACTION: **Approved by a vote of 5-0.**

Moved by Hung and seconded by Boose to accept the Planning Commission action.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

RECESS:

Moved by Boose and seconded by DeVries to dispense with the recess.

President Corcoran asked for any comments or questions. No discussion was offered.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Linden:

T 61-2018 AN ORDINANCE AMENDING ORDINANCE NUMBER 5497-2017 OF THE CITY OF NORTH RIDGEVILLE, OHIO PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 61-2018.

Councilman Boose asked the Auditor if there was urgency in passing the legislation with the emergency clause.

Auditor Wilcheck stated yes as there is a purchase agreement tied to the supplemental appropriations.

Mayor Gillock stated he would like T 61 to pass so the City has the money in hand to move forward with the next Ordinance.

President Corcoran stated the purchase of the property is for the installation of a retention basin

for the storm sewer management project.

Mayor Gillock stated the City has been working on some of the project for storm sewer for some time. The City is looking to build about ten acres of retention in that area to assist the Pitts/Gina area. The City has received a grant that will go towards the total cost.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Moved by Boose and seconded by DeVries to adopt T 61.

Moved by Boose and seconded by DeVries to add the emergency clause to T 61-2018 to meet the timing deadlines.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7

No – 0

President Corcoran asked the Clerk to call the roll vote on the adoption with the emergency.

Clerk of Council Linden stated the motion carried and becomes **Ordinance number 5547-2018.**

Yes – 7

No – 0

Clerk of Council Linden:

T 62-2018 AN ORDINANCE AMENDING ORDINANCE NO. 2725-93 AND
SUBSEQUENT AMENDMENTS THERETO IN ORDER TO ESTABLISH
COMPENSATION AND BENEFITS AFFORDED TO DEPARTMENT HEADS
AND CERTAIN DISCRETIONARY EMPLOYEES.
(Introduced by Mayor Gillock)

President Corcoran referred T 62-2018 to the Finance Committee.

Clerk of Council Linden:

T 63-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL
ESTATE SALES AGREEMENT WITH MODERN POURED WALLS, INC. IN
THE AMOUNT OF \$749,500.00.
(Introduced by Mayor Gillock)

Mayor Gillock stated there is still paperwork that needs done on this project so it does not need adopted this evening.

Clerk of Council Linden:

T 64-2018 A RESOLUTION OF SUPPORT FOR THE OHIO PUBLIC WORKS
COMMISSION PRIORITIES.
(Introduced by Mayor Gillock)

Mayor Gillock stated the City usually does a \$700,000 project. This year the City will work on

the Mills Creek bridge. He noted he would like to do full depth concrete sidewalk repair. The City would put in \$350,000 and receive a grant for \$400,000. The City would finance \$450,000 payable over twenty years. This would allow work on Gatestone Circle, Main Ave., Rockpoint Circle, Pleasant and Opal Street.

Councilman Boose asked when the application needed to be in.

Engineer Rodriguez stated the first Friday in September.

Clerk of Council Linden:

T 65-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE GALAXY WATER METERS AND APPURTENANCES FROM BADGER METER, INC., NOT TO EXCEED \$125,000.00.
(Introduced by Mayor Gillock)

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 65-2018.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by DeVries to adopt T 65.

Moved by Boose and seconded by DeVries to add the emergency clause to T 65-2018 due to timing issues in acquiring the additional water meters.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

President Corcoran asked the Clerk to call the roll vote on the adoption with the emergency.

Clerk of Council Linden stated the motion carried and becomes **Ordinance number 5548-2018.**

Yes – 7 No – 0

SECOND READINGS: None.

THIRD READINGS:

Clerk of Council Linden:

T 29-2018 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN AS THE ZONING CODE ORDINANCE, TO REZONE THE FOLLOWING LAND: LOCATED AT 5011 CASE ROAD; PARCEL NUMBER 07-00-043-103-099 AND OWNED BY JK LUCAS, LLC FROM R-1 RESIDENCE DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT.

(Introduced by Petition of John Lucas; First reading 03/05/2018; Referred to Planning Commission and Building and Lands on 03/05/2018; Building and Lands on 03/19/2018; Building and Lands report accepted on 04/02/2018; Planning Commission on 03/26/2018 & 04/10/2018; Planning Commission report accepted on 04/16/2018; Public hearing 04/16/2018; Second reading 05/07/2018)

Moved by Hung to adopt T 29-2018.

President Corcoran opened the floor up for discussion.

Councilwoman Hung stated the rezone was about the land use, not about a party center or a bed and breakfast. She noted that a bed and breakfast is a permitted use in a B-1. She also noted it is permitted in an R-1. Councilwoman Hung stated she promotes small business in North Ridgeville.

Councilman Chapek stated over sixty-five percent of the people in Ward 4 are in favor of the project. He is in favor of the rezone.

Councilman DeVries stated he thought it was a great idea but he thinks about what it brings to an R-1 area. He felt it was his job to be a voice of the people and for that reason he will be voting it down.

Councilman Abens stated in an R-1 a bed and breakfast is permitted but with restriction. He stated his issue is with rezoning to B-1. He noted that he didn't think it was fair to rezone to B-1 when everything around them is R-1.

Councilman Boose thanked all the residents for coming to the meetings and speaking their minds. He stated he was disheartened by some of things he heard people saying about the character of Mr. Lucas and his family. Councilman Boose thanked Mr. Lucas for being a good neighbor and business man. He thought a balance between residential and business needed to be kept. The vote before Council is to rezone from R-1 to B-1. There are twenty-one permitted business uses and eight conditional uses. Councilman Boose stated his quandary is if the business should be in the middle of an R-1. There are no guarantees the business will be long term.

President Corcoran thanked everyone for coming and appreciated everyone's feedback. He thanked everyone for keeping the focus on the rezoning this evening. President Corcoran stated he was a proponent for bringing business to the City. Most of the tax dollars from residential growth go to the City. Business brings in those additional dollars needed. President Corcoran stated Council is currently being asked to vote no when it comes to bringing in business.

A roll call vote was taken and the motion failed.

Yes – 2

No – 5 (Boose, Abens, Westover, DeVries, Corcoran)

Clerk of Council Linden:

T 46-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH THE LOWEST AND BEST BIDDER FOR THE REPAIR OF VARIOUS SECTIONS OF THE INTERCEPTOR PIPE SYSTEM SERVICING THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$450,000.00.
(Introduced by Mayor Gillock; First reading 04/16/2018; Second reading 05/07/2018)

Moved by Boose and seconded by DeVries to adopt T 46-2018.

President Corcoran asked the Clerk to call the roll vote on the adoption.

Clerk of Council Linden stated the motion carried and becomes **Ordinance number 5549-2018**.
Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Corcoran stated the next regular Council meeting will be on Monday, June 4, 2018 at 7:30 p.m. in Council Chambers. There will be a public hearing regarding T 45-2018 (Shady Drive name change) on Monday, June 4, 2018 at 7:00 p.m. in Council Chambers.

2nd LOBBY (Non-agenda items)

Karen Toich, 36765 Chestnut Ridge Rd.: stated she brought up TIF's before and was not happy with the response given. She quoted Ohio Revised Code and stated it requires a TIF in a residential area only for blighted areas. She requested the TIF legislation.

President Corcoran stated she should contact the Clerk's office.

Ms. Toich stated TIF's take away money from the schools and then the residents are asked to pay more in levies.

President Corcoran stated there are several TIF's and the new TIF areas established do not take money away from the schools.

Mayor Gillock stated there are different kinds of TIF's. The Ordinances are in anticipation of commercial development. It does not apply if there isn't a business in place. They are all non-school TIF's. These are just in the event of commercial development. The City captures the counties portion of tax dollars for improvements in that area.

ADJOURNMENT:

President Corcoran adjourned the meeting at 8:56 p.m.

NORTH RIDGEVILLE CITY COUNCIL
REGULAR MEETING MAY 21, 2018

11

Approval of minutes on June 4, 2018:

A stylized, handwritten signature in black ink, consisting of a large, looped initial 'P' followed by a horizontal line.

PRESIDENT OF COUNCIL

A handwritten signature in black ink that reads 'Nancy L. Hansen' in a cursive script.

CLERK OF COUNCIL