

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
May 1, 2023**

CALL TO ORDER:

President Jacobs called the Monday, May 1, 2023, Council meeting to order at 7:00 p.m.

INVOCATION:

Led by President Jacobs.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Present were Council members President Jason Jacobs, Holly A. Swenk, Dennis Boose, President Pro-Tem Bruce Abens, Clifford Winkel, Martin DeVries, and Georgia Awig.

Also present were Mayor Kevin Corcoran, Law Director Brian Moriarty, City Engineer Christina Eavenson, Clerk of Council Nicholas Ciofani, and Assistant Clerk of Council Fijabi Gallam.

MINUTES - Corrections (if any) and approval:

President Jacobs asked if there were any corrections to the City Council Meeting Minutes dated April 17, 2023. No discussion was offered. The meeting minutes stand approved as submitted.

President Jacobs noted the following minutes:

Planning Commission Minutes dated April 11, 2023
Parks and Recreation Minutes dated March 22, 2023
Parks and Recreation Work Session Minutes dated March 22, 2023

LOBBY:

President Jacobs opened the lobby session. He reminded everyone that the lobby session is not meant to be an interactive question and answer session, but it is an opportunity for the public to address the City Council of the City administration. He asked anyone who would like to speak to come to the podium and state their name and address. He further added that each person is allowed three minutes to speak.

Low-Speed Vehicles

Kim Nakoff at 37445 Tailfeather Drive, requested the City Council to consider legislation regulating low-speed vehicles that are electric vehicles like golf carts. Mrs. Nakoff explained that she contacted Sheffield Village to get statistics on crash reports for golf carts. Sheffield Village can't recall any crash reports involving golf carts. She added that she provided more statistics

involving accidents with golf carts. She reiterated that she would like for City Council to consider T 4-2023 to allow low-speed vehicles to be on North Ridgeville streets.

ADMINISTRATORS REPORTS:

1. Mayor:

Mayor Corcoran remarked the following.:

- An emergency passage for the following.:
 - Requested an emergency passage for T 49-2023, an ordinance imposing a moratorium on the granting of permits and the acceptance of applications for permits for freeway-oriented signs, off-premises advertising signs, and pole signs as defined in Chapter 1286 signs of the North Ridgeville Codified Ordinances for a period not to exceed 180 days from the effective date of this ordinance, in order to allow the Planning Commission and City Council to consider possible changes to the City's sign regulations.
 - Requested an emergency passage for T 50-2023, T 51-2023, and T 52-2023 (Financial legislation).
- Announced that Coffee & Conversation is on Tuesday, May 2, 2023, in the morning, in Council Chambers from 8:30 a.m. to 9:30 a.m. The residents could stop in to enjoy a cup of coffee and casual conversation. Mayor Corcoran expressed that it's a great way to get your questions answered or to learn more about current and upcoming projects.
- Announced that Election Day is on Tuesday, May 2, 2023. Polls open at 7:30 a.m. and close at 7:30 p.m. Residents could find their polling location on the Lorain County Board of Elections website at www.voteloraincountyohio.gov.
- Added that the Fishing Derby is on Saturday, May 6, 2023. The Fishing Derby is to be held at South Central Park on Saturday, May 6, 2023, from 7:30 a.m. until noon. For information and to register, residents could visit the Parks & Recreation website. It's free to participate; however, donations of \$5 would be accepted the day of the event to benefit Aluminum Cans for Burned Children. The derby is sponsored by Parks & Recreation and North Ridgeville Fire Department.

Moved by Mayor Corcoran and seconded by Swenk to go into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of Public Employee or Official.

A roll call vote was taken and the motion carried.

Yes – 7 No – 0

Adjourned into Executive Session at 7:06 p.m.
Reconvened into the Regular Council meeting at 7:52 p.m

Mayor Corcoran concluded his report.

2. Engineer:

Engineer Eavenson provided the following updates.:

- Added that on Saturday, April 29, 2023, Avon Lake Regional Water (ALRW) was out on Lorain Road doing some repairs to their transmission watermain, and in order to do that the Engineering office had to greatly reduce the water pressure in that area Saturday morning which affected many of the businesses on Lorain Road. The pressure ended up being lower than anticipated. Engineer Eavenson thanked all of those businesses for working with the City through this situation. ALRW wasn't able to finish their work and the City would have to go through the process again. The City is working with them to determine if some evening work might be the better timeframe to minimize disruption.
- Remarked that the recent rain has slowed some forward progress down on a couple of other projects. On Barres Rd, the contractor needs to finish up some concrete work and install the berms, signage, and striping.
- Added that the Center Ridge Road repaving project has slowed down because of the weather. Engineer Eavenson asked everyone to take extra caution when riding on the planned surfaces as skidding is more prevalent on milled surfaces.
- Explained that all property owners that the Engineering office has on file as having a backflow device would be receiving a letter from the Engineering office. The letter notifies them that all backflow devices need to be tested by a qualified person certified to conduct these tests. Proof of the inspections is due to the Engineering Office by June 15, 2023. Engineer Eavenson reminded the community that anyone with an irrigation system would have a backflow device as well as most of the commercial businesses. For questions about the backflow program, residents could call the Engineering office at 440-353-0842.

Engineer Eavenson concluded her report.

3. Director of Finance:

Director of Finance Wilkerson remarked that she would like Council to consider adopting the following legislation with the emergency clause to provide the Department of Finance the resources necessary to meet their financial obligations.

- T 50-2023 – Fund Transfer Resolution
- T 51-2023 – Then and Now Resolution
- T 52-2023 – Appropriation Amendment Ordinance

Director of Finance Wilkerson concluded her report.

4. Other Reports:

President Jacobs noted the following reports:

March 2023 EPA and Water Distribution Report
March 2023 Mayor's Court Report
March 2023 Parks and Recreation Director's Report

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Nicholas Ciofani:

SAFETY COMMITTEE REPORT dated April 17, 2023 – The committee reviewed and considered T 4-2023. The Committee made a motion to send T4-2023 back to City Council to consider and amend the following changes discussed.

- *Added, "speedometer" to the equipment list*
- *Added, Low-Speed Vehicle (LSV) or under-speed vehicle means a vehicle:*
 - a) that is 4-wheeled,*
 - b) whose speed attainable in one mile is more than 20mph and not more than 25mph on a paved surface;*
 - c) whose gross vehicle weight rating is not more than 3,000 pounds.*

All LSVs must meet all U.S. federal safety standards and state/local laws

- *Added under 478.05 (b), "displaying a reflective triangular shaped sticker/decal issued by the inspecting authority....."*
(Council action required)

Moved by Swenk and seconded by Awig to accept the Safety Committee Report dated April 17, 2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Swenk and seconded by Awig move to dispense the bylaws and to bring back T 4-2023 to be read under second readings this evening.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

CORRESPONDENCE:

There was none.

OLD BUSINESS:

There was none.

NEW BUSINESS:

Clerk of Council Nicholas Ciofani:

Transfer Liquor Permit Request:

A request from the Ohio Division of Liquor Control for a transfer of permit request from Nuthatch Ventures INC DBA Bullfrogs Sports Cafe at 33137 Center Ridge Road to Hungry Hound Investments LLC DBA Bullfrogs Sports Cafe, at 33137 Center Ridge Road & Patio.
(Council action required - move to not request a hearing so that this permit can be sent to the state for final disposition by May 12, 2023)

Moved by Winkel and seconded by Boose to move to not request a hearing so that this permit can be sent to the state for final disposition by May 12, 2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

RECESS:

Moved by Boose and seconded by Winkel to dispense with recess.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Nicholas Ciofani:

T 47-2023 AN ORDINANCE AMENDING CHAPTER 854 PEDDLERS, CANVASSERS, AND SOLICITORS.
(Introduced by Mayor Corcoran)

Mayor Corcoran remarked that the current ordinance for Chapter 854 was applied differently in the past. The current ordinance asked for a \$50 fee for a solicitors permit; therefore, a company could register 50 people for \$50. The review started in the office to clarify the term registrant. The new ordinance is requiring a background check for the safety of the community. The legislation was revised with some of the languages from other communities. Mayor Corcoran asked to get the legislation in place as soon as possible before people start registering for permits.

Councilman DeVries wanted to know who would be facilitating the background checks.

Mayor Corcoran explained that the applicant has to get their background check on their own and supply a copy of their background check once it is completed.

President Jacobs added that the background check has to be done within 30 days of applying for the permit.

Councilwoman Swenk wanted to know who would be affected by this legislation.

Mayor Corcoran explained that the legislation would apply to people coming to residents' doors to sell services or items.

Councilman Abens wanted to know if it would apply to canvassers – people who are pitching their particular religious views, and political candidates.

Mayor Corcoran explained that religious views and candidates are exempt from having to get a permit.

Councilwoman Swenk wanted to know if the exemption applies to Jehovah's Witnesses.

Mayor Corcoran remarked that religious organizations do not have to get a permit.

President Jacobs wanted to know if the exemption also applies to volunteers of candidates for campaigns.

Mayor Corcoran believed that all political activities are exempted.

Discussions continued regarding nonprofits or political activities having to get a solicitor and permit application.

Councilwoman Swenk wanted to know if food trucks are part of this legislation.

Mayor Corcoran explained that people go to food trucks and it is regulated under a different legislation.

President Jacobs explained that he agrees with the background check requirement, but he would like to see language that does not require children to have to get a permit to do fundraisers.

This Ordinance was moved to second reading.

Clerk of Council Nicholas Ciofani:

T 48-2023 AN ORDINANCE AMENDING CHAPTER 856 MOBILE FROZEN DESSERTS SALES.
(Introduced by Mayor Corcoran)

This Ordinance was moved to second reading.

Clerk of Council Nicholas Ciofani:

T 49-2023 AN ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF PERMITS AND ON THE ACCEPTANCE OF APPLICATIONS FOR PERMITS FOR FREEWAY-ORIENTED SIGNS, OFF-PREMISES ADVERTISING SIGNS, AND POLE SIGNS AS DEFINED IN CHAPTER 1286 SIGNS OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES FOR A PERIOD NOT TO EXCEED 180 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, IN ORDER TO ALLOW THE PLANNING COMMISSION AND CITY COUNCIL TO CONSIDER POSSIBLE CHANGES TO THE CITY'S SIGN REGULATIONS.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Winkel to dispense with the second and third readings for T 49-2023.

Mayor Corcoran explained that Planning Commission has been reviewing changes to the sign code. The hope is for these types of signs that are discussed in the moratorium to be prohibited in the future. The sign code revisions would come to City Council in the future.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Winkel and seconded by Swenk to add the emergency clause to allow the Planning Commission and City Council to consider possible changes to the City's sign regulations.

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

Yes – 7 No – 0

Moved by Winkel and seconded by Swenk to adopt T 49-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 49-2023 becomes
Ordinance number 6063-2023.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T50-2023 A RESOLUTION AUTHORIZING FUND TRANSFERS.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Boose to dispense with the second and third readings for T 50-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations

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

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to adopt T 50-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 50-2023 becomes
Resolution number 1594-2023.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 51-2023 AN RESOLUTION AUTHORIZING THE EXECUTION OF THEN AND NOW CERTIFICATES
BY THE CITY FISCAL OFFICER AND THE PAYMENT OF AMOUNTS DUE FOR VARIOUS
PURCHASE ORDERS.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Boose to dispense with the second and third readings for T 51-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations

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

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to adopt T 51-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 51-2023 becomes
Resolution number 1595-2023.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 52-2023 AN ORDINANCE AMENDING ORDINANCE NUMBER 6031-2022 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for T 52-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations

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

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt T 52-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 52-2023 becomes
Ordinance number 6067-2023.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 53-2023 AN ORDINANCE AMENDING EXHIBIT “A” OF ORDINANCE NUMBER 6065-2023 BY CHANGING THE POSITION OF FIRE SECRETARY/DISPATCHER TO ADMINISTRATIVE ASSISTANT.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Swenk to dispense with the second and third readings for T 53-2023.

Mayor Corcoran explained that the current title is misleading because the position does not dispatch anymore. He added that the title change is to reflect the current duties.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Swenk to add the emergency clause to start advertising for the position.

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

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Swenk to adopt T 53-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 53-2023 becomes
Ordinance number 6068-2023.

Yes – 7 No – 0

SECOND READINGS:

Clerk of Council Nicholas Ciofani:

T 4-2023 AN ORDINANCE CREATING N.R.C.O. CHAPTER 478, REGULATING THE OPERATION OF LOW-SPEED AND UNDER-SPEED VEHICLES.

(Introduced by Mayor Corcoran; First Reading on 01-17-2023, Committee Meeting on 02-21-2023, Committee Meeting on 04-17-2023, Committee Report to Council on 05-1-2023, Second Reading on 05-01-2023, Amended on the floor on 05-01-2023)

Moved by Swenk and seconded by Awig to amend T 4-2023 with the substitute version that was given to City Council before the meeting.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

This Ordinance was moved to second reading.

THIRD READINGS:

There were none.

MEETING ANNOUNCEMENTS:

President Jacobs noted the following:

1. The next Regular Council meeting would be on Monday, May 15, 2023, at 7:00 p.m. in Council Chambers.

2. The next Committee of the Whole Meeting would be on Monday, May 15, 2023, at 6:00 p.m. in Council Chambers for a presentation from Guide Studio on City Signage Program.

Councilman Boose reminded everyone about the Memorial Day Parade. The parade is on May 29, 2023. Information on how to register a parade unit is on the City's website.

ADJOURNMENT:

President Jacobs adjourned the meeting at 8:19 p.m.

Approval of minutes on May 1, 2023:



Jason Jacobs
PRESIDENT OF COUNCIL



Nicholas Ciofani
CLERK OF COUNCIL