NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING APRIL 18, 2016

CALL TO ORDER: 7:30 P.M.
President Corcoran: Welcome to the Monday, April 18, 2016 regular Council meeting.

INVOCATION:
Led by President Corcoran.

PLEDGE OF ALLEGIANCE:
Led by President Corcoran.

ROLL CALL:
Present were Council members Dennis Boose, Bruce Abens, Terrence Keenan, President Pro-Tem Bernadine Butkowski, Bob Chapek, Roseanne Johnson and President Kevin Corcoran.

Also present was Mayor G. David Gillock, Safety-Service Director Jeff Armbruster, Law Director Andy Crites, Deputy Auditor Teresa Machovina and Clerk of Council George E. Smith.

Mayor Gillock: The Engineer is not here because he needed to be with his father.

MINUTES - Corrections (if any) and approval:
President Corcoran: You have before you the public hearing meeting minutes of April 4, 2016 regarding the King agricultural district. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: You have before you the public hearing meeting minutes of April 4, 2016 regarding the Slusher agricultural district. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: You have before you the City Council meeting minutes of April 4, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: We received the Board of Drainage and Flood Control minutes of January 26, 2016 and the Planning Commission meeting minutes of April 12, 2016.

President Corcoran: That brings us to the lobby session of the meeting.

> Moved by President Corcoran and seconded by Keenan to split the lobby session into two sessions where the first one will be dedicated to the items that are on the agenda this evening and the second would be questions and answers from the audience.

President Corcoran: Any questions? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

LOBBY (REGARDING AGENDA ITEMS ONLY):
President Corcoran: This is the lobby session. This is your opportunity to address Council. If you would like to speak on an issue, please approach the podium for the record. State your name and address. You will be given three minutes to speak. Is there anybody who would like to speak this evening? Ok then, moving on to the Administrator's reports. First, we have Mr. Mayor.

ADMINISTRATORS REPORTS:
A. Mayor: Thank you Mr. President. Every two years when the state does their capital budget, they do a fiscal year capital budget plan where they contact the municipalities and we can submit different projects that relate to low or moderate income projects: flood water management, storm water management and similar projects. Earlier this year, we made a funding request of $4 million for the upcoming state 2017-2018 fiscal year capital budget. We received notification last week that it was recommended that we receive $1 million. That isn't $4 million, but I will take the $1 million. It is a really good start. It will go a long ways to helping us mitigate flooding in the City. Special thanks to Senator Gail Manning and State Representative Nathan Manning in supporting that request. Generally, if it is recommended it will be included in the budget. We never say never, but it looks good and we certainly appreciate that.

The City was notified about a couple railroad closings that will be coming up. We were notified by Road Safe Rail and Utilities that repairs will be made to the railroad crossing on Chestnut Ridge Road and Maddock Road that will require closing those roads. Detour maps are posted on our City's website. Chestnut Ridge Road railroad crossing will be blocked beginning Monday, April 18th, today, through probably this Friday, April 22nd. They state there is a possibility the work could go longer. These are pretty routine. We do these every couple years. They come through and maintain their tracks and normally they are done in about four days. We will see. There is a possibility that could be closed from today to next Tuesday. Maddock railroad crossing will be closed next Monday through Friday to make those necessary maintenance repairs.

Join me this Thursday, April 21st at Gourme Family Restaurant from 8:00-9:00 on Lorain Road for our monthly coffee conversation. It is a great way for you as residents to receive updates on projects or ask questions to get answered in a more informal, casual manner.

Lastly, I want to remind you that a week form this Friday, April 29, from 5:00-7:00 is the Senior Center Spaghetti Dinner. That concludes my report. Thank you.

President Corcoran: Thank you Mr. Mayor. Mr. Safety-Service Director. Welcome back.

B. Safety-Service Director: Thanks. It is good to be out. As I drove around the City today, I noticed all the construction projects were just going along very wonderfully without me. How do you like that? It is good to be back. I'll be in and out. I'm glad to be here this evening. Thank you very much.

President Corcoran: Thank you Mr. Mayor. Ms. Deputy Auditor.

C. Engineer: Absent.

D. Deputy Auditor: Good evening Council. I have a couple things – one you received your March 2016 financial report. Second thing is T 48 which is Resolution to transfer funds from General Fund to Surface Drainage. This was appropriated for during permanent appropriations in March. We need to make the transfer now due to some aerial mapping that is being done over the flood zones in the City and to keep the fund in a positive balance; for ORC compliance that maybe you could pass it by emergency this evening.

Mayor Gillock: Mr. Chairman, I would add to that this mapping will help us; we know that in the Pitts/Gina area that there are several homes over there in the flood zone that never flood. Doing this mapping will allow us to more accurately determine who is in and who is not and hopefully get some of those homes that are paying insurance for being in a flood zone out of a flood zone. It will be a benefit to a number of residents. I don't think we will put anyone in that is not in there now, but we will be able to remove several from the flood zone.

President Corcoran: Thank you.

Deputy Auditor Machovina: The next thing is T 60 which is to reimburse ODOT $111,400 for land required for Jaycox Road. I just wanted to make Council aware that $110,000 is appropriated for during appropriations. The additional $1400 needed for that will need to come from the contingency line item in that fund in Capital Projects.

The final one is T 58 and that is just to let you know it is a Resolution to approve expenditure to CT Consultants. The money was appropriated for it just didn't issue with P/O date and services being performed. That has to do with the CHIP federal grant. That concludes my report.

President Corcoran: Thank you very much.

E. Other Reports:
President Corcoran: We have the March 2016 Building Department report, the March 2016 Fire Department report, the March 2016 Support Car report and the March 2016 Water Distribution reports.

President Corcoran: There are no committee reports.

COUNCIL COMMITTEE REPORT(S): None.

President Corcoran: We have no correspondence.

CORRESPONDENCE: None.

President Corcoran: We have no old business.

OLD BUSINESS: None.

President Corcoran: Moving on to new business.

NEW BUSINESS:
Clerk of Council Smith:
Planning Commission action(s) taken at the April 12, 2016 meeting:

APPLICANT: Gary Smitek, North Ridge Point, LTD, 3320 Stoney Ridge Road, Avon, Ohio 44011
OWNER: Same
REQUEST: Final plat approval for North Ridge Pointe Subdivision, Phase 2.
LOCATION: North Ridge Pointe Subdivision to include Navona Lane, Trevi Court and a portion of West Shore Parkway in R-1 District; parcel nos. 07-00-030-000-178 and 07-00-030-000-094
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

Councilman Keenan: Mr. President, as a sitting Planning Commission representative I would just like to add a couple of comments from what occurred at the meeting. Basically it received unanimous approval. There were some issues our Engineer brought forward about incomplete or non-compliance storm drainage. The applicant agreed to comply with all City engineering requirements and therefore was unanimously approved.

Moved by Keenan and seconded by Butkowski to accept the Planning Commission action.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Clerk of Council Smith:
APPLICANT: James A. Yorks, James A. Yorks Architect, 7525 Leavitt Road, Amherst, OH 44001
OWNER: North Ridge Health Center Embassy Healthcare, 35990 Westminster Avenue
REQUEST: Approval to construct a 216 square foot addition onto each side of existing structure and to replace pavilion and sheds.
LOCATION: 35990 Westminster Avenue; corner of Route 83 and Mills Road in a B-3 District; parcel no. 07-00-019-000-218
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

Councilman Keenan: Mr. President, a brief report on that was that this project was wonderfully received. It is going to be a beautiful upgrade to an important facility in our community. They are going to do everything from new shingles, siding and shutters. The substantial building improvement will be at the main entry. They are going to redo – they will actually put two small extensions onto the front of their building to create a new physical therapy area, a new admin area, upgrade the appearance of the entrance, put some stone on the front and it will be very nice. The back of the building – this is a tough building to call front, back and sides because it has three sides that have main roadway frontage. On the Mills Road frontage, today it is not the most sightly project the way it presents to Mills Road because there are two small storage sheds. They are going to take those two sheds and make a much more attractive single, larger storage building. There is an existing pavilion that residents and staff use – they are going to rebuild that and make it more modern and nicer. As part of the discussion, it was brought up that they would do more with landscaping to shield the storage and the dumpsters from the drive by traffic on Mills Road. The architect was quick to acknowledge the condition and to suggest an additional landscaping that he didn't bring to the meeting. Planning Commission was quick to accept his offer.

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Clerk of Council Smith:

APPLICANT: Greg Alber, Alber & Rice, Inc., 17138 Lorain Avenue, Cleveland, OH 44111
OWNER: Lake Bella Investments, LLC/Tim Cochrane, 132 Heather Hedge Drive, Medina, OH 44215
REQUEST: Approval to construct a 12,000 square foot office building with paved parking.
LOCATION: 31975 Cook Road in an I-2 District; parcel no. 07-00-003-102-058
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

Councilman Keenan: Mr. President, with respect to this issue, this is exciting news I think for the City. This is a 12,000 square-feet single story office building with an architectural style that has somewhat of a residential character to it. It is on Cook Road. I think it is going to be a wonderful addition and to have a well-respected engineering firm coming into town and actually practicing will be very nice. One of the little nuances is that it is a 12,000 square-foot building with two large spaces on either side of the central core. Either side is about 5,000 plus square-feet and the one engineering firm will occupy immediately. The other side of the building does not have a tenant identified yet. The expectation is that it will be filled with another professional type service like engineering or some other type of professional service. The applicant was requesting a parking count that was shy of the actual code requirement for parking count for the ultimate build out. Basically, the plan shows there is room for fully code compliant parking if it was determined that is the right thing to do. Very often in buildings of this type, the code can require excessive amounts of parking. I think none of us want to overbuild asphalt at the expense of landscaping. There is a general agreement that the applicant will go to the Board of Zoning Appeals and suggest their plan and suggest their parking counts and work out the appropriate amount of variance in the future.

Again, this was a well-received project and it received unanimous approval.

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Clerk of Council Smith:
APPLICANT: Elizabeth Eaken, DS Architecture, 136 N. Water Street, Kent, OH 44240
OWNER: Jerry and Barbara Slabaugh, 3280 Fairhill Drive, Rocky River, OH 44116
REQUEST: Approval to construct a building for Dunkin Donuts with a drive-thru.
LOCATION: 32323 Lorain Road in a B-3 District; parcel no. 07-00-004-110-039
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

Councilman Keenan: Mr. President, this is another nice project. This will sit on the south side of Lorain Road between the BP and Panera's. It is directly opposite the Sheetz station. This was another project as it stood on its own merits that was well-received. There was a little bit of discussion amongst the various adjacent property owners about cross easement rights and so forth, but at the end of the day, the project as proposed works very well for Dunkin Donuts with direct entry access onto Lorain Road into its own parcel. It does not require to operate successfully or safely cross easements. Therefore the Planning Commission did not get tangled up with the discussion of adjacent property owners about cross easement rights and some of those items. They just left it to the property owners to negotiate it amongst themselves.

There is one very important issue that I feel is important, not that it really affects the Dunkin Donuts proposals, but it affects us as a Council and that is in fact that out of that presentation came to light to me, there is going to be a physical median barrier separating the east bound and west bound traffic on Lorain Road. This barricade will be built by ODOT at ODOT's requirements. It will essentially start at the westerly curb cut into the Sheetz, so on the north side of Lorain on the westerly edge of their driveway into Sheetz, the median will be built and extend towards the bridge at 480. It is going to prevent left turn traffic crossing Lorain Road in either direction. That is something separate from the Dunkin Donuts but I think it is important for us to understand and if we were going to take some action, some Resolution, or express an opinion about that median – I think it would be appropriate. It is not an item to necessarily get tangled up into with respect to the Dunkin Donuts item before us.

It did receive unanimous approval.

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Clerk of Council Smith:

APPLICANT: Michael Tully, Guardian of the Estate of Timothy Tesmer, Michael D. Tully, Co., 6061 S. Broadway, Lorain, OH 44052
OWNER: Timothy Tesmer, 36068 Lorain Road
REQUEST: Approval of petition to rezone parcel from R-1 zoning district to B-3 zoning district under temporary legislation T 17-2016.
LOCATION: 36068 Lorain Road in an R-1 District; parcel no. 07-00-025-106-060
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

Councilman Keenan: Mr. President, this is a fairly quick item that came before us at the end of that night. Essentially this has been brought to Council, referred from Council to Building and Lands Committee in which Building and Lands Committee heard and made a report to Council with unanimous approval 3-0 in favor of the rezoning. Planning Commission heard it and came to the same conclusion and made a unanimous 5-0 recommendation to Council for approval.

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

RECESS:

President Corcoran: This is the recess portion of the meeting. Would anyone like a recess?

Moved by Johnson and seconded by Butkowski to dispense with the recess.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: Moving on to first readings, if you will notice, it follows what we did last time. We moved basically any introduction of an Ordinance or Resolution to first readings. There we go. T 48.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 48-2016 A RESOLUTION APPROVING TRANSFERS FROM THE GENERAL FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO.
(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 48.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Moved by Johnson and seconded by Butkowski to adopt T 48.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 48 in order to meet the Ohio Revised Code requirements.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1378-2016.**
Yes – 7 No – 0

President Corcoran: T 49.

Clerk of Council Smith:
T 49-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE OR HIS DESIGNEE TO PUBLICLY ADVERTISE AND RECEIVE BIDS FOR THE SALE OF CERTAIN ITEMS/EQUIPMENT THAT NO LONGER SERVE A MUNICIPAL PURPOSE; TO SEEK QUOTES FOR THE PURCHASE OF A 2016 KOBELCO SK 140 STEEL TRACK EXCAVATOR AND AUXILIARY EQUIPMENT; TO HAVE THE SELLING PRICE OF THE ITEMIZED EQUIPMENT CREDITED AGAINST THE PURCHASE PRICE OF THE STEEL TRACK EXCAVATOR AND AUXILIARY EQUIPMENT; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED $185,000.00 (GROSS SALE PRICE).
(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 49.

President Corcoran: Are there any comments or questions?

Councilman Keenan: Mr. President, I was also going to ask a question about this. Is this an item that we can purchase off the state list and that state list is about to expire and so without an order to avoid running the risk of increased prices for the next upcoming year, it would serve the City to pass this tonight and avoid the price increases that will come within the next two weeks.

Mayor Gillock: Mr. President, this is not the one that bid is expiring. We would like to pass this this evening, but we don't need the emergency clause. We can use those thirty days to get our specs in order. We are purchasing off the state bid list, but there is no emergency. We would like to pass it tonight so we can go ahead and order it, but it is not an emergency.

The next one which is the International 8-ton dump truck that state bid expires April 30th. That is the one that we need to adopt with the emergency.

Councilman Keenan: So each of these items really has their own different expiration contract?

Mayor Gillock: Yes. I am not an expert on the state bid list, but there are thousands of things on there and they enter into a contract and they all have different dates, periods they run. This one is actually under an extension until April 30th. After that, it will have to go out for bids again and get a new contract for the next year. The other two are still okay. All these were approved through appropriations, but you guys know that but I wanted to point that out.

Councilman Keenan: I know this is a heck of a piece of equipment that will result in manpower savings. This was something that when presented I was much in favor of it. I think this is a win for us to do more work quicker and better for our storm water management system. Anything we can do to eliminate storm water flooding and so forth, we are in favor of looking at it hard. This was a creative solution by the department.

President Corcoran: Jeff and I actually went out and looked at the piece of equipment and it is pretty impressive. Once you get the hang of it … they said that there is a little bit of a learning curve, but Avon had it. I didn't get to use it but I really wanted to. Avon has been using it for a while and now they are able to move so fast and clear a lot of land with that thing. It is impressive.

Councilman Chapek: I saw that the safety features are much better than a three man crew – I mean safety of the employees.

President Corcoran: That is another important thing. All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Boose and seconded Butkowski by to adopt T 49.

President Corcoran: All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5352-2016.**

President Corcoran: T 50.

Clerk of Council Smith:

T 50-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A 2016 INTERNATIONAL 8-TON DUMP/SALT TRUCK AND AUXILIARY EQUIPMENT FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR 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 $180,000.00.
(Introduced by Mayor Gillock)

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Boose and seconded by Butkowski to adopt T 50.

Moved by Boose and seconded by Butkowski to add the emergency clause to T 50 in order to purchase the equipment before the expiration of April 30th on the state bid list.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5353-2016.**

Yes – 7 No – 0

President Corcoran: T 51.

Clerk of Council Smith:

T 51-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A 2016 GAP VAX COMBINATION JET/VACUUM MACHINE AND AUXILIARY EQUIPMENT FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR 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 $437,546.00.
(Introduced by Mayor Gillock)

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Moved by Boose and seconded by Johnson to adopt T 51.

Councilman Boose: Mr. President, I have a question in regard to the need or no need for an emergency on this. Is this also on expiration for the state bid list?

Mayor Gillock: The sooner we get it, the better it will be, but I don’t know if it is an emergency.

Safety-Service Director Armbruster: If we have to wait for the 2017 model, it would… I think we should pass it by emergency. I would suggest that we do and that gives us the option that if we don’t, then we have time. If we don’t have to come back to City Council, but I would suggest that we pass it by emergency.

Moved by Boose and seconded by Keenan to add the emergency clause to T 51 in order to get the benefit of the 2016 bid prices.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5354-2016.**
Yes – 7 No – 0

President Corcoran: T 52.

Clerk of Council Smith:

T 52-2016 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1056 *CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY CONTROLS AND REGULATIONS* BY INCLUDING THE NEW REQUIREMENTS CONTAINED IN THE OHIO EPA PERMIT REVISED SEPTEMBER 11, 2014.
(Introduced by Mayor Gillock)

Councilman Keenan: Mr. President, before we move on, I want to make sure that what I understood in my reading of this was that really the section that is changing is section 2 and it is simply the addition of another sentence. Is that right Law Director? It just adds that the riparian buffer shall be marked in the field with orange construction fencing by the construction site operator. Is that basically the change?

Law Director Crites: The change from what was filed originally with Council to correct or the change in general?

Councilman Keenan: In general.

Law Director Crites: I would defer to the empty chair of the City Engineer unless the Mayor can speak for him because this was his baby.

Mayor Gillock: On T 53. Are you talking T 52 or T 53? On T 52 which amends our storm water runoff regulations, here are the changes as outlined by my Engineer when I asked him the same question: 1) it will update the existing construction runoff code to meet the requirements of the new mpds construction general permit and it basically changes the permit number from 08c3 to 09q2; 2) required by code that onsite protective areas meaning wetlands, riparian areas and other valuable resources be physically marked in the field prior to commencement to earth disturbing activities; and 3) it allows for certain non-storm water discharges to the municipal storm sewer system including water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration which is defined as water other than waste water that enters the sewer system including sewer service connections and foundation drains from the ground through such means as defective pipes, pipe joints, connections or manholes, uncontaminated pump ground water, discharges from potable water sources, foundation drains, air conditioning condensate, irrigation water, springs, water from crawl space pumps, lawn watering, individual residential car washing, flows from repairing habitats of wetlands, dechlorinated swimming pool discharges, street wash water, discharges or flows from firefighting activities. Sometimes there is confusion about what discharges are actually allowed to the storm sewer system. There is your list. Those are the changes.

Councilman Keenan: Mr. President, I believe that covers both T 52 and T 53. So between those two, we have all of those different changes covered. Okay, I'm good.

President Corcoran: T 53.

Clerk of Council Smith:

T 53-2016 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 660 *SAFETY, SANITATION AND HEALTH* BY ALLOWING CERTAIN TYPES OF NON-STORM WATER DISCHARGES TO THE SURFACE WATERS OF THE STATE.
(Introduced by Mayor Gillock)

President Corcoran: T 54.

Clerk of Council Smith:
T 54-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH URS CORPORATION, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR PROFESSIONAL ENGINEERING SERVICES FOR SANITARY SEWER SUBBASINS 9, 10, 15 AND 16, NOT TO EXCEED $130,000.00.
(Introduced by Mayor Gillock)

President Corcoran: T 55.

Clerk of Council Smith:
T 55-2016 AN ORDINANCE AMENDING ORDINANCE NO. 5155-2014 BY INCREASING THE AMOUNT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE GRIT REMOVAL SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT FROM $183,500.00 TO $195,000.00.
(Introduced by Mayor Gillock)

Councilman Keenan: Mr. President, the audience and the public don’t get to understand what is behind this. It sounds like a simple $11,000 additional services fee request, but it is much more than that. By spending this money, we saved possibly a couple hundred thousand dollars because it was done to sequence the repairs to make for a better system at one time. This kind of flexibility and nimbleness for a government is very good. I think this is a job well done. I think we just have top notch people out there at the French Creek Wastewater Treatment Plant and this is another example of it.

Councilman Boose: I just have a question – because it is in the middle of doing other things out there is there a need to move this more quickly or no? This is a change order?

Safety-Service Director Armbruster: Add the emergency.

Moved by Boose and seconded by Johnson to dispense with the second and third readings for T 55.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Boose and seconded by Johnson to adopt T 55.

Moved by Boose and seconded by Johnson to add the emergency clause to T 55 in order to meet all the current time requirements of the current job since it is a change order.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5355-2016.**

Yes – 7 No – 0

President Corcoran: T 56.

Clerk of Council Smith:

T 56-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE LORAIN COUNTY COMMISSIONERS FOR THE REIMBURSEMENT OF FUNDS EXPENDED FOR THE WIDENING AND RECONSTRUCTION OF LEAR NAGLE ROAD. (Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third readings for T 56.

Mayor Gillock: Mr. President, we've worked well over ten years with the county on widening Lear Nagle Road and it is now under full reconstruction. Invoices are starting to come in from Terrance Construction and GPI – the construction manager. We do not have a cooperative agreement with the county, but we would like to have one that would guarantee we will pay them what we owe them. This gives us the mechanism that we can work with the county and they can bill us monthly so we can pay those invoices on a monthly basis. We certainly don't want to hold the job up, so I would recommend that we pass this this evening with the emergency.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Boose and seconded by Johnson to adopt T 56.

Moved by Boose and seconded by Johnson to add the emergency clause to T 56 for the health, safety and welfare of the community and to further improve the paying of invoices when they come in.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5356-2016.**

Yes – 7 No – 0

Mayor Gillock: Mr. President, I just want to add that this gives us the authority to enter into a cooperation agreement with them. We still have to borrow the money, issue BAN's for our portion. That legislation for the BAN's has already been passed. We may have to come back for the legislation for the authorization to make the payments. You may see more on this but it is just part of the Lear Nagle project.

President Corcoran: T 57.

Clerk of Council Smith:

T 57-2016 A RESOLUTION DECLARING THE EXISTING SPEED LIMIT ON A DEFINED SEGMENT OF LEAR NAGLE ROAD TO BE UNSAFE AND UNREASONABLY EXCESSIVE DURING THE COURSE OF THE CONSTRUCTION OF ROADWAY IMPROVEMENTS AND REQUESTING THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A TEMPORARILY REDUCED SPEED LIMIT. (Introduced by Mayor Gillock)

Moved by Boose and seconded by Butkowski to dispense with the second and third readings for T 57.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, the Mayor explained at our last meeting that even though the City made their proactive steps and I think, and many of us think, that are very appropriate to do our best to slow down traffic on the construction portion of Lear Nagle, for the safety of not only our residents, but those workers out there even though they have a lot of barrels, a lot of signs, a lot of people moving traffic in and out of there – you really need to be careful. We found that even though we have every good intention of trying to do that, ODOT says we can't. We had those signs there, but we can't do anything really to enforce that, so this is one step, to my understanding, this Resolution is to go to ODOT so they can try to see clearer in a manner to which we can have that be enforced. I think that is the basis behind all of this. Thank you.

Mayor Gillock: Mr. President, we get this Resolution passed, we can send it to ODOT and then they will give us temporary authority to lower the speed limit in the construction area to 25 miles per hour and enforce it during the construction period.

President Corcoran: All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Moved by Boose and seconded by Butkowski to adopt T 57.

Moved by Boose and seconded by Butkowski to add the emergency clause to T 57 for the health, safety and welfare of the community and so the City does not delay on having this enforceable.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1379-2016.**
Yes – 7 No – 0

President Corcoran: T 58.

Clerk of Council Smith:
T 58-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CT CONSULTANTS IN THE AMOUNT OF $13,554.79.
(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to dispense with the second and third readings for T 58.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Moved by Butkowski and seconded by Johnson to adopt T 58.

Moved by Butkowski and seconded by Johnson to add the emergency clause to T 58 in order to pay the invoice within thirty days.

President Corcoran: Are there any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1380-2016.**

Yes – 7 No – 0

President Corcoran: T 59.

Clerk of Council Smith:

T 59-2016 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR FUNDING UNDER THE NATUREWORKS GRANT PROGRAM.
(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third readings for T 59.

Mayor Gillock: This allows our Parks and Rec Director to apply to the ODNR for a 75% grant for rehabilitation of the existing tennis courts in South Central Park which has an estimated cost of $98,000 so actually we are applying for about $75,000 in grant money to be able to redo those courts.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 59.

President Corcoran: Clerk, please call the roll.

Councilman Keenan: Mr. President, are we waiting to hear the results of the ODNR grant request in order to decide if we are going to go ahead with this project?

Mayor Gillock: Yes. We need this grant to be able to go forward.

Councilman Keenan: No money, no project.

Mayor Gillock: Correct. Generally speaking I would say yes. We could borrow the money and pay it out of our Parks and Rec Improvement Fund or the Trust Fund. I think the Parks and Rec Improvement Fund but if we need it, we prefer to use grant money so we will wait to hear.

Councilman Boose: Mr. President, I have a question for the Mayor – this is just for a resurfacing of the existing. It does not include the addition of a fifth court? I know on my time with the Park and Rec Commission we had talked about that we do need to someday build a fifth court and I know we were talking with the schools to see if there was anything they could put towards this. It is my understanding that this is just the refurbishing of the courts.

Mayor Gillock: It doesn't have it in the Ordinance. Probably what we would do; it depends on how the grant funds are awarded. They may only be for reconstruction and not for new courts, so if we get this money, we may then add a fifth out of the Parks and Rec Improvement Fund or work with the schools to be able to do that. At this point, I am not sure if it includes that fifth one or not.

Councilman Boose: My recommendation, if in fact we do receive the grant, that we at least look at that so that maybe that work could be done with each other and so there is nothing that can be torn up and something refurbished when they get right next to each other.

Mayor Gillock: That was the point when we acquired the property in front that we would do that.

Councilman Boose: Right, thank you.

Councilwoman Johnson: Mr. President, the legislation does say for the rehabilitation for the existing tennis courts so I would assume it does not include new ones.

Deputy Auditor Machovina: That is correct. During appropriations, we discussed this project. In order to add the fifth court, it was going to be about $210,000. This is just to resurface the existing courts.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1381-2016.**

Yes – 7 No – 0

President Corcoran: T 60.

Clerk of Council Smith:

T 60-2016 A RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS IN THE AMOUNT OF $111,400.00 TO REIMBURSE THE OHIO DEPARTMENT OF TRANSPORTATION FOR ACQUIRED LAND WHICH WILL BE NECESSARY FOR THE CITY'S EXTENSION OF JAYCOX ROAD.
(Introduced by Mayor Gillock)

President Corcoran: That is the end of first readings. Moving on to second readings, we have T 19.

SECOND READINGS:
Clerk of Council Smith:

T 19-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY JAMES W. & LORETTA A. KING REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.
(Introduced by Mayor Gillock; Public hearing 04/04/2016; First reading 04/04/2016)

President Corcoran: T 20.

Clerk of Council Smith:

T 20-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY ROBERT SLUSHER REGARDING CERTAIN LAND OWNED BY HIM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.
(Introduced by Mayor Gillock; Public hearing 04/04/2016; First reading 04/04/2016)

President Corcoran: T 43.

Clerk of Council Smith:

T 43-2016 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 JAYCOX ROAD PHASE 2 RECONSTRUCTION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED $607,175.00.
(Introduced by Mayor Gillock; First reading 04/04/2016)

President Corcoran: That is the end of second readings. Moving on to third readings, we have T 24-2016.

THIRD READINGS:
Clerk of Council Smith:

T 24-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY BERNARD W. & NANCY L. FATE REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.
(Introduced by Mayor Gillock; Public hearing 03/07/2016; First reading 03/21/2016; Second reading 04/04/2016)

Moved by Butkowski and seconded by Boose to adopt T 24.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1382-2016.**

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:
President Corcoran: The next regular Council meeting will be on Monday, Monday, May 2, 2016 at 7:30 P.M. in Council Chambers.

A future reminder – there will be a public hearing on T 17 on May 16, 2016 at 7:15 p.m. here in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): This is the second lobby session that is open to the public to bring up items of concern that are going on in the City. If you would like to ask a question, make a comment; please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody that would like to address Council?

President Corcoran: I'll ask Mr. Keenan to speak.

Councilman Keenan: Thank you Kevin. I have a brief announcement if I might. I have some bad news and I have some good news. I will start with the bad news. In the near future, I will be selling my house and moving to Ward 3. Sometime within the next couple of months, I will need to resign my Council seat. I want to provide this Council and the Administration with as much advance notice so that you can find an excellent replacement before I actually need to change my residence. Although my condo in Savannah Estates is not yet on the market, I do plan to sell it in the very near future. I want to speak to you now.

Now, for my good news. The reason for my move is that I will getting married to a beautiful lady - Anna Montague. We will be selling our individual houses and creating a new family; remaining in North Ridgeville and moving to the Ridgefield Development in Ward 3. Anna and I are very excited about starting our married life together and combining our two families into one. I would like to thank this Council and you the people of Ward 1 for giving me the opportunity to be of service. I have absolutely enjoyed my work on this Council and it has been my pleasure to work both with you and for you, the people of Ward 1. Thank you very much.

President Corcoran: Thank you Mr. Keenan and it has been a pleasure to have you. We look forward to keeping you around for as long as we can.

Law Director Crites: Mr. President, other than saying first of all, congratulations, I wanted to confirm that as I understood you just clarified – once you know your situation when your house sells, you will then be providing official notice at a later date?

Councilman Keenan: Yes, this is informal advanced notice so you can do your work so you can get the best replacement.

Law Director Crites: Thank you, I just wanted to clarify.

Mayor Gillock: Maybe a little bit premature, I hope you make some more meetings – I just want to really give my respects to Terry and I appreciate what he is going through and where he is going and I wish you congratulations and on behalf of the residents of North Ridgeville, I really want to thank you for the time you spent on Council. It has been relatively short. You were appointed and ran and successfully were going to be here for another two years. I hope you stay involved in the community and I wish you well. Thanks for your service.

Councilman Keenan: Thank you.

President Corcoran: Along those lines, if anybody is interested in filling Mr. Keenan's spot, and you happen to live in Ward 1, please send me your resume. We won't fill your spot until you leave.

ADJOURNMENT:
President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:28 p.m.

Approval of minutes on May 2, 2016:

PRESIDENT OF COUNCIL CLERK OF COUNCIL