

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

MAY 1, 2006

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville City Council Regular meeting dated May 1, 2006. If you will all rise for our invocation, followed by our pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning 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:

Minutes of regular meeting held April 17, 2006

Council Member Olesen: Mr. President, I do have a correction here that I would like to make.

Page 19, we're talking about T 63 in the first paragraph and it should be T 64. At the bottom is another reference of T 63 that should be T 64.

President Arndt: Page 19, under Auditor Costin; the first line should read T 64.

Council Member Olesen: T 64 again on the last sentence as well.

President Arndt: So noted. Are there any other corrections?

moved by Boose, seconded by Jaenke to approve the minutes of the regular meeting held April 17, 2006 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: Minutes approved as corrected. Council will also please note:

Parks & Recreation Commission Minutes of regular meeting held March 22, 2006;

Civil Service Commission Minutes of regular meeting April 18, 2006; and

Board of Drainage & Flood Control Minutes of regular meeting held January 26, 2006.

MAYOR AND DIRECTORS REPORTS:

• **Mayor:**

Mayor Gillock: Good evening. Thank you, Mr. President and welcome back. I would like to remind residents that our recycling contest is again underway. Each week our Utilities Supervisor, Jim Whitlock, picks a few houses in each ward. He visits those and if they are recycling, they win a 50 dollar prize. There are sixteen winners each month and those winners are then entered into a grand prize contest for later in the year. Be sure to recycle as you have to recycle to be in the contest.

Since this is Spring and Spring cleaning is an issue, I would like to give you some dates of some other things that will be going on.

May 13th, will be Hazardous Waste Collection day at Lorain County Community College. At that facility you can take items and I will list some of them to give you an idea of what they will accept:

Acids and caustics, pool chemicals, 12 volt batteries, car batteries, bleach, other household batteries

Flammable Materials include: paint, turpentine, paint thinners, adhesives, lighter fluid, used motor oil, solvents, propane cylinders and house paint

Reactive Materials include: cyanide, poisons, fertilizers, pool chlorine, other toxic materials, rat poison, antifreeze, weed killers, smoke detectors, flares, insect killers, mercury, medications, florescent bulbs, roofing tar, and driveway sealer

All of that type of stuff can be disposed of at the Lorain County Community College on May 13.

May 20th is Waste Tire Collection Day. Residents, no commercial, can drop off tires at our Service Garage on Bainbridge Road. These can be rimmed or non-rimmed. Acceptable tires include small equipment or passenger cars, SUV's, Minivans, pick up trucks, or any bicycle or motorbike tires. No truck or semi tires will be accepted.

Also, on May 20th, which is Pride Day. Residents wishing to participate should contact the Parks & Rec Department for more information.

You often hear our City Engineer speak about the annual Storm Water Management Report that he is required to submit to the Ohio EPA each year. I brought along tonight a copy of the annual report. This is a copy of this year's report, which is dated April 27, 2006. This takes a huge amount of time on Mr. Griffith's part and I would like to publically thank him for all his hard work and dedication in getting this report done and in on time. I know it's just part of the job, but still, thanks for a job well done.

I would like to again remind residents that the assessments for the Westerly Sewer are due May 15th. After discussions with our legal counsel, we were able to extend the deadline. Please

contact Tony Hatmaker in the Treasurer's office prior to that date to pay all or a portion of the assessment. Those not paid will be added to the annual property tax and billed over a 20 year period. That concludes my report.

President Arndt: Thank you, Mr. Mayor. We now would like to invite our Safety-Service Director, Mr. Johnson.

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. The patrol cars approved at the special Council meeting last Tuesday are ordered and scheduled for delivery in October or November. They will be the 2007 model year. It will take a few weeks beyond that to have them prepared for daily use. On behalf of the Police Department, I thank Council for acting quickly to keep this effort on track.

T-70 on your agenda tonight is an ordinance authorizing the purchase of other vehicles for various departments. I ask that Council pass this tonight with the emergency clause so we can get these vehicles ordered. Our mechanics are spending too much time and money trying to keep junk vehicles serviceable so our employees can continue doing their jobs.

Don Daley and the French Creek Management Team has secured yet another innovative revenue stream for the sewage plant. We are taking waste syrup from a facility in Medina that processes stale beer, soft drinks and other consumer products in a still. They extract ethanol from the waste and sell it for an automotive fuel supplement. The waste syrup is easily processed at the French Creek plant, making it a win for us and for the innovative company generating the waste. Cars that run on beer, what will they think of next?

Speaking of French Creek, we are currently bagging 1,000, 40 pound bags of Biorich for free distribution on Pride Day, May 20. I have a bag right here next to me. We will have the bags available at City Hall complex and at the Service Garage on Bainbridge Road. Biorich is the safe and odorless humas the French Creek plant generates during the treatment process. Biorich can be used in flower gardens, lawns or any other nonedible plant beds. Biorich is also available in bulk by contacting the French Creek plant at 934-5251.

That concludes my report.

President Arndt: Thank you, Mr. Johnson. We now would like to invite our Engineer, Mr. Griffith, for his report.

- **Engineer:**

Engineer Larry Griffith: Thank you, Mr. President. We seem to be having an environmental night. As the Mayor mentioned, Saturday, May 20 will be Lorain County Pride Day. For those

of you who may not know this, Pride Day was started over a decade ago by a group of concerned residents that decided to set aside one day to clean up and beautify public areas. The event has grown with 21 communities and over 2,200 Lorain County volunteers participating last year. In North Ridgeville, 177 people and eight businesses participated. If you have a group in your neighborhood that would like to clean up a park, a stream, a vacant lot or whatever or if you are just an individual that would like to help, please call Melissa in the Recreation Department at 353-0880. Again, that's 353-0880. Melissa will help you coordinate your efforts or assign you to a group to work with. In addition to this on May 20, there will be some other facilities available from 9:00 A.M. to noon to help people clean up and those are:

Aluminum cans will be collected by the Fire Department at 7090 Avon Belden Road;
Small electronics will be collected at South Central Park at 7565 Avon Belden Road;
Paper shredding will be done at City Hall at 7307 Avon Belden Road;
Used oil and tires will be collected at the Service Garage at 35010 Bainbridge Road.

Any cleanup effort in your neighborhood, at your local school, on your street, along the side of the road, in a vacant lot, or any other local area will make our community a better place to live. And, please remind your friends and family not to litter. Thank you, Mr. President, that concludes my report.

President Arndt: Thank you, Mr. Griffith. We would now like to invite our Auditor, Mr. Costin for his report.

• **Auditor:**

Auditor Chris Costin: Thank you, Mr. Chairman. At the Special Council Meetings we had on April 25 regarding the BAN's, I indicated that there would be follow up appropriation ordinance, which is laying on the desks before you as T 79-2006. This reflects the appropriation of the rest of the dollar amounts for the vehicles to be paid out of the bond anticipation notes. In addition, under special revenue funds, we snuck in 700 dollars of a re-class from other personal services with regard to an individual request from Park and Rec to hire part time help during the summer and this was not indicated to us during appropriations. We are simply taking it out of other funds and putting into personal services with Council's agreement. I would request that you pass the appropriation ordinance tonight with the emergency so that we will have all the appropriations in place to meet with the BAN's that we issued. That concludes my comments. Thank you.

moved by Mayor Gillock, seconded by Buescher to suspend By-Laws tonight to include T-79-2006 under first readings

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.

President Arndt: Dr. Norris if you will read our other reports please.

• **Other Reports:**

Clerk of Council Norris: One other report before Council this evening is:
Fire Department Report for March 2006

President Arndt: We have no Council Committee Reports.

Council Member Butkowski: Mr. Chairman, the Park and Rec Commission has some money that they need verbal approval on. Do you want to do that here?

President Arndt: That would be fine.

Council Member Butkowski: The first one is 16,000 dollars to expand the parking lot at Frontier Park, which includes grading and six inches of stone.

moved by Butkowski, seconded by Boose to approve a 16,000 dollar expenditure to
expand the parking at Frontier Park

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

Yes, 7 No, 0

Council Member Butkowski: The second one is 4,000 dollars for purchase of a paint sprayer and paint.

moved by Butkowski, seconded by Boose to approve the expenditure of 4,000 dollars for
a paint sprayer and paint

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

President Arndt: We will now move to our Correspondence tonight. Dr. Norris, will you please read this one item.

CORRESPONDENCE:

Clerk of Council Norris: One item of correspondence before Council this evening includes:

- 1) Received a letter from Lorain County Board of Commissioners Clerk Theresa L. Upton submitting Resolution 06-265 opposing TEL/TABOR Constitution amendment on the November 2006 ballot and encouraging all Lorain Countians to oppose such amendment due to the financial destruction on local governments if approved.

President Arndt: We have no new business, so we will now move to the Audience Participation, our Lobby.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any members of our audience tonight who chooses to address your City Council, are welcome and invited to do so. You will be asked to fill out the Lobby form that you can find in the back of the room because it gives us the opportunity to contact you personally, should there be a need for individual followup. You are now welcome to come forward to the podium immediately to the right of Mrs. Buescher. When you do come forward, please clearly state your name and address. Please limit your comments to three minutes. The Lobby is now open.

1) Chris Rangus, Service Department Superintendent for North Ridgeville, 35010 Bainbridge noted that on Pride Day last year, they accepted 450 tires and almost 30 gallons of motor oil. He also noted that the Service Department mixes the Biorich with their top soil to help stretch their dollar and make it last longer. He explained in detail, the need for the two pieces of legislation, T 71 and T 72. He requested that they be passed.

President Arndt: Thank you, Mr. Rangus. Who else would like to address your City Council?

moved by Arndt, seconded by Jaenke to suspend our By-Laws tonight to forego our recess

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

RECESS: dispensed with

President Arndt: We now move to our Ordinance and Resolution section of our meeting. Dr. Norris, if you will please begin with our Ordinances and Resolution Submittals.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

Clerk of Council Norris: Ordinances and resolutions submittals tonight include:

T 69-2006 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR MAJOR NEW (TRAC) FUNDING THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO WIDEN CENTER RIDGE ROAD.

moved by Mayor Gillock, seconded by Olesen to suspend our By-Laws tonight to give T 69 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would like this passed this evening if Council would agree. We don't need the emergency. We've been working for over a year in preparing an application to track the transportation review advisory committee in regards to funding for widening Center Ridge Road. That application has to go in before May 6, which is the end of this week. As part of that application, they require a resolution showing that Council is on board with this project

and this is the reason we would need it passed this week. I did provide a presentation to the NOACA, Northeast Ohio Area Coordinating Agency a week ago Friday, requesting funding for them. At the completion of our study for the last year, the estimate on this project is in excess of 31 million dollars. We already have a five million dollar commitment from ODOT for safety funds. We have asked NOACA for an additional seven million. We have asked Senator DeWine's office for an earmark to provide funding and we are asking TRAC for an excess of 11 million dollars. This is all part of the financing package that we are trying to put together that if everything fell into place exactly perfectly, we can begin widening this road in the year 2013. Anything that doesn't work will delay this project another year because they only accept applications once a year. Therefore, it is very important that we get this in this year on time. Thank you.

President Arndt: Again to clarify, there is a motion on the floor by Mayor Gillock and a second by Mr. Olesen to suspend our By-Laws tonight to give T 69 its first reading. Will the Clerk please take roll?

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

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

T 70-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE OR LEASE/PURCHASE VEHICLES FOR VARIOUS CITY DEPARTMENTS 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 \$365,000.00.

moved by Olesen, seconded by Jaenke to suspend our By-Laws tonight to give T 70 its first reading

President Arndt: Our Auditor has some comments.

Auditor Costin: Yes, Mr. Chairman, if I might request as a formality, we should have the appropriation ordinance, which is T 79, in place before we pass any of the other requests for purchase of vehicles. It is okay to pass it, but I would prefer that the appropriation ordinance be passed first.

President Arndt: Our Clerk has placed T 79 at the top of the list for our first readings tonight. 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

T 71-2006 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 NEW PORTABLE DIESEL GENERATOR, IN THE APPROXIMATE AMOUNT OF \$35,000.00.

moved by Boose, seconded by Jaenke to suspend By-Laws tonight to give T 71 its first reading

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.

T 72-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A NEW TRACTOR WITH MOWING ATTACHMENTS 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 \$50,000.00.

moved by Boose, seconded by Manning to suspend By-Laws tonight to give T 72 its first reading

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: Motion is approved.

T 73-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURPOSE OF HAVING CAMERA WORK PERFORMED ON ONE OF THE CITY'S MAIN INTERCEPTORS, NOT TO EXCEED \$80,000.00.

T 74-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE RECONSTRUCTION OF TAYLOR PARKWAY, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED \$192,000.00.

moved by Olesen, seconded by Butkowski to suspend By-Laws tonight to give T 74 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, just for clarification. This is an ordinance allowing us to go to bid in order that we can re-pave Taylor Industrial Parkway, which is in really bad shape and has not been done for many, many years. The cost for the repairs is approximately, 192,000 dollars. Through Issue Two funds, we did receive an interest free loan, payable over twenty years for 60 percent of that project, which is 115,200 dollars. The net to the City, immediately, is 76,800 and the rest is through the loans. We would like to get this passed tonight if we could in order that we get this out to bid to start the project during this construction season.

President Arndt: Do you need the emergency on this?

Mayor Gillock: Yes, please. If we don't, and we will have to wait 30 days to pass it, 30 days to take effect and then another 30 days to bid and we would have lost most of the construction

season.

President Arndt: Is there any other questions of the Mayor?

Council Member Boose: Yes, Mr. President. Was this brought before appropriations? I didn't see it listed in there.

Mayor Gillock: Yes.

Council Member Boose: Under which category?

Auditor Costin: Under Street Levy.

Council Member Boose: Street Levy? Thank you.

President Arndt: Any other questions? 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 75-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL FULL DEPTH CONCRETE PADS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

 moved by Olesen, seconded by Butkowski to suspend By-Laws tonight to give T 75 its first reading

President Arndt: Is there any discussion?

Council Member Olesen: Yes, Mr. President, I would like to ask if this should be passed tonight, since this is the season to do this type of work.

Mayor Gillock: Mr. President, yes, for the same reason we just talked about. We need to get it passed, so we can begin construction.

President Arndt: And with the emergency?

Mayor Gillock: If we could, yes.

President Arndt: Any further discussion? 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 76-2006 AN ORDINANCE AMENDING SECTION 1462.04 CELLULAR COMMUNICATIONS SYSTEMS, LOCATION/SITING OF FACILITIES FOR THE PURPOSE OF PROMOTING COLLOCATION AND THE CONSTRUCTION OF ADDITIONAL CELLULAR TOWERS WITHIN THE CITY.

President Arndt: THE CHAIR REFERS THIS TO BUILDING AND LANDS AND THE PLANNING COMMISSION.

T 77-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH T-MOBILE CENTRAL LLC.

moved by Mayor Gillock, seconded by Olesen to suspend By-Laws tonight to give T 77 its first reading

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: Motion is approved.

T 78-2006 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

moved by Buescher, seconded by Butkowski to suspend By-Laws tonight to give T 78 its first reading

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: Motion is approved.

President Arndt: That concludes our Ordinances and Resolutions. We now move to what were no First Readings to now a cornucopia of them. Dr. Norris, if you will begin, please with T 79

• **First Readings**

T 79-2006 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 4233-2006
4260-2006 AND 4253-2006 FOR THE CITY OF NORTH RIDGEVILLE OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2006 AND ENDING DECEMBER 31, 2006.

First Reading

moved by Olesen, seconded by Jaenke to dispense with our second and third readings tonight on T 79

President Arndt: Is there any discussion? 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

moved by Olesen, seconded by Jaenke to add the emergency because we can't function on our other ordinances until this is passed

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. Olesen and a second by Mr. Jaenke to adopt tonight T 79 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 79 is adopted with the emergency becoming permanent ordinance 4260-2006.

Permanent Ordinance No. 4260-2006

T 69-2006 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR MAJOR NEW
1082-2006 (TRAC) FUNDING THROUGH THE OHIO DEPARTMENT OF
TRANSPORTATION (ODOT) TO WIDEN CENTER RIDGE ROAD.

First Reading

moved by Olesen, seconded by Butkowski to dispense with our second and third readings tonight on T 69

President Arndt: Is there any discussion? Will the Clerk please take roll?

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

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

moved by Olesen, seconded by Jaenke to adopt

President Arndt: Any discussion? There being none, will the Clerk please take roll.

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

Clerk of Council Norris: Motion is approved by a vote of six, zero, one abstention and T 69 is adopted becoming permanent resolution 1082-2006.

Permanent Resolution No. 1082-2006.

T 70-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4261-2006 RIDGEVILLE TO PURCHASE OR LEASE/PURCHASE VEHICLES FOR
VARIOUS CITY DEPARTMENTS 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 \$365,000.00.

First Reading

moved by Olesen, seconded by Jaenke to dispense with our 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 Arndt, seconded by Olesen to adopt

moved by Arndt, seconded by Olesen to add the emergency to T 70 for the safety and welfare of our employees

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 and a second by Mr. Olesen to adopt tonight, T 70, with the emergency. Any further discussion?

Council Member Boose: Mr. President, I'm trying to reconcile the number of vehicles. The

ordinance indicates to purchase approximately 22 vehicles. During the appropriations there was a specific number indicated and I'm counting 19. I was wondering if which one could be identified of the 22 vehicles and why would the ordinance state approximately.

Safety-Service Director Johnson: For the Fire Department, I have three vehicles, one of which is being funded from the Ambulance Fund. Police Department has six cruisers, five Ford Tauruses or something like that to be used by the Detectives and one Ford Explorer.

Council Member Boose: Didn't we do the six cruisers at the special meeting?

Safety-Service Director Johnson: We did the six cruisers already, yes.

Council Member Boose: Okay, so they aren't part of this ordinance are they?

Safety-Service Director Johnson: They are part of the Financing Package that was passed at the Special Meeting.

Council Member Boose: Right, but they are not part of this ordinance.

Safety-Service Director Johnson: Correct. For the Building Department there are five vehicles and we're listing those as Ford Focus. Engineering Department has five vehicles, which are being listed as Ford Escapes. Utilities Department, which is between the financing and the bidding package because it comes out of enterprise funds; not out of the General Fund. I'm listing those as four Ford Focus. That's the list that I have.

Council Member Boose: Mr. President, my notes from the expenditures not included in totals that Mr. Costin prepared for us, shows three Ford Focus for Utilities versus four and shows two, four by four trucks and two, two wheel trucks for Engineering versus five and the five for Building, I do not show were appropriated.

Engineer Griffith: One of those vehicles did increase in my department because Council was kind enough to allow me to hire another employee. I need something for this person to get around in. That is why there is an additional vehicle in Engineering because originally it was four.

Safety-Service Director Johnson: Mr. President, I believe the funds are the same. It is the number of vehicles that are different.

Mayor Gillock: Mr. President, I know in the case of the Utilities Department, we originally spoke of three vehicles, but when we priced these cars, we could get four Ford Focus for the same amount of money as three Ford Tauruses, which we needed and that is why some adjustments were made in the number of vehicles. The dollar amount is not changing, we are just meeting more needs within the City, where we can.

Council Member Boose: Mr. President, my only comment would be through two days plus of discussions in appropriations, we were asked to consider an X number of vehicles, not an X number of dollars. It is my recollection that we weren't able to *approval all appropriations*. ~~(inaudible as the audio tape, side a ended)~~ Perhaps some of that money could go back into the General Fund that could perhaps be used to fund things that we weren't able to approve at the beginning.

Mayor Gillock: Mr. President, Council is not asked to approve the number of vehicles. Council writes the budget. Council has the purse strings. We came to Council with a list of the minimum number of vehicles that were needed. That doesn't mean that we put a vehicle in every position that we need. We still have some junk cars out there where we have to watch the budget and try to replace them when we can. This year, because we are going to bonding in some cases,

we can make this type of purchase in borrowing the money through bonding. We plan on paying these off in three years as the same amount of money. We could cut the amount of money and go back to the same amount of cars, but we will still have employees driving unsafe vehicles. It would be my recommendation to stay with the budget with the amount of money that Council approved, make the best use of the money that we can and get the best buy that we can for the City and put employees in safe cars.

Council Member Boose: My final comment is that I understand what the Mayor is saying. The last thing I want to do is have employees driving unsafe vehicles. Again, with two days plus in appropriations, they indicated that an X number of vehicles are what they could get by with and there were other needs of other departments that could not be met because we didn't have the extra funds. I just wish this was brought to my attention. I was at the entire appropriations for the full two days or more and that is not how it was presented. I am in favor of the vehicles that we talked about in appropriations, but I am not in favor of how this is coming in with extra vehicles, because we appropriated funds based upon what the cost of the vehicles might have been. Thank you.

President Arndt: Any other comments?

Council Member Butkowski: Mr. Chairman, some of the vehicles are really unsafe. I have seen some of these myself and if an unsafe vehicle can be replaced and it is saving life and limb of some of our employees, I believe that is what we should be taking into consideration regardless of what else is being needed. A computer is a computer. A piece of paper is a piece of paper. A life is a lot more important and I think we should be getting safe vehicles for everyone.

Safety-Service Director Johnson: Mr. President, just one more comment. A lot of the vehicles that are being replaced are police interceptor vehicles that we received from the State as used vehicles. These have very high mileage and it would cost a lot more to replace the brakes, the tires, the exhaust and a number of other things that would have to go into these cars. They are very poor on gas mileage and they are unsafe as well. I think over the three year period here; putting these employees in the right kind of vehicles, such as the Ford Focus, I think we will see a savings over all. I am not an Auditor and I can't quantify that, but I think repairing these cars and putting up with modern fuel prices in these gas guzzlers for no reason, it doesn't make sense. We have the availability of the funds, we should replace these vehicles now, that we can.

Council Member Buescher: Mr. President, I think I can understand what Mr. Boose is saying. Not having been to that particular Finance Committee Meeting, he was given the impression of 18 cars or whatever number of cars were needed and that, that amount of money was appropriated. Just listening to that, where did the extra money come from if only 18 cars were supposed to have been appropriated? Is that correct?

Council Member Boose: Mr. President, if I could respond. There could have been other programs, employees, other items that could have been purchased with that money that the cars have apparently come under budget. That is wonderful and I think that is great that we can do that. I just wish that if we would have known that, there could have been something else that, that we really felt deserved. All of the appropriation requests were very deserved. It was unfortunate that we couldn't approve them all, but if I we are financing a few more vehicles in lieu of that, again, with the two plus days of negotiations and for me to make a decision in fifteen minutes in not having an opportunity to recant all of the other requests; I don't think is

appropriate. Again, I am the last person who would want people driving unsafe vehicles.

President Arndt: One last comment, Mr. Mayor?

Mayor Gillock: Just a point of clarification for Mrs. Buescher. We are not spending any more money than what was appropriated. We just received a better deal on the vehicles. The other issue is, is that even if we stayed with the same number of vehicles and spent less money, this is a capital expenditure, which is going through bonding. We wouldn't be able to really spend that money, somewhere else. If it is a capital expenditure and that is what it was approved for, than that is the way we would have to spend it.

President Arndt: The Chair is calling the question. We have a motion on the floor by Arndt and second by Olesen to adopt tonight T 70 with the emergency, will the Clerk please take roll.

Yes, 6 No, 1 (Boose)

Clerk of Council Norris: Motion is approved by a vote of six to one and T 79 becomes permanent ordinance 4261-2006.

Permanent Ordinance No. 4261-2006

T 71-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4262-2006 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 NEW PORTABLE DIESEL
 GENERATOR, IN THE APPROXIMATE AMOUNT OF \$35,000.00.

First Reading

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

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

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 71

President Arndt: Is there any discussion?

moved by Butkowski, seconded by Buescher to add the emergency for the purpose of the potential of running out of power at one of our pump stations

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: Additionally, we have a motion on the floor by Mr. Boose, a second by Mrs. Butkowski to adopt tonight T 71 with the emergency. 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 71 has been adopted with the emergency becoming permanent ordinance 4262-2006

Permanent Ordinance No. 4262-2006

T 72-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4263-2006 RIDGEVILLE, OHIO, TO PURCHASE A NEW TRACTOR WITH MOWING

ATTACHMENTS 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 \$50,000.00.

First Reading

moved by Boose, seconded by Manning to dispense with the second and third readings tonight on 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

moved by Boose, seconded by Butkowski to adopt tonight T 72

moved by Boose, seconded by Butkowski to add the emergency so that we can begin saving time and Service Department resources by using this larger equipment

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: Additionally, we have a motion on the floor by Mr. Boose, a second by Mrs. Butkowski to adopt tonight T 72 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 72 has been adopted with the emergency becoming permanent ordinance 4263-2006

Permanent Ordinance No. 4263-2006

T 74-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4264-2006 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE RECONSTRUCTION OF
TAYLOR PARKWAY, AND TO NEGOTIATE AND ENTER INTO A
CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS,
SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME,
NOT TO EXCEED \$192,000.00.

First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on 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

moved by Olesen, seconded by Butkowski to adopt tonight T 74

moved by Olesen, seconded by Butkowski to add the emergency because we have some funds that are appropriated by other agencies for this project which we want to be able to include as well as to meet financial deadlines

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: Additionally, we have a motion on the floor by Olesen, a second by Mrs. Butkowski to adopt tonight T 74 with the emergency. Any discussion?

Council Member Boose: Mr. President, I first want to commend the Administration for being able to procure an interest free loan for twenty years for 115,000 dollars of this project. Just for my own clarification, I was told earlier this evening that this was appropriated under the Street Levy. Is this under the line item, Mr. Costin, City Paving Program?

Auditor Costin: I don't think so, let me double check.

Council Member Boose: I don't see it as a line item under the appropriations, though I know we spoke of it.

Auditor Costin: I know it is appropriated, because I double checked to make sure. I can't answer that question at this time. I will have to check the details. We are appropriating 76,000 dollars.

Council Member Boose: I recall this being discussed and approved. I just wanted to make sure what line item it is coming from.

Auditor Costin: It may be in the contingency line item.

Mayor Gillock: Chris, do you know what line item it is in.

Service Department Superintendent Chris Rangus: The sheet that I had, listed it under three different ones. It wasn't a separate line item. There were three of them listed together.

However, like Auditor Costin stated, it was either 76 or 79,000 that was our portion, which came out of that budget

President Arndt: Is there any other discussion? Again to restate, we have a motion on the floor by Mr. Olesen, a second by Mrs. Butkowski to add the emergency on T 74 for the reason stated. Is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Finally, we have a motion on the floor by Mr. Olesen and a second by Mrs. Butkowski to adopt tonight T 74 with the emergency. Is there any further 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 has been adopted with the emergency becoming permanent ordinance 4264-2006

Permanent Ordinance No. 4264-2006

T 75-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4265-2006 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW,
AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL
FULL DEPTH CONCRETE PADS TO BE USED BY THE CITY OF NORTH
RIDGEVILLE, OHIO.

First Reading

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

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

Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 75

moved by Boose, seconded by Butkowski to add the emergency so that we can meet the deadlines for the upcoming contracting season

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: We also have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 75 with the emergency. 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 has been adopted with the emergency becoming permanent ordinance 4265-2006

Permanent Ordinance No. 4265-2006

T 77-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE
4266-2006 AGREEMENT WITH T-MOBILE CENTRAL LLC.

First Reading

Law Director Crites: If I can, Mr. President, I beg Council tonight to consider passing this with the emergency simply because the sooner we pass this, the sooner our contract is effectual, and the sooner they start paying us.

Safety-Service Director Johnson: Mr. President, I can expand on this. This is a cellular antenna that is proposed to go onto our service garage tower. They are going to install electrically operated gates up to get it in and out of the service garage so that it will improve our access to the service garage and it will bring revenue into the City. It has to pass by Planning Commission also.

motion by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 77

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, if this has to be approved by Planning Commission, can we approve it before they do?

Safety-Service Director Johnson: Mr. President, this is the contract we would have with T-Mobile. The Planning Commission is actually the legal installation of the antennae they would have to deal with. The contract is separate.

Council Member Butkowski: Okay, I just wanted to be sure.

President Arndt: We have a motion on the floor by Mr. Olesen and a second by Mr. Jaenke to dispense with the second and third readings on T 77. Is there any further discussion? 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 77

moved by Olesen, seconded by Butkowski to add the emergency because this is a fine agreement for us and we would like to take advantage of the probability

aspects of it

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

President Arndt: In addition we have a motion on the floor by Mr. Olesen and a second by Mrs. Butkowski to adopt tonight T 77 with the emergency. 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 has been adopted with the emergency becoming permanent ordinance 4266-2006

Permanent Ordinance No. 4266-2006

T 78-2006 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF
4267-2006 CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE
VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO
APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE
UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL
ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH

First Reading

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

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

Yes, 7 No, 0

moved by Buescher, seconded by Butkowski to adopt tonight T 78

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 78 is adopted becoming permanent ordinance 4267-2006

Permanent Ordinance No. 4267-2006

President Arndt: That concludes our first readings. Dr. Norris if you will begin our second readings with T 31.

• **Second Readings**

Clerk of Council Norris: Second Readings this evening include:

T 31-2006 AN ORDINANCE PROHIBITING LITTERING BY INDIVIDUALS UPON
PUBLIC PROPERTY OR UPON THE UNINHABITED PROPERTY OF
ANOTHER.

Second Reading

T 57-2006 AN ORDINANCE ACCEPTING A LAND EXCHANGE AGREEMENT

BETWEEN THE CITY OF NORTH RIDGEVILLE AND VENDOME
ASSOCIATES CORPORATION
Second Reading

T 65-2006 AN ORDINANCE ACCEPTING 1,008 SQUARE FEET OF PERMANENT
PARCEL NO. 07-00-014-103-028 ON THE WEST SIDE OF ROOT ROAD
AND DEDICATING IT FOR PUBLIC PURPOSES.
Second Reading

T 66-2006 AN ORDINANCE AMENDING ORDINANCES NO. 2755-93 AND 3548-2000
BY INCREASING THE COMPENSATION FOR THE CLERK OF COUNCIL.
Second Reading

President Arndt: Thank you. That concludes our second readings. Dr. Norris, if you will begin with our third readings.

• **Third Readings**

T 17-2006 AN ORDINANCE AMENDING ORDINANCES NO. 2752-93,
REVISED NO. 1922-84, NO. 1559-79 AND NO. 1275-77 PROVIDING FOR
4268-2006 SALARY CHANGES FOR COUNCIL MEMBERS EFFECTIVE JANUARY 1,
2008.
Third Reading

moved by Buescher, seconded by Jaenke to adopt tonight T 17-2006 Revised

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, I just wanted to remind the other Council members that I will be voting no, against this. I am not against an increase in Council salary. I am against the 2,000 dollar increase from 7,000 to 9,000 effective January 1, 2008. I am in favor of the two percent increase compounded because that will then perpetuate itself and Council will not be asked to go through this ordeal another time.

Council Member Buescher: Mr. President, we are asking for that 2,000 dollar increase because it has been fifteen years when this takes effect and Council has basically been intimidated for fifteen years into not giving itself a raise, but to consider those coming down the line, so I will vote in favor.

President Arndt: Is there any other discussion? There being none, Dr. Norris, will you please take roll.

Yes, 5 No, 2 (Boose, Manning)

Clerk of Council Norris: Motion is approved by a vote of five to two and T 17 Revised is adopted becoming permanent ordinance 4268-2006

Permanent Ordinance No. 4268-2006

T 58-2006 AN ORDINANCE PROHIBITING LOITERING ON AND AROUND CERTAIN
4269-2006 BRIDGES, TRESTLES, VIADUCTS, AND SIMILAR STRUCTURES AND

DEFINING LOITERING AND PROVIDING NOTICE.

Third Reading

moved by Olesen seconded by Jaenke to adopt T 58

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 58 is adopted becoming permanent ordinance 4269-2006
Permanent Ordinance No. 4269-2006

T 59-2006 A RESOLUTION NAMING THE ROUTE 83 OVERPASS "THE SHAWVILLE
1083-2006 OVERPASS".

Third Reading

moved by Buescher seconded by Jaenke to adopt tonight T 59

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, this once again, returns the name Shawville to this Shawville area that was there for years and years and was taken down. Now, we will have it again.

President Arndt: Thank you. Any other discussion?

moved by Mayor Gillock, second by Buescher to add the emergency tonight to T 59 to facilitate the dedication of that edifice

Council Member Butkowski: Mr. Chairman, we have this name because Mrs. Sullivan wrote a letter to the paper and it is for her that we honor this also. Thank you very much for doing that.

President Arndt: We have a motion on the floor by Mayor Gillock and a second by Mrs.

Buescher to add the emergency to T 59. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mrs. Buescher and a second by Mr. Jaenke to adopt tonight T 59 with the emergency. 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 59 is adopted with the emergency becoming permanent resolution 1083-2006.

Permanent Resolution No. 1083-2006

President Arndt: Finally, Mrs. Sullivan, we really want to salute you. I think as Mrs. Butkowski has pointed out that you have given the rightful name back to our bridge. Thank you so much. We really appreciate your tenacity.

T 60-2006 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH
1084-2006 RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION
FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14
CREATED BY CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94,

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

MAY 1, 2006

Page 21

BY RIDGECO, LLC., A CORPORATION ORGANIZED AND EXISTING
UNDER THE LAWS OF THE STATE OF OHIO DOING BUSINESS AS
WOLFF BROS. SUPPLY.

Third Reading

moved by Olesen, seconded by Butkowski to adopt tonight T 60

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 60 is adopted becoming permanent resolution 1084-2006
Permanent Resolution No. 1084-2006

President Arndt: That concludes all of our third readings. We have no Old Business. Dr. Norris,
if you will please read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Our upcoming meeting announcements include:

Streets, Sidewalks & Bridges Committee to meet Wednesday, May 3, 2006 at 7:00 P.M. This
meeting was originally scheduled for the Conference Room but will now be held in the Senior
Center.

Next Regular Council Meeting Monday, May 15, 2006 at 7:30 P.M. in Council Chambers

Mayor Gillock: Don't forget to vote.

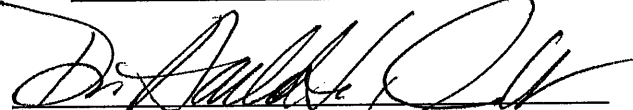
ADJOURN:

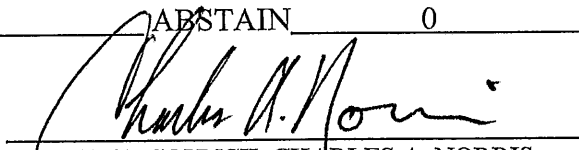
moved by Jaenke to adjourn

Meeting adjourned at 8:44 P.M.

MOTION Butkowski 2ND Olesen DATE May 15, 2006
as corrected

YES 7 NO 0 ABSTAIN 0


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS