

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MAY 16, 2005**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, our North Ridgeville Municipal City Council regular meeting dated Monday, May 16, 2005.

INVOCATION: lead by President Ronald Arndt

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

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

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Charles Norris.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Council has before it this evening:

Public Hearing Minutes of May 2, 2005 re: T 26-2005

 moved by Butkowski, seconded by Jaenke to approve the public hearing minutes of May 2, 2005

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved. Council also has before it;

Council Minutes of the regular meeting held May 2, 2005

 moved by Buescher, seconded by Butkowski to approve the Council minutes of our regular meeting held May 2, 2005

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

 Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved as presented.

Clerk of Council Norris: Council will also please note:

Board of Zoning and Building Appeals Minutes of regular meeting April 28, 2005

Civil Service Commission Minutes of regular meeting May 3, 2005

Planning Commission Minutes of regular meeting May 12, 2005

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's reports and the Chair invites the Mayor and our Directors the opportunity to provide Council with an oral report. Tonight, we

would like to begin with our Mayor, Mr. Gillock.

- **Mayor**

Mayor Gillock: Thank you, Mr. President and Council Members. Good evening. We had 99 kids register for the fishing derby last Saturday. It was a great success again, with a lot of fish being caught and the kids had a lot of fun. I would like to publicly thank the Fire Department and the Senior Fishing Club for their sponsorship and help in putting this on.

And don't forget that this coming Saturday is Pride Day. Home Depot will be out at Shady Drive this year, helping to paint our maintenance garage and building sand boxes beginning at 9:00 A.M. Anyone wishing to help is certainly welcome. And you will see many other volunteers all over the City planting flowers, painting, and otherwise instilling pride in our City. And don't forget Shred-it Mobile Shredding and Recycling company will have a truck and shredder here at City Hall and will shred up to two bankers' boxes of papers for residents for free. Shredding personal paperwork is the key to protecting against identity theft; one of the fastest growing crimes in the country. You don't have to remove staples, paper clips, etc.; but you should take paperwork out of binders and notebooks.

The signage at the Post Office has been changed as we indicated earlier this year, and it now says North Ridgeville. The post office also indicated that hopefully, beginning in June, they will finally be able to switch all residents of the City to the 44039 zip code.

Lastly, in response to a letter I wrote to the Turnpike Commission regarding the noise from the rumble strips at the turnpike gate, we have been informed that the interchange is scheduled to undergo a complete reconstruction beginning in June. The reconstruction will slightly alter the configuration of the tollbooths. As part of this project, the location and dimensions of the rumble strips will be reviewed in an attempt to either reduce the number of strips or their depth.

Thank you and that concludes my report.

President Arndt: Thank you, Mr. Mayor. We now have the opportunity tonight to hear from our Safety Service Director, Mr. Denny Johnson.

- **Safety-Service Director**

Safety-Service Director Johnson: Thank you, Mr. President. I would like to add that the Senior Center will have a pancake breakfast, also on Pride Day, to start the day off. Be sure not to miss that one. Bender Road is now fully opened to traffic. The new pavement and substantial subsurface work was done through our partnership between the City and Forest City Incorporated. Forest City provided funds for all the materials and the City provided the labor. The agreement has given us a smooth roadway with a base that is expected to last several decades. It has been one of the worst streets that we have had with a bad road base. We kept putting patch in there and it just kept disappearing. Thankfully, that is fixed now.

We will be starting work soon on another partnership with Bob Schmitt Homes to repave Bagley Road. These arrangements are a big help for the City. We are looking at other arrangements to help put our paving dollars to the best use possible.

I would like to repeat some of the smoke testing information I spoke of at the last Council meeting. The testing will begin on our sanitary sewer system approximately June 1 of this year. Before we begin testing in a neighborhood, we will deliver information and instructions designed to make the test as trouble free as possible for our residents. The work will begin in the Main, Broad and Pleasant area where infiltration is pronounced and threatening to flood area homes with sewage. If any residents suspect problems with the sanitary system in your home, please bring it to our attention before the test. A simple dye test can help detect improper or faulty connections. We hope to save substantial tax payer funds by reducing the expensive treatment costs for the rain and ground water that is currently entering our sanitary sewer system. If any resident should have questions concerning this testing, please call my office at 353-0812.

That concludes my report.

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

• **Engineer**

Engineer Griffith: Thank you, Mr. President. With all the septic tanks and other ground water contamination sources, tonight, I would like to ask the question, is your well water safe? To our knowledge, there are approximately 100 households that use well water as their primary source of water. There are many others that have City water, but have chosen to install back flow devices and continue to use their well as an auxiliary water source.

There are several options available for testing well water. A certified lab can provide a detailed analysis of your water. Lab services are generally available by mailing in a sample that you can take or lab employees can come out to your home. Check your local yellow pages for drinking water certified labs. Such tests range in price from about 50 dollars to 150 dollars for a more comprehensive test. The Lorain County Health Department can test your drinking water supply for a twenty-dollar fee. You can call Mark Smith at the Lorain County Health Department at 567-4109 for more information. Several do-it-yourself kits are available. You should make sure that the test you buy is simple to use, provides results at home and is laboratory certified for accuracy with reliable results. You can usually get results within 48 hours. You can also make sure that the products offer a toll-free number in case you have questions. Kits are priced from about 10 dollars for individual tests to thirty dollars for a more comprehensive test. The home test kits can test for bacteria, nitrate, nitrite, lead and iron hardness. A comprehensive kit will also allow you to check for chlorine, copper, PH, total alkalinity and hydrogen sulfite. If you detect problems in your water supply, contact the Lorain County Health Department for a list of qualified water well contractors. Most well quality problems can be solved.

Thank you, Mr. President. That concludes my report.

President Arndt: Thank you, Mr. Griffith. Finally, we have the opportunity to hear from our City Auditor, Mr. Costin.

• **Auditor**

Auditor Costin: Yes. Mr. Chairman, all I have is an April Financial Report that you should have all received.

Auditor's Written Financial Report for April 2005

moved by Swindig, seconded by Butkowski to approve the Auditor's written financial report for April 2005

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

Yes, 7 No, 0

Auditor Costin: There are a few pieces of legislation tonight that deal with finances and perhaps the best thing to do is to defer until they come up to see if any questions arise. Otherwise, that completes my report and comments.

President Arndt: Thank you, Mr. Costin. Dr. Norris, if you will move onto our other reports.

• **Other Reports**

Clerk of Council Norris: Other reports before Council this evening include:

Fire Department Report for March and April 2005

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for April 2005

Planning Commission Report of regular meeting May 10, 2005

APPLICANT: Clark & Post Architects, Inc., 6125 South Broadway, Lorain, Ohio 44053

OWNER: Lake Ridge Academy, 37501 Center Ridge Road

REQUEST: Relocation of an existing modular instructional unit

LOCATION: 37501 Center Ridge Road in an R-1 and B-5 District

Permanent Parcel No. 07-00-034-000-109

PC ACTION: Approved by a vote of five to zero

moved by Buescher, seconded by Jaenke to approve the Planning Commission action

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

Yes, 7 No, 0

APPLICANT: MatchPoint Limited, Richard Hughes, 5475 Mills Creek Lane

OWNER: Same

REQUEST: Construction of a recreational building to be located behind the existing tennis club to house golf simulators for recreational use along with

.installing additional parking

LOCATION: 5475 Mills Creek Lane in a B-3 District
Permanent Parcel No. 07-00-006-101-098

PC ACTION: Approved by a vote of five to zero

moved by Jaenke, seconded by Olesen to approve the Planning Commission action

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

Yes, 7 No, 0

APPLICANT: Pulte Homes of Ohio, 30575 Bainbridge Road, #200, Solon, Ohio 44139
OWNER: James P. Martynowski, Sugar Chestnut, LLC, Forest City Land Group,
Sole Member, 1050 Terminal Tower, 50 Public Square, Cleveland, OH
44113

REQUEST: Final Approval of Pioneer Ridge, Subdivision 5 in Waterbury PCD
LOCATION: Frontage along Bender Road and Adjacent to Phase 1 of Pioneer Ridge by
Del-Webb in Waterbury PCD
Permanent Parcel No. 07-00-037-000-021, 07-00-037-000-012 and 07-00-
037-000-013

PC ACTION: Approved by a vote of five to zero

moved by Butkowski, seconded by Jaenke to approve the Planning Commission action

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

Yes, 7 No, 0

APPLICANT: Robert P. Ellis, Jr. Trustee, c/o Marsha L. Collett, Esq., 35765 Chester
Road, Avon, OH 44011

OWNER: Same

REQUEST: Change of Zoning Classification from R-1 Rural Residential District to B-
3 Highway Commercial District to construct a medical office facility

LOCATION: 36721 Chestnut Ridge Road and to also include vacant property on
Chestnut Ridge Road in an R-1 District
Permanent Parcel Nos. 07-00-036-000-050, 07-00-036-000-061, 07-00-
025-106-007

PC ACTION: Approval failed by a vote of two to three

moved by Arndt, seconded by Jaenke to disapprove the Planning Commission action to
change the zoning classification from R-1 to B-3 Highway Commercial District to
construct a medical office facility

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, I would like to thank the Planning Commission for
turning down this rezoning project because of a lack of information that was presented at the
meeting. Since then, I have talked and received additional information that makes this project
good for the City. I did receive a lot of different information on it and it seems like it's going to
be good for the City. In addition, I would like to recommend to Council that this property be

rezoned for a medical facility only. I have talked with Mr. Crites and he has indicated that this is all right to do and it should be conditional-use zoning. This will have to be discussed at the Building & Lands Committee and brought back to Council. I hope that the other Council people will consider this and discuss it. This would make it more comfortable for the people living there, if it was a conditional use and if it wasn't used for a medical facility, it would revert back to residential. This will all have to be discussed at the Building & Lands Committee meeting that is coming up this week.

President Arndt: Thank you. Any other comments? Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

NEW BUSINESS:

Clerk of Council Norris: New Business before Council this evening:

Parks & Recreation Commission request for Council approval of the following expenditures to be paid from the Park and Recreation Improvement Fund:

- 1) \$30,000 for the purchase of 67 acres of land
moved by Olesen, seconded by Swindig to approve thirty thousand dollars for the purchase of 67 acres of land

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

- 2) \$8,000 for various improvement and repairs at South Central Park
moved by Buescher, seconded by Butkowski to approve the expenditure of eight thousand dollars for various improvements and repairs at South Central Park

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

- 3) \$1,092.60 for the purchase of a freezer for the Shady Drive Concession Stand
moved by Buescher, seconded by Swindig to approve the expenditure of a thousand, ninety-two dollars and sixty cents for the purchase of a freezer for the Shady Drive Concession Stand

President Arndt: Is there any discussion?

Council Member Olesen: Mr. President, I think it should be pointed out that all of the above are coming from the Park Recreation Fund. This is not from the General Fund.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

Petition by Brian Wilson to vacate a portion of Roosevelt Avenue
President Arndt: THE CHAIR REFERS THIS TO BUILDINGS & LANDS AND THE
PLANNING COMMISSION

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We have now reached the audience participation section of our meeting tonight. Any members of our audience are invited to address your City Council. We do request, however, that you fill out the lobby form that you can find at the back because it enables us to contact you personally should there be a need for us to follow-up. You are now invited and welcome to approach the podium, at this time, immediately to the right of Mrs. Buescher. However, please clearly state your name and your address. We need you to limit your comments to three minutes. The lobby is now open.

1) Jonathon Tipple of 36655 Chestnut Ridge Road expressed his concerns of rezoning without reviewing plan details. He asked if local doctors were asked for their input and asked how the sanitary sewers will be financed.

Mayor Gillock: There is nothing written in concrete at this point.

Council Member Buescher: Mr. President, I think it is important for the people that are sitting here to realize that we didn't overturn and vote in favor of the rezoning tonight. What we are doing is we are going to hold a Buildings & Lands Committee meeting, which you will have the opportunity to ask these questions and will have some questions answered. Hopefully, the representatives from Community Health Partners will be there that evening, which will be Thursday at 7:00 P.M. That will be a good chance for you to get some questions answered.

Mayor Gillock: Mr. President, Mr. Jeff Bushong, a representative from the Hospital, has agreed to be in attendance at that meeting Thursday, where we will have a few more answers that you are looking for. We think that we may have found a way to rezone it, where it would only be for this use. We are also talking to them about the entrances and exits. Maybe, we will get more questions answered on Thursday. We will still have a Public Hearing and three more readings on this before we ever vote for the actual rezoning.

Council Member Olesen: Mr. President, before we lose these folks, let's remind them that this meeting is Thursday at 7:00 P.M. right here. So, if you would like to come to that, please do.

President Arndt: Again, this is a reminder that this is not a vote on an ordinance to rezone. It was simply approval or disapproval of the Planning Commission recommendations. The rezoning ordinance will, indeed, come out of Buildings & Lands. There is a lot of opportunity for people to comment either for or against this particular issue. Before anybody leaves here with a great deal of upset that they have no input, please be clear, that is our position, that is our laws and that is exactly how your Council and your Administration choose to approach this.

2) Cheryl Sotherland of 36815 Chestnut Ridge Road expressed her concerns that neighbors didn't want their homes to be in the middle of a commercial district with no uniformity.

3) Boyd Lewis of 36695 Chestnut Ridge stated that his concern involved the exit ramp the hospital would be using.

President Arndt: Hopefully, you will bring that issue to the Buildings and Lands Committee so that they are clearly aware of that. Mr. Jaenke is the gentleman who will be overseeing that committee. Your point has been made and we encourage you to be there to bring that issue up again. Anyone else in the lobby that would like to address your Council? The Chair would entertain a motion to suspend our By-Laws to dispense with our recess tonight.

moved by Young, seconded by Jaenke to suspend our By-Laws to dispense with our recess

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

Yes, 7 No, 0

President Arndt: Dr. Norris, will you walk us through our Ordinances and Resolutions please.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolution Submittals**

T 69-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A NEW MINI-TRACK EXCAVATOR FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE AMOUNT OF \$45,000.00.

moved by Young, seconded by Olesen to suspend By-Laws tonight to give T 69 its' first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would just like to point out that the funds for this mini excavator will be paid from the Surface Drainage Fund, should it be approved. This will not come from the General Fund.

President Arndt: Thank you, Mr. Mayor.

President Arndt: We have a motion on the floor. Is there any further discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 70-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A NEW SEWER CAMERA SYSTEM AND DIGITAL RECORDER FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE AMOUNT OF \$65,000.00.

moved by Olesen, seconded by Butkowski to suspend By-Laws tonight to give T 70 its'

first reading tonight

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, this amount of sixty five-thousand dollars is coming from Sanitary Sewer Improvement Fund.

President Arndt: Thank you. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 71-2005 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 THE REPLACEMENT OF SAND AND OTHER COMPONENTS FOR THE SLUDGE DRYING BEDS AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$60,000.00.

moved by Swindig, seconded by Jaenke to suspend By-Laws tonight to give T 71 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the funds for this is coming from the French Creek Replacement Improvement Fund.

President Arndt: Thank you for this clarity, I really appreciate that. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved

T 72-2005 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 THE PURCHASE OF A GRIT REMOVAL SYSTEM TANK AND ALL ASSOCIATED WORK FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$100,000.00.

moved by Olesen, seconded by Jaenke to suspend By-Laws tonight to give T 72 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the funds for this equipment is coming from the French Creek Replacement and Improvement Fund.

President Arndt: Thank you. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion carries.

T 73-2005 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 THE REPLACEMENT OF A 42-INCH AIR LINE AND ALL ASSOCIATED WORK FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$130,000.00.

moved by Olesen, seconded by Jaenke to suspend By-Laws tonight to give T 73 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the funds for this equipment is coming from the French Creek Replacement and Improvement Fund.

Mayor Gillock: Mr. President, this particular ordinance is for a replacement of a 42 inch air line that is in really bad shape and is deteriorating including the road above it. We would like to have it passed with the emergency, if we could.

President Arndt: Thank you, Mr. Mayor. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 74-2005 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 THE PURCHASE OF A SCREENINGS WASHER/PRESS FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$40,000.00.

moved by Olesen, seconded by Jaenke to suspend By-Laws tonight to give T 74 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the funds for this equipment also comes from the French Creek Replacement and Improvement Fund.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 75-2005 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 THE RETROFITTING OF THE COMPLETE MIX TANK NO. 1 FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, WHICH WILL CONSIST OF BRIDGE, SUPERSTRUCTURE, ELECTRICAL, CONCRETE AND ALL ASSOCIATED WORK, NOT TO EXCEED \$200,000.00.

moved by Swindig, seconded by Jaenke to suspend By-Laws tonight to give T 75 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: The funds for this work also comes from the French Creek Replacement and Improvement Fund and the funds must be getting pretty low by this time, but we will have enough to do this.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 76-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT FOR THE PURCHASE OF .197 ACRES OF REAL ESTATE FROM FIRST ENERGY FOR THE LEAR ROAD EXTENSION PROJECT IN THE AMOUNT OF APPROXIMATELY \$15,000.00.

moved by Mayor Gillock, seconded by Buescher to suspend By-Laws tonight to give T 76 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the money for the purchase of this property comes from the Lear Nagle Realignment Fund.

President Arndt: Thank you.

Mayor Gillock: Mr. President, we need this piece of property to complete the construction of the road on Lear Nagle straightening project and as Mrs. Butkowski pointed out, it does come from a specific fund that is funded by two grants and the TIFF project that we entered into with Walgreens. Ultimately, this will be at no cost to the City.

President Arndt: Thank you. Mr. Mayor, is there any need for emergency on this one?

Mayor Gillock: Yes, please.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 77-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR IMPROVEMENTS TO THE SENIOR CENTER KITCHEN, NOT TO EXCEED \$73,300.00.

moved by Swindig, seconded by Olesen to suspend By-Laws tonight to give T 77 its' first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, the funding for this will come from sixty three-thousand dollars of the Community Development Block Grant and ten thousand three hundred dollars will come from the General Fund.

President Arndt: Thank you. Is there any other discussion? There being none, all those in favor

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 78-2005 AN ORDINANCE AMENDING SECTION 248.01 COMPOSITION OF (FIRE)
DEPARTMENT

moved by Swindig, seconded by Buescher to suspend By-Laws tonight to give T 78 its'
first reading

President Arndt: Is there any discussion? In speaking with the Fire Chief, who is watching right now, he has reminded me that this is funded through the Paramedic Levy. It gives us a better training department. It is one of these train the trainer type programs that saves the City costs so that we, indeed, have somebody on board who now can come back and train our Fire Fighters; all 32 of them. So, it really is a savings to our General Fund. I wanted to make certain that I pass that on, on behalf of the Chief. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

President Arndt: Dr. Norris, will you read our first readings tonight.

• **First Readings**

Clerk of Council Norris: First readings before Council this evening include:

T 68-2005 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 38891 CENTER RIDGE ROAD,
PERMANENT PARCEL NUMBERS 07-00-046-108-017, 07-00-046-108-018,
07-00-046-108-030, 07-00-046-108-034, 07-00-046-108-043, 07-00-046-108-
044, 07-00-046-108-046 AND 07-00-046-108-047 (AS SHOWN BY LEGAL
DESCRIPTION BELOW); FROM B-2 CENTRAL BUSINESS DISTRICT AND
I-2 LIGHT INDUSTRIAL DISTRICT TO B-3 HIGHWAY COMMERCIAL
DISTRICT AND OWNED BY SPARKY DEVELOPMENT, LTD.
First Reading

T 69-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4144-2005 RIDGEVILLE, OHIO, TO PURCHASE A NEW MINI-TRACK EXCAVATOR
FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER
INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW
AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE
AMOUNT OF \$45,000.00.

First Reading

moved by Olesen, seconded by Young to dispense with the second and third

readings tonight for T 69

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

Yes, 7 No, 0

moved by Olesen, seconded by Young to adopt T 69

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

Yes, 7 No, 0

Council Member Young: Mr. President, I had a resident on Mark Court who was asking about doing something with the maintenance on various drainage systems in the backyards of those on Mark Court. He mentioned this to me in the Barber Shop on Wednesday. Now, you have an excavator and hopefully our Service Department can work on looking into the Mark Court as one of the top priorities once this excavator gets purchased.

President Arndt: Maybe we can check with Mr. Rangus or the Safety-Service Director on that. Thank you.

Council Clerk Norris: T 69 is adopted and becomes permanent ordinance 4144-2005.

Permanent Ordinance No. 4144-2005

T 70-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4145-2005 RIDGEVILLE, OHIO, TO PURCHASE A NEW SEWER CAMERA SYSTEM
AND DIGITAL RECORDER FROM THE STATE CO-OP, OR TO
ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN
OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER
PRESCRIBED BY LAW, IN THE APPROXIMATE AMOUNT OF \$65,000.00.

First Reading

moved by Olesen, seconded by Young to dispense with the second and third
readings tonight on T 70

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

Yes, 7 No, 0

moved by Olesen, seconded by Butkowski to adopt T 70

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would just like to point out that this is a replacement of the older unit that is very worn out and very costly to repair. It is primarily used to search for blockages and for infiltration, which we know we have a problem with in the City that is costing us a lot of money. Hopefully, in the long run, this thing will pay for itself.

President Arndt: Thank you, Mr. Mayor. Is there any other comment? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Permanent Ordinance number is 4145-2005

Permanent Ordinance No. 4145-2005

T 71-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS

4146-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE REPLACEMENT OF SAND AND OTHER
COMPONENTS FOR THE SLUDGE DRYING BEDS AT THE FRENCH
CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED
\$60,000.00.

First Reading

moved by Butkowski, seconded by Olesen to dispense tonight with the second
and third readings on T 71

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

Yes, 7 No, 0

moved by Butkowski, seconded by Olesen to adopt T 71

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

Yes, 7 No, 0

Clerk of Council Norris: T 71 is adopted and becomes permanent ordinance 4146-2005.

Permanent Ordinance No. 4146-2005

T 72-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4147-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE PURCHASE OF A GRIT REMOVAL SYSTEM TANK
AND ALL ASSOCIATED WORK FOR THE FRENCH CREEK
WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$100,000.00.

First Reading

moved by Young, seconded by Butkowski to dispense with the second and third
readings tonight on T 72

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

Yes, 7 No, 0

moved by Swindig, seconded by Jaenke to adopt T 72

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

Yes, 7 No, 0

Clerk of Council Norris: T 72 is adopted and becomes permanent ordinance 4147-2005.

Permanent Ordinance No. 4147-2005

T 73-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4148-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE REPLACEMENT OF A 42-INCH AIR LINE AND ALL
ASSOCIATED WORK FOR THE FRENCH CREEK WASTEWATER

TREATMENT PLANT, NOT TO EXCEED \$130,000.00

First Reading

moved by Swindig, seconded by Young to dispense with the second and third readings tonight on T 73

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

Yes, 7 No, 0

moved by Young, seconded by Swindig to adopt T 73

moved by Young, seconded by Swindig to add the emergency for health, safety and welfare of our citizens

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor to adopt by Mr. Young and seconded by Mr. Swindig; that is to adopt with the emergency for the reasons stated by Mr. Young. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 73 is adopted with the emergency and becomes permanent ordinance 4148-2005.

Permanent Ordinance No. 4148-2005

T 74-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4149-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE PURCHASE OF A SCREENINGS WASHER/PRESS FOR
THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO
EXCEED \$40,000.00.

First Reading

moved by Young, seconded by Butkowski to dispense with the second and third readings tonight on T 74

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

Yes, 7 No, 0

moved by Young, seconded by Swindig to adopt T 74

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

Yes, 7 No, 0

Clerk of Council Norris: T 74 is adopted and becomes permanent ordinance 4149-2005.

Permanent Ordinance No. 4149-2005

T 75-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4150-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A

MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE RETROFITTING OF THE COMPLETE MIX TANK NO. 1
FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, WHICH
WILL CONSIST OF BRIDGE, SUPERSTRUCTURE, ELECTRICAL,
CONCRETE AND ALL ASSOCIATED WORK, NOT TO EXCEED
\$200,000.00.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third
readings tonight on T 75

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

Yes, 7 No, 0

moved by Olesen, seconded by Jaenke to adopt T 75

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

Yes, 7 No, 0

Clerk of Council Norris: T 75 is adopted and becomes permanent ordinance 4150-2005.

Permanent Ordinance No. 4150-2005

T 76-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND
4151-2005 ENTER INTO A CONTRACT FOR THE PURCHASE OF .197 ACRES OF
REAL ESTATE FROM FIRST ENERGY FOR THE LEAR ROAD
EXTENSION PROJECT IN THE AMOUNT OF APPROXIMATELY
\$15,000.00.

First Reading

moved by Swindig, seconded by Young to dispense with the second and third
readings tonight on T 76

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

Yes, 7 No, 0

moved by Swindig, seconded by Young to adopt T 76

moved by Swindig, seconded by Young to add the emergency for the TIFF grant
and the opening of Walgreens

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Swindig and a second by Mr.
Young; to adopt tonight T 76 with the emergency for the reasons stated. Is there any discussion?
All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 76 is adopted with the emergency and becomes permanent ordinance
4151-2005.

Permanent Ordinance No. 4151-2005

T 77-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
4152-2005 CONTRACTS ACCORDING TO LAW AND IN A MANNER PRESCRIBED
 BY LAW FOR IMPROVEMENTS TO THE SENIOR CENTER KITCHEN,
 NOT TO EXCEED \$73,300.00.

First Reading

moved by Swindig, seconded by Young to dispense with the second and third readings tonight on T 77

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

Yes, 7 No, 0

moved by Swindig, seconded by Jaenke to adopt tonight T 77

President Arndt: Is there any discussion?

Council Member Young: Mr. President, I would just like to point out that this is one of those Community Development Block Grants similar to the one with the sidewalk for Chestnut Ridge Road. I think that it is great that we are taking advantage of this Block Grant and only having to dip into our pockets one seventh of the entire cost. I look forward to this, to help benefit the Senior Center for more cook outs and things.

moved by Swindig, seconded by Olesen to add the emergency for the safety and well being of those who use the Senior Center and to complete the project in a timely fashion.

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Swindig and a second by Mr. Jaenke to adopt tonight T 77 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 77 is adopted with the emergency and becomes permanent ordinance 4152-2005.

Permanent Ordinance No. 4152-2005

T 78-2005 AN ORDINANCE AMENDING SECTION 248.01 COMPOSITION OF (FIRE)
4153-2005 DEPARTMENT

First Reading

moved by Swindig, seconded by Young to dispense with the second and third readings tonight on T 78

President Arndt: Is there any discussion?

Council Member Swindig: Yes. Mr. Chairman, this will come down to, savings for the City, period. We will have our own Training Officer on staff and will not have to send our FireFighters and Paramedics outside of this City for their training.

Mayor Gillock: Mr. President, this also enables us to pay one FireFighter out of the Paramedic Fund rather than the General Fund.

President Arndt: Right. My understanding from the Chief, if he is watching right now, is that it is somewhere of a savings of around 90 grand. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Young to adopt tonight T 78

moved by Young, seconded by Mr. Jaenke to add the emergency to provide for training now, rather than later

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Arndt, seconded by Young to adopt tonight T 78 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 78 is adopted with the emergency and becomes permanent ordinance 4153-2005.

Permanent Ordinance No. 4153-2005

President Arndt: We are going to move onto Second Readings, if Dr. Norris will be so kind.

• **Second Readings**

Clerk of Council Norris: Second readings before Council this evening include:

T 62-3005 AN ORDINANCE APPROVING THE FINAL PLAT OF PIONEER RIDGE, SUBDIVISION 3 IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

Second Reading

T 63-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF PIONEER RIDGE, SUBDIVISION 4 IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

Second Reading

T 64-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 10 IN PHASE 4 OF MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY.

Second Reading

T 65-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH VENDOME ASSOCIATES CORP. FOR AN EXCHANGE OF REAL PROPERTY.

Second Reading

President Arndt: That concludes our seconding readings. Dr. Norris will begin with our only

third reading tonight.

• **Third Readings**

Clerk of Council Norris: Third reading before Council this evening is:

T 36-2005 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
4154-2005 ORDINANCE CHAPTER 1228, IMPROVEMENTS, BY AMENDING
SECTION 1228.01(F) AND APPENDIX II.

Third Reading

moved by Swindig, seconded by Jaenke to adopt tonight T 36

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would move to amend the first paragraph under Section 1. The last sentence states that widths listed applied to two lanes only. Each additional lane shall be twelve feet in width. I would change that to read, shall be a minimum of twelve feet in width.

moved by Mayor Gillock, seconded by Olesen to modify T 36 with the following statement: The widths listed applied to two lane roads only, each additional lane shall be a minimum of twelve feet in width.

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

Yes, 7 No, 0

moved by Arndt, seconded by Young to adopt tonight T 36 as amended

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

Yes, 7 No, 0

Clerk of Council Norris: T 36 with the above amendment is approved and becomes permanent ordinance 4154-2005

Permanent Ordinance No. 4154-2005

OLD BUSINESS:

President Arndt: The Chair asks Council if there is any old business.

Auditor Costin: Yes. Mr. Chairman, I think we would be remiss if we didn't thank our citizens for passing the two replacement levies during the most recent election. I would like to do that, certainly, on behalf of the City.

President Arndt: Thank you, Mr. Costin. Anyone else on Council? Dr. Norris, would you please read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meetings:

Public Hearing Monday, June 6, 2005 at 7:20 P.M. re: T 30-2005 REVISED.

Next Regular Council Meeting Monday, June 6, 2005 at 7:30 P.M. in Council Chambers

Public Hearings Monday, June 20, 2005 re: T 62-2005, T 63-2005, T 64-2005 and T 68-2005

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MAY 16, 2005**

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Building & Lands Committee Meeting, Thursday, May 19, 2005 regarding the petition to rezone 35015 and 36721 Chestnut Ridge from R-1 to B-3.

President Arndt: That meeting will be held at 7:00 P.M. in Council Chambers.

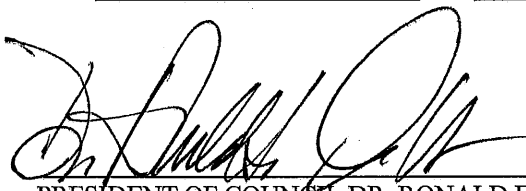
ADJOURN:

 moved by Swindig to adjourn
President Ronald Arndt: Meeting adjourned.

Meeting adjourned at 8:40 P.M.

MOTION Butkowski 2ND Jaenke DATE June 6, 2005

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS