

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 17, 2000**

President of Council Jean Brown called the meeting to order at 7:30 P.M. with the Invocation and the Pledge to the Flag.

President Brown: Roll call please.

ROLL CALL

Present were Council Members: Jim Johnson, Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski, David Gillock and Jean Brown.

Also, present were Mayor Deanna Hill, Safety-Service Director Daniel Zirzow, Law Director Eric Zagrans, Engineer Stewart Lovece, Auditor Chris Costin and Clerk of Council Jim White.

MINUTES

President Brown: Please note the Minutes of the April 3, 2000 meeting. Is there a motion to accept?.

motion by Swindig to accept, 2nd by Johnson

President Brown: Mr. Swindig made the motion, Mr. Johnson seconded. Any discussions or corrections? Seeing none, roll call please.

Yes, 7 No, 0

Council Clerk White: Motion is approved 7-0.

Please note:

Planning Commission Minutes of March 14, 2000 and

Board of Zoning and Building Appeals Minutes of March 23, 2000.

COMMITTEE REPORTS

1) FINANCE COMMITTEE REPORT #7011 We have considered the matter of bond notes for the repair and replacement of Stoney Ridge Road, Wallace Boulevard (after the water line), Clark Drive, Patton Drive, Ronald Drive, Joseph Court, cul-de-sacs Ronald, Joseph, Shady Moss Lane, Poplar Street, and Hadaway Street and recommend that this request be approved and proper legislation be drawn authorizing the above.

motion to accept by Swindig, 2nd by Borocz

President Brown: Second by Mrs. Borocz

Council Member Swindig: Madam Chairman.

President Brown: Yes.

Council Member Swindig: I would like to amend this committee report because I made a boo boo. I omitted two streets when I was doing it so I will read off all the streets: Stoney Ridge, Wallace, Davis, Clark and Patton, Ronald and Joseph, Shady Moss, Poplar and Had away,

Hickory Trail and Handyside. I omitted Hickory Trail and Handyside from that list.

President Brown: I don't see Davis on here either.

Council Clerk White: You're adding Davis Drive, Hickory Trail and Shadyside Drive.

Council Member Swindig: Right.

Council Clerk White: Okay.

President Brown: That's three of them.

Council Clerk White: The amendment is to add the three.

Council Member Swindig: Yes, that's why I read the whole list.

 moved by Swindig to amend report #7011 to add Davis Drive, Hickory Trail, and
 Handyside Drive, 2nd by Johnson

Council Member Butkowski: I think that's Handyside.

Council Clerk White: Is it?

Council Member Johnson: Handyside.

Council Clerk White: Okay. I can't read my writing.

President Brown: We'll get it right yet.

Council Clerk White: Well, maybe.

President Brown: For the amendment?

Council Member Johnson: For the amendment

President Brown: Any discussion on the amendment? Roll call please on the amendment.

 Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 on the amendment.

President Brown: On the motion.

 Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

2) BUILDINGS & LANDS COMMITTEE REPORT #7013 We have considered the matter of T 32-2000 and recommend this request be approved and T 32-2000 be returned for Third Reading.

Signed: Jim Johnson, Gail Minnick, and Allen Swindig.

Council Member Johnson: Madam President.

President Brown: Yes, Mr. Johnson.

 moved by Johnson to withdraw this committee report, 2nd by Swindig

President Brown: To withdraw it?

Council Member Johnson: Yes, at this time, and put it back into Committee.

President Brown: Is there a second?

Council Member Swindig: I'll second that.

President Brown: Mr. Swindig seconded that. Do we have to have discussion on that Mr. White?

Council Clerk White: If you choose to.

President Brown: Can you tell me why you're doing that?

Council Member Johnson: Basically there is some concern on it and I haven't found out the reason and when I do get a chance to talk to Mr. Gillock as to his Point of Order for the last two

meetings, I would like to have his opinion before I continue on. Thank you.

President Brown: Okay. Thank you. We have to have a vote on that?

Council Clerk White: We made a motion to withdraw.

President Brown: Motion, okay withdraw and there was a second.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for #7013, Buildings and Lands, to go back to Committee.

3) BUILDINGS & LANDS COMMITTEE REPORT #7015 We have considered the matter of amending Ordinance 672.09 and 672.10(a) and recommend that this request be approved and proper legislation be drawn authorizing the deletion of 672.09 and adding BB guns, air guns or rifles to 672.10(a).

Signed: Jim Johnson, Gail Minnick and Allen Swindig.

moved to accept by Johnson, 2nd by Minnick

President Brown: Mr. Johnson, Mrs. Minnick. Discussion? I have a question. Does that mean this Ordinance, it goes with the Ordinance that says you cannot shoot any firearms in North Ridgeville, period.

Council Member Johnson: Yes, it is.

President Brown: Thank You. Any other discussion? Roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. That's all the Committee Reports that I have.

President Brown: Okay. Mayor's Report.

MAYOR'S REPORT

Mayor Hill: Yes, Madam President. First thing, I am withdrawing T-68 from New Business. It is an erroneous duplication of T-53 which is under First Reading. Also, Don Daley, French Creek's Superintendent, has requested that T-53 be passed as an emergency tonight, and that's the duplication one, because they are almost out of this chemical that is necessary for water treatment.

As many of you know, Congressman Sherrod Brown has written a formal request to the Chairman of the Congressional Transportation Subcommittee to support earmarking of \$3,000,000 for grade separations and expressing particular concern with North Ridgeville. I also attended a couple more railroad update meetings since then. The last one was Thursday the 13th in Wellington. Prior to the Governor's Crossing Safety Initiative, the funding breakdown for grade separation was typically 5% railroad funding and 95% local share. We continued to object. The funding is now 95% a combination of other funding sources and 5% local share. We hope we will be a recipient of that funding and we will continue to work towards that end.

I also attended a Lorain County Alliance Meeting on April 7th. Two presentations were made. The first was by Brookpark Mayor Tom Coyne who discussed the bulk purchase of electricity.

It appears that more Lorain County communities will be following suit with Council Resolutions and funding for the same attorneys we are considering to represent their residents' interests. The second presentation was by representatives of Ohio EPA to discuss the first major update in 20 years for the Water Quality Management Plan for Northeast Ohio. Some of the discussions that were especially pertinent to us included if water quality problems exist, the Ohio EPA may be forced to require the extensions of sewers. All future changes to boundary definitions because they are planning areas and new facility planning areas must be approved by NOACA. Each home sewage system should be inspected at least every five years and developing communities are encouraged to foster concentrated development on limited areas of a property while maintaining tracts of open space. They are even proposing loans to help finance open space (or PCD) design developments.

The Rotary Club has again donated \$500 to the Senior Center. This civic organization continues to be a major benefactor and friend of the Senior Center. Several corporations, individuals, a church, a civic organization and our City Schools have come together to sponsor the Singing Angels Concert to be held on May 21st at 2:00 PM. The proceeds go directly to the non-profit Seniors, Incorporated. The Schools are providing the Education Center, Center Cleaning donated \$300, First Merit Bank, the North Ridgeville Arts Council, St. Julie's Church, Debbie and Steve Surovey, John and Janice Stanfield and Dennis and Lisa Boose all made private donations. The generosity of all these participants is truly appreciated.

Thank you. That concludes my report.

President Brown: Thank you Mayor. Any questions of the Mayor? Mr. Gillock.

Council Member Gillock: Mayor, I just want to confirm on the apparent duplication of this Ordinance. One says Ferric chloride and one says Ferrous and they actually state different uses and they could be different.

Mayor Hill: No, we checked with Don Daley today.

Council Member Gillock: Okay.

Mayor Hill: Yes.

Council Member Gillock: Fine, thank you.

President Brown: Any other questions of the Mayor? We'll go to Safety Service Director, Mr. Zirzow.

SAFETY SERVICE DIRECTOR'S REPORT

Safety Service Director Zirzow: Thank you Madam President and Members of Council. The accomplishments for the two weeks ending April 16, 2000.

PATCHING, PAVING & CRACK SEALING

We have started patching the City streets with hot asphalt mix. Some of the areas patched were: Wallace, Bender and Lewis. Spot patching was performed on Pitts, Wil-Lou, Pearl, Emerald, north Lear Nagle, Ridge Plaza, Center Ridge, Race, Bagley, Jason and Fairacres.

Crack sealing was performed on Bender, Stoney Ridge, and on Center Ridge from Case to the Elyria City limits. Spot berming was performed on the following streets: Center Ridge, Root and Cornell.

CONSTRUCTIONS & DITCHING:

Ditch cleaning, piping and land restoration was performed in the area of 5841 Cornell. This included installing a new crossover pipe under Cornell.

A complaint was received of a sanitary sewer problem from a resident of Bainbridge Road; he attributed this to previous work on the water line. The problem was discovered to be that whoever connected the citizens' sanitary lateral, years ago, never completed the pipe to the main sewer line. This was not a problem caused by the contractor that installed the City water line. Ditching and pipe installation was completed at: 5454 Broad, 4913 Lear Nagle, 6030 Olive, 9105 and 9091 Root. Ditch cleaning and upgrading of drive pipes in the 32223 Mills area is being done

During one of the past rainy days, debris that was thrown in the ditches on Jaycox, north Lear Nagle, Glen and the access roads off Route 83 has been removed from these areas. The debris removed filled a couple of dump trucks. Once again, we ask our residents to please do their part and help us maintain our waterways.

WATER BREAKS AND HYDRANT REPAIRS:

There was one water problem on Handyside Drive. It has been corrected.

CATCH BASINS:

Catch basins were installed at: Center Ridge, Noll at Aurensen, Gail, Gina, and Eastview at Helen.

MISCELLANEOUS:

The sewer jet was used in the following areas: Sanitary Lines: Eastview, Rosebelle, Ridgeview north section, Elder. Storm Lines: in the area of 32093 Center Ridge, south Barton, White Oak Way, Bender, Oak and Spruce.

Safety Service Director Zirzow: Madam President, that concludes my report,
President Brown: Thank you Mr. Zirzow. Any questions of the Safety Service Director?
Seeing none, we'll go on to the Engineer's Report, Mr. Lovece.

ENGINEER'S REPORT

Engineer Lovece: Thank you Madam President. On the weekend of April 7th and 8th, we experienced about 1 ½ inches of rain which I'd call a healthy spring rain. During that time it gave a good test to our major creeks in town. I'm pleased to say they all worked quite well. There was no major flooding. The lake behind West Point Drive filled up about five feet and without that detention basin we would have flooded, I'm pretty sure of that, in certain areas. Bainbridge Road reconstruction project started up the 6th of April. It's going well. They're working on the intersection of Root and Bainbridge which is considered Phase I and II. The

intersection and Bainbridge from Route 83 to Root Road will be paved and that will all be done, weather permitting, the 5th of May. What they've also worked on, too, is paving asphalt on the south side of Bainbridge from Chestnut to Root Road. That's another phase. That's Phase IV. That's just temporary pavement to accommodate the road tear out on Bainbridge. We're continuing monitoring that project. I'd like to request that Council pass as an emergency tonight T 35, T 36 and T 37 for roadway materials. That's all I have. Thank you.

President Brown: Any questions of Mr. Lovece?

Council Member Swindig: Madam Chairman.

President Brown: Yes, Mr. Swindig.

Council Member Swindig: I have one. I failed to get hold of Mr. Lovece during the week. Is there any idea when you're going to start the water line on Wallace?

Engineer Lovece: We should have it out to bid the end of this month. We are still in the design phase. We're about 75% done with the design, so it's progressing along. It takes a little bit of time, so we'll probably start sometime in May. We'll start construction, I think.

Council Member Swindig: Thank you.

President Brown: Any other questions of Mr. Lovece?

Council Member Butkowski: Mr. Lovece.

President Brown: Yes, Mrs. Butkowski.

Council Member Butkowski: When will the water tower construction begin?

Engineer Lovece: That will begin next month as well. It's out to bid right now.

Council Member Butkowski: Thank you.

President Brown: Any more questions? Then we'll go on to Mr. Costin, our Auditor's Report.

AUDITOR'S REPORT

Auditor Costin: Madam Chairman, Council received a written report for the month of March 2000 and you received that in time to meet cloture, however, it was not complete. It did not contain the appropriations that we passed at the last or previous meeting. So, accordingly, we wanted you to have the actual information, the year-to-date actual receipts and expenditures that you had distributed tonight. You should have received in front of you a revised report that is entirely complete now including the revised appropriations. So I would request that you would consider passing the revised report for the month of March.

motion to accept revised report by Swindig, 2nd by Johnson

President Brown: Seconded by Mr. Johnson. Discussion? Roll call please Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

Auditor Costin: No further comments.

President Brown: Any questions of our Auditor? Seeing none, going on to the Law Director's Report, Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Thank you very much. At the last Council meeting on April 3, 2000, a Referendum Petition regarding Ordinance No 3543- 99 was handed to the Clerk of the Council

requesting that Ordinance be repealed or submitted to a vote of the electors. I find that under the relevant provisions of the Charter for the City of North Ridgeville, that Referendum Petition was submitted to the Clerk of Council in a timely fashion and I further find under the provisions of our Charter that the Clerk of Council timely ascertained the sufficiency of the petition with the report that he filed earlier today and with the approval of the President I would like to turn it over to the Clerk of Council to inform Council of what his findings were.

President Brown: Mr. White.

Council Clerk White: All Members of Council: Pursuant to my responsibilities under Section 13.2 of the Charter of the City of North Ridgeville, Ohio, I hereby certify that the Referendum Petition regarding Ordinance No. 3543-99 is legally sufficient and that this Ordinance shall be reconsidered by the City Council within the next 30 days. End of statement.

Law Director Zagrans: Thank you Mr. White. Under the provision of the Charter, Members of Council, now that Mr. White has ascertained the legal sufficiency of the Petition as he was obligated to do, Council shall, within the next 30 days, reconsider that Ordinance and I would suggest to the President and the Members of Council that an appropriate time for taking that matter up, if Council wishes to do so, would be under Old Business tonight. Thank you, that concludes my report.

President Brown: Thank you. Any questions of the Law Director, Mr. Zagrans? Seeing none, please note that we have other reports.

OTHER REPORTS

Police Department Monthly Activity Report for March, 2000;
Mayor's Court Case Report for March, 2000;
Mayor's Court Monthly Operating Trust Fund Report for March, 2000;
Water System Monthly Operation Report for March, 2000; and
Auditor's Written Report for March, 2000.

President Brown: Now we'll take other reports.

Parks & Recreation Commission Liaison Report:
Council Member Minnick: No report.

Planning Commission Liaison Report:

Council Member Johnson: Madam President, the Planning Commission met on April 11th and the recommendations are in tonight's Correspondence. Thank you.

President Brown: Thank you. Now we'll go into Old Business.

OLD BUSINESS

Council Member Johnson: Madam President.

President Brown: Yes, Mr. Johnson.

moved by Johnson to rescind Ordinance No.3543-99, 2nd by Minnick

President Brown: Any discussion? None, roll call please.

Yes, 6 No, 1 (Gillock)

Council Clerk White: Motion carries 6-1 to rescind Ordinance No. 3543-99.

President Brown: Going into New Business, Mr. White.

NEW BUSINESS

T 66-2000 An ordinance providing for the issuance and sale of \$500,000 notes, in anticipation of the issuance of bonds, for the purpose of improving Stoney Ridge Road and certain other designated streets between certain termini in the City by reconstructing the pavement base, where necessary, preparing the surface and surfacing and resurfacing, in each case together with necessary appurtenances and work incidental thereto.

moved by Swindig to Suspend By-Laws for a First Reading tonight, 2nd by Johnson

President Brown: Seconded by Mr. Johnson. Any discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 66-2000 to have First Reading.

T 67-2000 An ordinance amending Appropriation Ordinance No. 3545-2000 for the City of North Ridgeville, Ohio for the period commencing January 1, 2000 and ending December 31, 2000.

Council Member Swindig: Madam Chairman.

President Brown: Yes, Mr. Swindig.

moved by Swindig to suspend By-laws to give T 67-2000 its First Reading tonight, 2nd by Borocz

President Brown: Seconded by Mrs. Borocz. Discussion? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 67-2000 to have First Reading.

T 68-2000 Has been withdrawn.

T 69-2000 An ordinance amending Ordinance No. 2522-91 by increasing the fees charged for returned checks.

Mayor Hill: Excuse me, Madam President.

President Brown: Yes,

Mayor Hill: Clerk. That was for the returned checks. That was a Committee Report last time. Should that be a First Reading? Okay. Thank you.

Council Clerk White: Yes, it should, thank you. So it goes to First Reading. I just read it early.

President Brown: Okay. Constitutes First Reading then.

Council Clerk White: No, not yet.

President Brown: Okay.

CORRESPONDENCE

- 1) Received the Biorich Report for Marketing Program for French Creek Waste Water Treatment Plant for the First Quarter as submitted by Cheri Gersak, Project Manager.
- 2) Received from Mayor Deanna L. Hill notice that the United States Postal Service will be holding a public meeting to discuss the status and future of the North Ridgeville Post Office in City Council Chambers on Monday, April 17, 2000, at 7:00 p.m.
- 3) Received a copy of a letter from Nancy J. Buescher to Stewart Lovece, City Engineer, stating the correct location of the right-of-way on Center Ridge in front of the Cottages of Savannah and the proposed church site to be built by Maurice Shave, urging the Planning Commission, City Council and the City Engineer to recognize the proper location of the right-of-way.
- 4) Received a memo from the North Ridgeville Planning Commission stating:

Following is a complete list of applicants that appeared at the April 11, 2000 Planning Commission meeting. Planning Commission's recommendations are noted after each applicant. Also, for informational purposes, attached are copies of the application and department head comments that were noted at the meeting.

Northridge Christian Life Church, 35535 Center Ridge Road, requests construction of a new church on Avon Belden Road, directly north of Teska's, Permanent Parcel No. 07-00-023-101-098, in R-1.

Application was approved using comments by the Mayor, City Engineer, Building Department and Fire Department. Pastor Falk stated he would work with the City Engineer regarding drainage, detention, and placement of the entranceway. Mr. Falk stated he would install sidewalks.

Maurice F. Shave, 33488 Liberty Parkway, requests approval to build a church at the northeast corner of Center Ridge Road and Stoney Ridge Road, in R-2, Permanent Parcel No. 07-00-028-102-097.

Application was approved. Mr. Shave will address the steeple question with the Zoning Board of Appeals. Mrs. Buescher's letter to the City Engineer will be responded to as the setback is appropriate for Center Ridge.

- 5) Received a letter from Jim Spaulding, Director, Parks & Recreation, dated April 13, 2000, stating:

Dear Council Members:

The City of North Ridgeville Parks & Recreation Commission has approved the following expenditures from the Licenses and Building Improvement Fund:

- 1) South Central Park
Security Lights\$3,500.00
- 2) Soccer Complex
 - a) Entrance road asphalt\$7,000.00
 - b) Playing field grading / seeding \$10,000.00
- 3) Frontier park
Electrical service / underground\$4,600.00

The Parks & Recreation Commission would greatly appreciate Council's approval for these projects.

Sincerely,
Jim Spaulding, CLP,
Director
Parks & Recreation

Council Clerk White: That's the end of the Correspondence that I have.

President Brown: Thank you. Mr. Costin.

Auditor Costin: If Council is in agreement with the Parks & Recreation Commission's request it would require simply a vote, verbal approval of each of the individual items to be taken from the Park and Rec Improvement Fund. If that's your desire.

President Brown: Mr. Costin, when something is over \$5,000.00 do they not have to submit it to us first before they can bring it up at a Commission meeting? Or am I wrong?

Auditor Costin: I'm not aware of a requirement like that.

President Brown: No, I thought that if it was \$5,000.00 being spent that it had to come before us first. Okay. I just wanted to be straight on it. Thank you very much.

Council Clerk White: He still wants us to ...

Council Member Minnick: Can we make that motion now?

President Brown: Yes you can.

motion by Minnick to approve \$3,500.00 for security lights for South Central Park,
2nd by Swindig.

Council Member Swindig: I have one question. These security lights, I know we're in need of

lights along the pathway between Route 83 and the pavilions and that. Are they considering those lights with this security?

Council Member Minnick: I don't have that answer for you.

Council Member Swindig: Thank you.

President Brown: Any other discussion? Who seconded that?

Council Member Swindig: I did.

President Brown: Mr. Swindig. Thank you. Please take roll.

Yes, 7

No, 0

Council Clerk White: Motion carries 7-0 for \$3500.00 for security lights.

motion by Minnick to approve \$7,000.00 for the entrance road asphalt at the Soccer Complex, 2nd by President Brown

President Brown: Discussion? Roll please.

Yes, 7

No, 0

Council Clerk White: Motion carries 7-0 for \$7,000.00 for the entrance road to the Soccer Complex.

motion by Minnick for \$10,000 for playing field grading and seeding at the Soccer Complex, 2nd by Swindig

President Brown: Mr. Swindig. Discussion? Roll please.

Yes, 7

No, 0

Council Clerk White: Motion carries 7-0 for the \$10,000.00 for the playing field grading and seeding at the Soccer Complex.

motion by Minnick to approve the \$4600.00 for electrical service underground for Frontier Park, 2nd by Butkowski

President Brown: Mrs. Butkowski seconded. Discussion? Roll call please.

Yes, 7

No, 0

Council Clerk White: Motion carries 7-0 for the electrical service underground for Frontier Park.

President Brown: Thank you. Now we'll go into Lobby.

LOBBY

President Brown: If you would like to speak to Council, go up to the podium and there is a form that you must fill out in the back and leave on the podium so that we have it so that we can put it in the Minutes. Anyone wishing to address Council? Please come forward.

- 1) Joseph Antush, 38500 Otten Road, stated he had been one of the group circulating a petition in North Ridgeville. He found the people to be well informed and well educated and the City government should appreciate knowing how the electorate feels about PCD's and get in tune with what they want.

President Brown: Thank you. Anyone else wishing to speak to the Council? I'd like to have a recess until 8:10.

RECESS from 8:00 to 8:10 P.M.

FIRST READINGS

President Brown: We'll go into First Readings tonight, please.

Council Clerk White: Before I start First Readings I need the tape started for T 66-2000.
moved by Swindig to start the tape for T 66-2000, 2nd by Minnick

Council Clerk White: Who seconded?

President Brown: Mrs. Minnick.

Council Clerk White: Now, roll call.

President Brown: Yes, roll call.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

Amended Appropriations Ordinance No. 3561-2000 was read in full as on file in the Office of the Clerk of Council.

T 40-2000 AN ORDINANCE AMENDING ORDINANCE NO. 2371-89, BY CHANGING
"ARCHITECT" TO "PLANS EXAMINER" AND INCREASING THE
CONTRACTUAL AMOUNT THE CITY PAYS FOR THE EMPLOYMENT OF
A CITY PLANS EXAMINER.
First Reading.

T 41-2000 AN ORDINANCE AMENDING SECTION 232.01 (A) OF THE CODIFIED
ORDINANCES BY CHANGING THE POSITION OF CITY AUDITOR TO
PART-TIME.
First Reading.

T 42-200 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO PURCHASE 5 MOBILE DATA TERMINALS
FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER
INTO A CONTRACT WITH A PRIVATE VENDOR ACCORDING TO LAW
AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED IN THE
AGGREGATE \$22,000.00.
First Reading.

T 44-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO PURCHASE A NEW DIGITAL
COMMUNICATIONS RECORDING SYSTEM, INCLUDING CERTAIN
OPTIONS, FOR THE POLICE DEPARTMENT 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 \$31,000.00, PLUS THE TRADE-IN OF A 24-CHANNEL DAT RECORDER SYSTEM.

First Reading.

T 45-2000 AN ORDINANCE AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO CHARGE A RESUBMITTAL FEE FOR COMMERCIAL PLANS REVIEW.
First Reading.

T 46-2000 AN ORDINANCE AMENDING ORDINANCE NO. 2439-90 PERTAINING TO
3558-2000 THE COMPENSATION OF THE PART-TIME ASSISTANT LAW DIRECTOR/PROSECUTOR.

Law Director Zagrans: Madam President.

President Brown: Yes, Mr. Zagrans.

Law Director Zagrans: Mr. Costin has brought to my attention the fact that he believes that the title of this position is part-time Assistant Prosecutor rather than part-time Assistant Law Director/Prosecutor. So may I ask someone on Council to move to amend the title of this ordinance to eliminate the words Law Director so as to conform to the actual position.

motion by Swindig to amend the title of this Ordinance to part-time Assistant Prosecutor, 2nd by Borocz

President Brown: Moved by Mr. Swindig, seconded by Mrs. Borocz.

Law Director Zagrans: Thank you.

Council Clerk White: Let me make, you're removing Law Director?

President Brown: Law Director.

Council Clerk White: Just, but it's an Assistant Prosecutor?

Law Director Zagrans: Part-time Assistant Prosecutor.

Council Clerk White: Okay.

President Brown: Discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

motion by Swindig to suspend Second and Third Readings, 2nd by President Brown.

President Brown: Discussion?

Council Member Swindig: Madam Chairman, I also see in the first whereas that we have Law Director and it's down in Section 1, Section 2, and Section 3, wherever it appears

President Brown: Take it out.

Council Member Swindig: And I would, I guess the word would be to wherever we have Assistant Law Director in there to scratch it from the Ordinance. I will make a motion of that.
Seconded by Johnson.

President Brown: Do we have to have another amendment?

Council Clerk White: Wait, you can't, you've got a motion on...

Council Member Swindig: We've got the one for First, Second and Third. I'm sorry.

President Brown: We have one we have to do first I think.

Council Member Swindig: Sorry, alright.

President Brown: Discussion?

Council Clerk White: There's a motion on the floor to suspend Second and Third Readings.

President Brown: Right.

Council Member Minnick: Madam President, may I ask why?

Council Member Swindig: We did this with the compensation. There is no reason for emergency because the Ordinance does say April 1 that it takes effect, so all we're doing is moving it ahead.

President Brown: Forward.

Council Member Minnick: Thank you.

President Brown: Any other discussion? Roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. Now Mr. Swindig.

motion by Swindig to remove the Law Director part wherever it is written in T 46-2000, 2nd by Brown

Council Clerk White: Okay.

President Brown: I'll second that too.

Council Clerk White: Okay.

President Brown: Discussion?

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

motion by Swindig to adopt, 2nd by Borocz

President Brown: Discussion? Roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 46-2000 becomes Ordinance No. 3558-2000.
Permanent Ordinance No. 3558-2000

T 53-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3559-2000 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY
LAW, FOR THE PURCHASE OF FERROUS CHLORIDE TO BE USED BY
THE FRENCH CREEK WASTEWATER PLANT.

First Reading.

motion by Swindig to suspend Second and Third Reading, 2nd by Gillock.

President Brown: Seconded by Mr. Gillock.

Council Clerk White: Okay.

President Brown: Discussion? None. Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

motion by Swindig to adopt, 2nd by Borocz

President Brown: Seconded by Borocz. Discussion?

motion by Swindig to add the emergency because of the reason that they are

almost out of the chemical at the treatment plant, 2nd by Gillock

Council Clerk White: Okay.

President Brown: That's the emergency.

Council Clerk White: Okay

President Brown: Roll. Or discussion? Roll.

Council Clerk White: Roll on the emergency?

President Brown: Yes.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to add the emergency. Now on the adoption with the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 53-2000 becomes Ordinance No. 3559-2000 with emergency.

Permanent Ordinance No. 3559-2000

Council Clerk White: T 66-2000. Now before this can be read for First Reading, Mr. Costin is going to read for you.

Auditor Costin: I'm going to read for you the Fiscal Officer's Certificate which precedes the Bond Anticipation Note Ordinance, and trust me, when I read it to you it's quite confusing. So I'll go slow.

Fiscal Officers Certificate was read in full as on file in the Office of the Clerk of Council.

Council Clerk White: Thank you Mr. Costin. I appreciate that.

President Brown: I just asked Mr. Zagrans if he was getting this all down?

T 66-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3560-2000 \$500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
THE PURPOSE OF IMPROVING STONEY RIDGE ROAD AND CERTAIN
OTHER DESIGNATED STREETS BETWEEN CERTAIN TERMINI IN THE
CITY BY RECONSTRUCTING THE PAVEMENT BASE, WHERE
NECESSARY, PREPARING THE SURFACE AND SURFACING AND
RESURFACING, IN EACH CASE TOGETHER WITH NECESSARY
APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading.

motion by Swindig to suspend Second and Third Readings, 2nd by Borocz

President Brown: Seconded by Mrs. Borocz. Is there any discussion? Mr. Gillock.

Council Member Gillock: Yes, it was my understanding that the cost of doing the improvements on Stoney Ridge Road was \$400,000.00 so why is this for \$500,000.00?

Auditor Costin: The Construction Ordinance for \$400,000.00 represents the total construction costs, but the City portion is \$130,000.00. Public Works Commission is actually going to pay the balance. The \$130,000.00 City portion will be included in the \$500,000.00 note issue.

Council Member Gillock: So this \$500,000.00, well the other part says other designated streets, so if we're only talking \$130,000.00 for Stoney Ridge, where is the other \$370,000.00 going? Other streets?

Auditor Costin: The streets are actually listed in the body of the Ordinance in front of you.

Council Member Swindig: Madam Chairman.

Council Member Gillock: Okay, these are the other ones we talked about in the Committee Report tonight?

Council Member Swindig: Correct, but after the suspension of Second and Third Reading is passed and we move to adopt, I will amend Section 1 to include the same streets that we had in the Committee Report, because there has

President Brown: There was three of them missing.

Council Member Swindig: There's some missing. So I will read the list that I did entirely with the Committee Report to...

Council Member Gillock: Have we ever approved the other \$370,000.00 for the other streets?

Auditor Costin: After the Bond Ordinance is completed and the money is available, each of the other streets will require their own Ordinance for the construction and the bidding except for those streets that are going to receive only concrete pad improvements, if there are such, and we have a separate Ordinance that's I believe on the Agenda tonight for the bidding of concrete pads.

Council Member Gillock: Okay, so at the last meeting, we approved \$130,000.00 of the City money for Stoney Ridge. Tonight we are approving the bonds for Stoney Ridge, the bonds for the other streets, but we still have to approve the appropriations for the other streets.

Auditor Costin: Construction Ordinances.

Council Member Gillock: Okay.

Auditor Costin: The appropriation Ordinance that follows T 67-2000 will represent the appropriation of this \$500,000.00 of proceeds. What you will be approving in separate legislation to follow will be the individual construction projects.

Council Member Gillock: Thank you.

President Brown: Thank you Mr. Costin. Are we ended?

Council Clerk White: Ready for a roll call on that.

President Brown: Roll call.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Second and Third Readings.
motion by Swindig to adopt, 2nd by Johnson

President Brown: Second Mr. Johnson. Discussion?

Council Member Swindig: Madam Chairman. At this time I would like to amend Section 1 so that all these streets are listed in Section 1, Stoney Ridge, Wallace, Davis, Clark and Patton, Ronald and Joseph, Shady Moss, Poplar, Had away, Hickory Trail and Handyside.

Law Director Zagrans: Madam President.

Council Clerk White: They can't do this.

Law Director Zagrans: No.

President Brown: No, they can't.

PAGE 17

Council Clerk White: Motion carries 7-0. T 66-2000 becomes Ordinance No. 3560-2000 with emergency.

Permanent Ordinance No. 3560-2000

T 67-2000 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 3545-
3561-2000 2000 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2000 AND ENDING DECEMBER 31, 2000.

First Reading

motion by Swindig to suspend Second and Third Reading, 2nd by Butkowski

President Brown: Mrs. Butkowski seconded. Discussion please. None. Roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Second and Third Readings.

motion by Swindig to adopt, 2nd by Borocz

President Brown: Borocz seconded.

motion by Swindig to add the emergency for the reason is I would like to see
these streets getting started early this year, so we can complete our list, 2nd by
Butkowski

President Brown: Okay. Discussion? I think Mr. Swindig covered it very well. Roll call.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to add the emergency. Now on the adoption.

President Brown: Adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 67-2000 becomes Ordinance No. 3561-2000 with
emergency.

Permanent Ordinance No. 3561-2000

T 69-2000 AN ORDINANCE AMENDING ORDINANCE NO. 2522-91 BY INCREASING
THE FEES CHARGED FOR RETURNED CHECKS.
First Reading.

Council Clerk White: That's all the First Reading I have.

SECOND READINGS

T 34-2000 AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR
LEGAL SERVICES TO BE PROVIDED BY ARTER & HADDEN IN
CONNECTION WITH ELECTRIC UTILITY DEREGULATION AND
MUNICIPAL AGGREGATION OF POWER.
Second Reading.

T 35-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3562-2000 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, FOR THE PURCHASE AND
INSTALLATION OF CRACK SEALANT TO BE USED BY THE CITY OF

NORTH RIDGEVILLE, OHIO.

Second Reading.

(End of Tape)

motion by Swindig to suspend Third Reading, 2nd by Gillock

President Brown: Discussion? None.

Yes, 7 No, 0

Council Clerk White: Motion carries to suspend Third Reading.

motion by Swindig to adopt, 2nd by Gillock

motion by Swindig to add the emergency so that we can get into the paving
season early, 2nd by Gillock

President Brown: Seconded by Mr. Gillock.

Council Clerk White: Gotcha.

President Brown: Discussion? None. Roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to add the emergency. Now on the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 35-2000 becomes Ordinance No. 3562-2000 with
emergency.

Permanent Ordinance No. 3562-2000

T 36-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3563-2000 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.

Second Reading,

motion by Swindig to suspend Third Reading, 2nd by Gillock

President Brown: Seconded by Mr. Gillock. Discussion?

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Third Reading.

motion by Swindig to adopt, 2nd by Borocz

motion by Swindig to add the emergency, 2nd by Butkowski

Council Member Swindig: For the reason of the paving season, that we get started early.

Council Clerk White: Okay.

President Brown: Emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to add the emergency. On the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 36-2000 becomes Ordinance No. 3563-2000 with
emergency

Permanent Ordinance No. 3563-2000

T 37-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3564-2000 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
 PULVA MIXING TO BE USED BY THE CITY OF NORTH RIDGEVILLE,
 OHIO.

Second Reading

motion by Swindig to suspend Third Reading, 2nd by Butkowski

President Brown: Seconded by Mrs. Butkowski. Discussion? Mr. Swindig made the motion.

Council Clerk White: None?

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Third Reading.

motion by Swindig to adopt, 2nd by Borocz

motion by Swindig to add the emergency for the reason of the paving season that
we can get started early, 2nd by Borocz

President Brown: Discussion? Roll call please.

Council Clerk White: On the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. On the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 37-200 becomes Ordinance No. 3564-2000 with
emergency.

Permanent Ordinance No. 3564-2000

T 38-2000 AN ORDINANCE TO AMEND SECTION 1044.02 OF THE CODIFIED
 ORDINANCES OF THE CITY OF NORTH RIDGEVILLE TO REVISE
 CHARGES PAYABLE FOR CONNECTION TO THE CITY'S SANITARY
 SEWER SYSTEM, AND THE TERMS UPON WHICH THOSE CHARGES
 MAY BE PAID, AND TO REPEAL SECTIONS 1044.03, 1044.04, 1044.05
 AND 1044.07 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH
 RIDGEVILLE.

Second Reading.

Council Member Johnson: Madam President.

President Brown: Yes.

Council Member Johnson: May I have that referred back to Committee?

President Brown: Yes, you can.

Council Member Swindig: I'll second that.

Council Clerk White: Okay.

President Brown: Yes.

T 43-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
3565-2000 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A

MANNER PRESCRIBED BY LAW FOR THE RECONSTRUCTION OF STONEY RIDGE ROAD, 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 \$400,000.00.

Second Reading.

motion by Swindig to suspend Third Reading, 2nd by Minnick

President Brown: Is there a second? Mrs. Minnick seconded. Discussion? Roll call.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Third Reading.

motion by Johnson to adopt, 2nd by Swindig

motion by Swindig to add emergency due to the, we get it paved this year, 2nd by Johnson

President Brown: Discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for the emergency. For the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 43-2000 becomes Ordinance No. 3565-2000 with emergency.

Permanent Ordinance No. 3565-2000

T 47-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3566-2000 RIDGEVILLE, OHIO, TO PURCHASE A NEW SNOW-PLOW READY
DUMP TRUCK FOR THE SERVICE DEPARTMENT 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 \$75,000.00.

Second Reading.

motion by Swindig to suspend Third Reading, 2nd by Butkowski

President Brown: Seconded by Mrs. Butkowski. Any discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend Third Reading

motion by Swindig to adopt, 2nd by Borocz

motion by Swindig to add the emergency, talking to Mr. Krueger, that these snowplows are going fast and if we don't get our order in now we may not get one this year, 2nd by Borocz

President Brown: Now is there discussion? Mr. Gillock.

Council Member Gillock: I didn't have my hand up.

Council Clerk White: On the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 on the emergency. For the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 47-2000 becomes Ordinance No. 3566-2000 with emergency.

Permanent Ordinance No. 3566-2000

T 54-2000 AN ORDINANCE AMENDING CHAPTER 1030, ENTITLED STREET TREES, OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES.
Second Reading.

T 55-2000 AN ORDINANCE AMENDING THE MASTER TREE PLAN AND MORE SPECIFICALLY SECTION 1032.06 ENTITLED PLANTING AND CARE WITHIN SPECIFIED AREAS, OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES.
Second Reading.

T 60-2000 AN ORDINANCE CREATING AND ESTABLISHING THE QUALIFICATIONS FOR THE FULL-TIME POSITION OF ASSISTANT ENGINEER.
Second Reading.

T 61-2000 AN ORDINANCE AMENDING THE DEPARTMENT HEAD ORDINANCE NO. 3483-99 BY INCLUDING THE FULL-TIME POSITION OF ASSISTANT ENGINEER.
Second Reading

T 63-2000 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 STATE ROUTE 83 STORM SEWER REPLACEMENT, 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 \$55,000.00.
Second Reading.

T 65-2000 AN ORDINANCE TRANSFERRING VARIOUS FUNDS OF THE CITY OF NORTH RIDGEVILLE, OHIO REPRESENTING REIMBURSEMENT OF ADMINISTRATIVE EXPENSES OR OPERATING TRANSFERS.
Second Reading.

Council Clerk White: I have no more Second Readings. And I have no Third Readings.

THIRD READINGS

President Brown: I see that. No Third Readings.

Council Member Swindig: Madam Chairman.

President Brown: Yes.

Council Member Swindig: Mr. Zagrans, on T 38 that we or Mr. Johnson referred back to Committee, I made a second. We should have the roll call on the Motion of referring back to the Committee.

President Brown: To refer back to the committee. Roll.

Council Member Swindig: Am I correct?

Law Director Zagrans: I did not recall that it had been seconded already.

Council Member Swindig: No. I seconded it right after he did it.

President Brown: Yes, he did.

Law Director Zagrans: Okay then, fine. Let's do a roll call, you're correct.

Council Clerk White: What number?

President Brown: T 38-2000

Law Director Zagrans: T 38-2000

President Brown: Okay.

Council Clerk White: Maybe. It's probably okay, I just don't have it. Okay, you second?

Council Member Swindig: I second.

President Brown: Mr. Swindig seconded.

Council Clerk White: Roll call.

President Brown: Yes.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 38-2000 to go back to Committee.

Council Member Swindig: Thank you.

UNFINISHED BUSINESS

President Brown: We don't have any unfinished business.

COMMITTEE MEETING ANNOUNCEMENTS.

President Brown: Anyone have any Committee Meetings Announcements? Committee Meetings?

Council Clerk White: I only have the one which is before you which is the next Council Meeting is May 1, 2000 at 7:30 P.M.

ADJOURNMENT

motion by Swindig to adjourn, 2nd by Johnson

Yes, 7 No, 0

Council Clerk White: A committee of six seconded.

President Brown: Yes, we seconded.

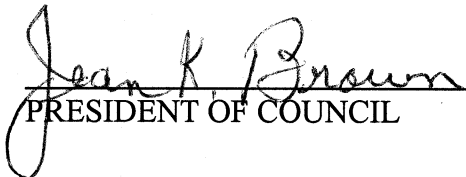
Council Clerk White: Meeting adjourned at 8:45 P.M.

NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING **APRIL 17, 2000**

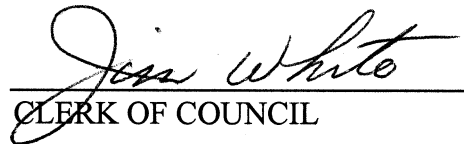
PAGE 24

MOTION Swindig 2ND Borocz DATE May 1, 2000

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL