

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING**

MAY 5, 2003

CALL TO ORDER: 8:00 P.M.

President of Council David Gillock: I would like to call this regular meeting of the North Ridgeville City Council to order. Would you please stand for the Invocation and Pledge of Allegiance.

INVOCATION: lead by Council Member Allen Swindig.

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 President of Council David Gillock.

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

MINUTES - Corrections and Approval:

President Gillock: Minutes, we have five sets of Public Hearing minutes that, without opposition, we can consider all at once if someone would like to make a motion.

Public Hearing Minutes of April 21, 2003 regarding T 127-2002 REVISED;

Public Hearing Minutes of April 21, 2003 regarding T 18-2003;

Public Hearing Minutes of April 21, 2003 regarding T 19-2003 REVISED;

Public Hearing Minutes of April 21, 2003 regarding T 35-2003; and

Public Hearing Minutes of April 21, 2003 regarding T 36-2003.

motion by Johnson, 2nd by Butkowski to approve the Minutes

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

Yes, 6 No, 0 Abstain, 1 (Swindig)

Clerk of Council Norris: Minutes are approved by a vote of six, zero and one abstention.

President Gillock: Regular Council Minutes of April 21, 2003

motion to approve by Butkowski, 2nd by Johnson

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

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved by a vote of six, zero with one abstention.

President Gillock: Please note:

Board of Zoning and Building Appeals Minutes of regular meeting April 24, 2003 and
Planning Commission Minutes of regular meeting April 8, 2003.

COMMITTEE REPORTS:

President Gillock: We have no committee reports. We have no written reports this evening.
Auditor's report.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

AUDITOR'S REPORT:

Auditor Costin: No report scheduled.

OTHER REPORTS:

President Gillock: Please note the Building Department Report for March 2003.

OLD BUSINESS:

President Gillock: We have no old business so, we'll move right into new business.

NEW BUSINESS:

Clerk of Council Norris:

T 52-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND NEGOTIATE AND ENTER INTO A CONTRACT(S) ACCORDING TO
LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURCHASE
OF A CENTRIFUGE FOR THE FRENCH CREEK WASTEWATER
TREATMENT PLANT, NOT TO EXCEED \$405,000.00.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give this a first reading

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

Yes, 7 No, 0

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

T 53-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT TO RENT A SLUDGE
PRESS WITHOUT FORMAL BIDDING AS A RESULT OF AN
EMERGENCY SITUATION ARISING IN CONNECTION WITH THE
OPERATION OF A MUNICIPALLY OWNED UTILITY IN AN AMOUNT
NOT TO EXCEED \$40,000.00.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give this a first reading

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

Yes, 7 No, 0

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

T 54-2003 AN ORDINANCE FOR MAINTENANCE AND COSTS ASSOCIATED WITH
THE CONSTRUCTION OF THE SEWER CROSSING ON WEST CENTER
RIDGE ROAD.

T 55-2003 AN ORDINANCE AMENDING ORDINANCE NO. 3575-2000, BY
INCREASING THE AMOUNT PAID TO THE PLANS EXAMINER.

T 56-2003 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO APPLY TO THE OHIO DEPARTMENT OF
DEVELOPMENT FOR FUNDING UNDER THE COMMUNITY
DEVELOPMENT BLOCK GRANT SMALL CITIES PROGRAM FOR FISCAL
YEAR 2003.

motion by Swindig, 2nd by Olesen to suspend By-Laws to give this a first reading
President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

T 57-2003 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR MAJOR NEW
(TRAC) FUNDS PROGRAMMED BY THE OHIO DEPARTMENT OF
TRANSPORTATION (ODOT) TO WIDEN CENTER RIDGE ROAD.

motion by Swindig, 2nd by Olesen to suspend By-Laws to give this a first reading
President Gillock: Is there any discussion? If not, please call the roll. Mrs. Buescher?
Council Member Buescher: I would just like to say, because I'm a property owner in the area
involved in this resolution before us as well as being a Member of City Council, I will abstain
from the vote in order to eliminate any questions now or in the future concerning my
participation in the vote.

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six to zero and one abstention.

T 58-2003 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL
SURFACE TRANSPORTATION PROGRAM (STP) FUNDS PROGRAMMED
BY THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY
(NOACA) TO IMPROVE LEAR NAGLE ROAD.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give this a first reading
President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

CORRESPONDENCE:

1) Received a letter from Parks Director Jim Spaulding providing Council with a copy of a
proposed Master Plan for Shady Drive Complex as submitted by Gary Teel, Buildings and
Grounds Maintenance Supervisor to the Parks and Recreation Commission.

2) Received a memo from French Creek Wastewater Treatment Plant Superintendent

Donald D. Daley in regard to the ordinance authorizing the press for the French Creek Wastewater Treatment Plant.

- 3) Received a letter from Service Department Superintendent Gerald W. Krueger in regard to this year's budget and his department.

LOBBY:

President Gillock: We now come to the lobby portion of our Council meeting. Anyone wishing to address Council is welcome to do so. We ask that you use one of the lobby sign in sheets found in the back so we can follow up if needed and that you give your name and address when you approach the podium. Anyone wish to speak at this time?

- 1) Dick Brent of 8659 Harris Drive spoke on the dedication of the new library. Questioned library access during the Corn Festival since Bainbridge Road is closed.

President Gillock: Thank you. That is an interesting question that is certainly not within Council's bailiwick, if someone from the administration would like to respond.

Mayor Hill: Yes. The Corn Festival Committee is well aware that the Library is there. We have talked before about different options once the Library was built. Nothing definitive has come to our attention nor any requests. So, at this point, we wait to hear what. I understand they may have discussed with the schools and so forth. I have not been notified.

President Gillock: Thank you. Mr. Johnson?

Council Member Johnson: I would guess that the Corn Festival weekend would be a very big weekend for the Library contrary to, I know it would be trouble for people to drive there but, the people at the Corn Festival would be happy to use the building at that time and I would like to add my praise to the people for passing that tax levy too. That's a beautiful building. If you haven't seen it yet, you've got to see it.

Council Member Butkowski: Mr. Chairman, there are discussions going on now between the Corn Festival and the Library.

President Gillock: Anyone else? Mrs. Sullivan?

- 2) Lois Sullivan, 5880 Jaycox Road questioned the hours of restriction on the no turn on red signs at the corner of Routes 83 and 20. Stated that if it is there for the schools, the hours are too late to do any good for the schools.

President Gillock: Does anyone wish to respond? Mayor Hill.

Mayor Hill: Early on I had questioned the Police Chief about the hours because I thought the same thing. I thought it was for the schools and having taught in the schools, I knew that those were not the hours. Apparently, that sign is there because the Police Department wants it there and it's because of the traffic that travels on 83 and Center Ridge during those hours. It's a traffic regulation rather than to benefit the schools and whatever traffic would be during school

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hours or dismissal times.

President Gillock: Anyone else wish to address Council. If not, lobby session is over.

motion by Pagel to suspend By-Laws to dispense with the recess, 2nd by Butkowski
President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved seven to zero.

RECESS: dispensed with.

FIRST READINGS:

Clerk of Council Norris:

T 48-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO PURCHASE A DODGE DAKOTA PICKUP TRUCK
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, NOT TO EXCEED \$19,500.00.

First Reading

Council Member Butkowski: Mr. Chairman, I would like to amend this ordinance to take out
the words Dodge Dakota and just make it a pickup truck. We can't specify a brand name.

motion by Butkowski, 2nd by Pagel to delete all references to "Dodge Dakota"

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

T 49-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO PURCHASE A DODGE DURANGO UTILITY
VEHICLE 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, NOT TO EXCEED
\$28,500.00.

First Reading

motion by Butkowski to amend by removing any reference to "Dodge Durango",
2nd by Pagel

President Gillock: I would like to ask why is it we cannot specify a particular model if that's
what we really want?

Council Member Butkowski: I would defer to the Auditor.

President Gillock: Mr. Costin?

Auditor Costin: I would have to defer to legal counsel but, my background from my recollection
is, you cannot make the bids so restrictive as to preclude bidding.

President Gillock: Mr. Zagrans, would you like to add anything to this?

Law Director Zagrans: In the years that I have been Law Director I have seen us pass ordinances similar to this where we have specified the particular make and model of the vehicle that we're interested in bidding on. I agree with Mr. Costin that the law prohibits you from passing an ordinance that is to restrictive so as to prohibit bidding. I have never thought that specifying the particular vehicle that you wanted to purchase from the co-op was so restrictive so, I know of no reason why we should take out Dodge Durango or Ford F-350 but, if that's what Council wants to do, there's nothing to stop you.

President Gillock: Thank you. Mr. Johnson?

Council Member Johnson: A side from the legal ramifications of it, I think it's just wise to draw as many bids as we can and pick the best vehicle we can instead of specifying a particular vehicle.

President Gillock: Any other comments? Please call the roll on the amendment.

Yes, 7 No,

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

T 50-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A FORD F-350 ONE-TON DUMP TRUCK 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, NOT TO EXCEED \$34,500.00.

First Reading

Council Member Butkowski: I would like to remove Ford F-350 from this ordinance. There is a possibility that this particular thing may not be in the State co-op and we can't be positive of that and we do want a one ton pick up truck. It would make it easier and they wouldn't have to come back with another ordinance and slow it down.

motion by Butkowski, 2nd by Pagel

President Gillock: Is there any discussion? I agree with Mr. Johnson. I don't know if it's a legal requirement but, I think by removing it, it allows us to get other bids which might be better. Is there any other discussion? If not, please call the roll on the amendment.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

T 52-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO A CONTRACT(S) ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURCHASE OF A CENTRIFUGE FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$405,000.00.

First Reading

Council Member Swindig: Mr. Chairman, I have a question on this. Being that we're going to buy one, how soon can we get the one we're buying over renting another one for 30 days?

President Gillock: I think Mr. Daley's memo stated that if we did rent one and buy it, the cost of the rental would be applied against the purchase price.

Safety-Service Director Johnson: That is if the company that rented us is the one who wins the bid, is awarded the bid. The problem right now is we can't wait 60 days. By the time we prepare bid specs, go out to bid and then allow 20 days for the bids to come in and then you go over the bids, it's a long time before we get one in. We can't wait that long. We need to start working right now.

Council Member Olesen: Mr. Chairman, is the rental equipment a new piece of equipment or is that a used piece of equipment?

President Gillock: Mr. Johnson, would you like to respond?

Safety-Service Director Johnson: Used.

President Gillock: Thank you. Are there any other questions? That constitutes first reading. Mr. Costin?

Auditor Costin: I would just like to add one piece of information. There may be some doubt. The two pieces of equipment are not comparable. One is specifically smaller and the larger one has additional uses. We're not renting the piece that we're going to be ultimately buying. That's my understanding.

President Gillock: Correct. T 53.

Clerk of Council Norris:

T 53-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3897-2003 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT TO RENT A SLUDGE
PRESS WITHOUT FORMAL BIDDING AS A RESULT OF AN
EMERGENCY SITUATION ARISING IN CONNECTION WITH THE
OPERATION OF A MUNICIPALLY OWNED UTILITY IN AN AMOUNT
NOT TO EXCEED \$40,000.00.

First Reading

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

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

motion by Swindig, 2nd by Olesen to adopt

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

motion by Swindig to add the emergency due to the nature of the back up of the
sludge, 2nd by Olesen

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved seven to zero.

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

Yes, 7 No, 0

Clerk of Council Norris: T 53 is adopted with the emergency by a vote of seven to zero and

becomes permanent ordinance 3897-2003.

Permanent Ordinance No. 3897-2003

T 56-2003 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NORTH
972-2003 RIDGEVILLE, OHIO, TO APPLY TO THE OHIO DEPARTMENT OF
DEVELOPMENT FOR FUNDING UNDER THE COMMUNITY
DEVELOPMENT BLOCK GRANT SMALL CITIES PROGRAM FOR FISCAL
YEAR 2003.

First Reading

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

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

motion to adopt by Swindig, 2nd by Olesen

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

Council Member Butkowski: What are the plans to use this block grant?

President Gillock: Mayor Hill?

Mayor Hill: Yes. We have several different options that we're exploring because we have to meet, it has to be under ADA or seniors or low to mid income levels that are dictated by federal.

President Gillock: Anyone else? Please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Norris: T 56 is adopted by a vote of seven to zero and becomes permanent resolution 972-2003.

Permanent Resolution No. 972-2003

T 57-2003 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR MAJOR NEW
973-2003 (TRAC) FUNDS PROGRAMMED BY THE OHIO DEPARTMENT OF
TRANSPORTATION (ODOT) TO WIDEN CENTER RIDGE ROAD.

First Reading

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

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six to zero with one abstention.

motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion?

motion by Swindig to add the emergency due to the time factor of the deadline,
2nd by Butkowski

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: The emergency is approved by a vote of six to zero with one abstention.

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

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: T 57 is adopted with the emergency by a vote of six to zero with one abstention. T 57 becomes permanent resolution 973-2003 with the emergency

Permanent Resolution No. 973-2003

T 58-2003 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL
974-2003 SURFACE TRANSPORTATION PROGRAM (STP) FUNDS PROGRAMMED
BY THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY
(NOACA) TO IMPROVE LEAR NAGLE ROAD.

First Reading

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

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

motion by Swindig, 2nd by Butkowski to adopt

motion by Swindig to add the emergency due to the time restraints, 2nd by

Butkowski

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero to add the emergency.

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

Yes, 7 No, 0

Clerk of Council Norris: T 58 is adopted with the emergency and becomes permanent resolution 974-2003.

Permanent Resolution No. 974-2003

SECOND READINGS:

T 41-2003 AN ORDINANCE CREATING THE POSITION OF SAFETY COORDINATOR
AND SETTING THE COMPENSATION THEREFORE.

Second Reading

T 42-2003 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

Second Reading

T 43-2003 AN ORDINANCE TO APPROVE THE EXPENDITURE OF FUNDS.

Second Reading

T 44-2003 AN ORDINANCE ACCEPTING THE FINAL PLAT OF WATERBURY PCD
PHASE 3 FOR APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

T 45-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
ORDINANCE SECTION 232.07(F), FUNDS TO INCLUDE STORM WATER
MANAGEMENT AND RELATED ISSUES.
Second Reading

President Gillock: Mr. Costin, did you want to speak to this issue?

Auditor Costin: I'm sorry, we're moving along rather quickly and it may be an inappropriate time but, T 42 and 51 when you get there, will deal with Code Section 5705.41(d)(1).

President Gillock: Do you want to reconsider T 42?

Auditor Costin: Well, does Council want to reconsider T 42 if you intend to ultimately authorize the expenditure of funds. I believe to fit under the Revised Code 5705.41, you need to do that within 30 days and so those should be passed at this particular meeting.

motion by Gillock to reconsider T 42-2003, 2nd by Johnson

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

Yes, 7 No, 0

T 42-2003 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

975-2003

President Gillock: On T 42-2003, our first reading was April 21, 2003. We have to do it within 30 days. Should we do this tonight or would that still be within the 30 days?

Auditor Costin: Technically, I think that was under new business. The 30 days should fall tonight.

President Gillock: Are there any other items in here that need to be addressed or do we just need to pass it this evening.

Auditor Costin: None that I have.

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

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

motion by Pagel, 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: T 42 is adopted by a vote of seven to zero and becomes permanent resolution 975-2003.

Permanent Resolution No. 975-2003

President Gillock: I would like to ask Mr. Costin, in regards to T 43, do we need to reconsider it?

Auditor Costin: Mr. Chairman, T 43 falls outside of the scope of 5705.41. It does not,

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accordingly, have to be reconsidered tonight. When it has its third reading, I'm going to request that the first two whereas's actually be deleted because they are making reference to 5705.41 and are inappropriate for this ordinance. So, Council can choose to pass that particular ordinance as they deem fit.

President Gillock: We can do that at the next meeting. We don't have to do that one this evening.

Clerk of Council Norris:

T 51-2003 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

976-2003 Second Reading

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

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

Council Member Johnson: I asked for detail billing on this. Has that been made available yet?

President Gillock: I did not receive anything.

Law Director Zagrans: No.

President Gillock: We had asked the administration in regards to providing something. I take it there's nothing available? I'm asking the administration if there was an invoice or billing available. Mr. Zagrans?

Law Director Zagrans: Thank you. I have not provided the detail billing because the billing was in route from the Auditor's office to my office when I got the request. I now have it and I can make it available and Mr. Costin can explain why this is coming up as a resolution because this was a billing that was within the purview of the ordinance and within the purview of a purchase order that had been previously submitted but, the Auditor's office reduced the amount of the purchase order before the billing was submitted. So, if you would like to verify that with Mr. Costin, he's the one who was involved in that.

President Gillock: Mr. Costin, is there anything you would like to add in the discussion of T 51?

Auditor Costin: First, I appreciate you not requesting a copy of the legal invoice from our office because our past practice has been, since we're not attorneys', we give the detail invoice to the Law Department and let them determine what's public record and what isn't. Secondly, why this is different than the ordinance is as the Law Director said originally, there were purchase orders in place for a sub certain sum of money. When we get to the end of each fiscal year, calendar year, we go back and we try to review the ordinance that the purchase orders outstanding and eliminate them, adjust them, reduce them, as we see fit and move the monies around which was very important this last particular year as a result of finances of the City. We were under the understanding, in terms of those Law Directors' invoices, that they were going to be a lesser amount of money and that's why we did, in fact, reduce the purchase orders. Now, because the purchase order was outstanding at that time and because, let me rephrase that, because dollars were properly appropriated at that time and because dollars are properly appropriated if Council sees fit to pass this resolution then, it would fall under 5705.41 and you could pass it by resolution.

Law Director Zagrans: Mr. President, Mr. Costin is absolutely right when he contacted my office

at the close of the fiscal year and asked me, I told him I thought it was going to be less than the amount that had been encumbered by the purchase order but, because of two cases that got filed at the end of the year which, I frankly wasn't thinking about at the time I told him that, the amount did not get reduced. It was within the original purchase order but, not within the amount that the Auditor's office reduced the purchase order to, the amount encumbered.

President Gillock: Thank you. Anyone else? If not, please call the roll on dispensing with the third reading.

Yes, 5 No, 2 (Johnson, Gillock)

Clerk of Council Norris: Motion passes by a vote of five, two.

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: T 51 is adopted by a vote of seven, zero and becomes permanent resolution number 976-2003.

Permanent Resolution No. 976-2003

THIRD READINGS:

T 127-2002 AN ORDINANCE REPEALING SECTION 1282.11(B)(3)

REVISED REFERENCING THE REGIONAL DWELLING HOUSE CODE.

3898-2003 Third Reading

motion by Olesen, 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: T 127 is adopted by a vote of seven to zero and becomes permanent ordinance 3898-2003.

Permanent Ordinance No. 3898-2003

T 15-2003 AN ORDINANCE AMENDING CHAPTER 854, PEDDLERS, CANVASSERS
3899-2003 AND SOLICITORS.

Third Reading

motion by Pagel, 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: T 15 is adopted by a vote of seven to zero and becomes permanent ordinance 3899-2003.

Permanent Ordinance No. 3899-2003

T 18-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
3900-2003 ORDINANCE SECTION 1242.03, BUILDING PERMITS AND
CERTIFICATES OF OCCUPANCY REQUIRED; CERTIFICATES FOR
NONCONFORMING USES; ISSUANCE OF STREET NUMBERS FOR

STRUCTURES; TIME LIMITATION FOR COMMENCEMENT OF WORK.

Third Reading

motion by Butkowski, 2nd by Johnson to adopt

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

Yes, 7 No, 0

Clerk of Council Norris: T 18 is adopted by a vote of seven to zero and becomes permanent ordinance 3900-2003.

Permanent Ordinance No. 3900-2003

T 19-2003 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
REVISED ORDINANCE SECTION 1242.04, FEES.

3901-2003 Third Reading

motion by Pagel, 2nd by Buescher to adopt

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

Council Member Johnson: Mr. Chairman, under Section one, subsection d, copies is misspelled. I don't think there needs to be a vote on a change, just a note.

President Gillock: That is a typo. Please correct that. Any other discussion? Please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Norris: T 19 is adopted by a vote of seven to zero and becomes permanent ordinance 3901-2003.

Permanent Ordinance No. 3901-2003

T 34-2003 A RESOLUTION TO ADOPT FISCAL POLICIES FOR THE YEAR 2003.

977-2003 Third Reading

motion by Pagel, 2nd by Butkowski to adopt

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

Yes, 6 No, 1 (Swindig)

Clerk of Council Norris: Motion is approved by a vote of six to one. T 34 becomes permanent resolution 977-2003.

Permanent Resolution No. 977-2003

T 35-2003 AN ORDINANCE REGULATING DUMPSTERS AND TRASH COLLECTION
3902-2003 AREAS.

Third Reading

motion by Olesen, 2nd by Pagel to amend i. to read "Dumpsters and trash collection areas shall not be in the buffer strips as required for the district."

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

Yes, 7 No, 0

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

motion by Olesen, 2nd by Johnson to adopt

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Yes, 7 No, 0

Clerk of Council Norris: T 35 is adopted by a vote of seven to zero and becomes permanent ordinance 3902-2003.

Permanent Ordinance No. 3902-2003

T 36-2003 AN ORDINANCE REPEALING SECTION 1281.14(G), TEMPORARY
3903-2003 STRUCTURES AS CONDITIONAL USES, OF THE CODIFIED
ORDINANCES.

Third Reading

motion by Pagel, 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: T 36 is adopted by a vote of seven to zero and becomes permanent ordinance 3903-2003.

Permanent Ordinance No. 3903-2003

T 39-2003 AN ORDINANCE ACCEPTING THE FINAL PLAT OF RIDGEFIELD
3904-2003 SUBDIVISION NO. 8 FOR APPROVAL AND FOR RECORDING PURPOSES.

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 39 is adopted by a vote of seven to zero becoming permanent ordinance 3904-2003.

Permanent Ordinance No. 3904-2003

UNFINISHED BUSINESS:

President Gillock: We have no unfinished business. Committee meeting announcements.

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Public Hearing Monday, May 19, 2003 at 7:20 P.M. regarding Waterbury PCD Phase 3

Next Council Work Session Monday, May 5, 2003 at 7:30 P.M.

Next Regular Council Meeting Monday, May 5, 2003 at 8:00 P.M.

Utilities Committee meeting at 6:00 P.M. on May 29, 2003

Public Hearing June 16, 2003 regarding Fairfield Lane Condominium within Phase 1 of Waterbury PCD at 7:20 P.M.

NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING **MAY 5, 2003**

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President Gillock: Are there any other announcements? Tomorrow's election day. Ask everyone to please vote. Do we have a motion to adjourn?

ADJOURNMENT:

motion to adjourn by Swindig
President Gillock: Meeting adjourned.

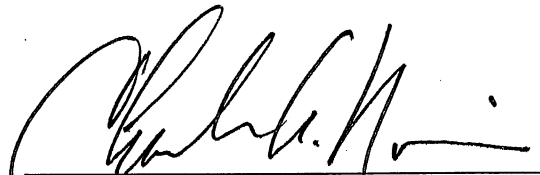
Meeting adjourned at 8:53 P.M.

MOTION Butkowski 2ND Page1 DATE May 19, 2003

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL