

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 16, 2012**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, April 16, 2012 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, President Pro-Tem Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran. Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin, and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the minutes of the regular Council meeting held April 2, 2012. Are there any comments, questions or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Tax Abatement Review Board minutes of 03.23.2012, Planning Commission minutes of 04.10.2012, Workers Comp Safety Committee minutes of 03.22.2012, Safety Committee minutes of 04.09.2012 and Utilities Committee minutes of 04.09.2012.

LOBBY:

President Corcoran: That brings us to the lobby session. This is your opportunity to address Council if you so choose. The rules are the same as always. If you would like to address Council this evening, please come to the podium; state your name and address for the record. And with that, the lobby session is open. Is there anybody that would like to address Council this evening?

Robert Gaydash-9400 Avon Belden Road: stated he was still confused regarding the rules and regulations of the lobby session. Mr. Gaydash stated he was concerned about the financial issues in North Ridgeville.

Mr. Gaydash requested an additional three minutes to speak.

President Corcoran: Okay, is there anybody else who would like to address Council this evening. Okay, Mr. Gaydash, you are up.

Mr. Gaydash requested paperwork which explains the rules and regulations of altering a major waterway.

Mayor Gillock: We can do that. We have an ordinance that puts the Engineer in charge and we will send him a copy.

President Corcoran: Thank you Mayor. Thank you Mr. Gaydash. All right, anybody else now that you have heard all that? I will move on then to the Administrator's reports, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: First, I was contacted by North Ridgeville resident, James King, who brought to my attention that April 2 was National Autism Awareness Day and in recognition of that and not just the day. If you notice City Hall, the lights are blue at night in recognition of National Autism Awareness Day and the month. You will see blue lights around for some residents of the City. That is what the blue lights are about.

Also, I received notice from Lorain County Emergency Management Agency that next week is National Severe Weather Preparedness Week. I don't know what all that entails, but that is next week - National Severe Weather Preparedness Week.

Third, I would like to advise Council; most of you know through appropriations and our discussions, it is our intent this year – one of our two Ohio Public Works projects –Chestnut Ridge Road reconstruction Phase I which is the repaving of Chestnut from Lear Nagle to Bainbridge. Our application for financial assistance has been approved. We can begin the engineering on that. We cannot begin construction or anything until we get it reassigned somewhere around July 1. We can go ahead with bidding and engineering. This is good information to know that it has been approved. We were already approved for the eastern portion right at the intersection, five hundred feet each way which we will do with our own in-house crews. By the end of the summer we should have Chestnut repaved from Bainbridge past Lear Nagle, half way to the county line. Then we will do the rest of that part next year.

Finally, and by the way just the Bainbridge portion is \$825,000 of which the grant alone is for \$487,000 of that total. Finally, at some point I would like to have a short Executive Session to discuss the acquisition of property.

It was moved by Mayor Gillock and seconded by Buescher to go into Executive Session during recess.

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

Yes, 7 No, 0

Mayor Gillock: Thank you and that concludes my report.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Looking forward to June 20 which is actually our citywide garage sale. You might think that it is only April, but June is just right around the corner. If those of you in the City that want to be part of the citywide garage sale - the Chamber of Commerce is going to make a list of those of us to be there. If you want to be on that list, it would be reasonable to think that May 1 is the deadline. We are going to put something out on it, but if you could sign up as soon as possible. Go to the North Ridgeville Chamber webpage. If you want to be part of that; you don't want to miss it if you are going to have a garage sale because it is a big event in the City in June. That concludes my report. June 20th.

President Corcoran: Thank you, Mr. Armbruster. Mr. Engineer.

C. Engineer:

Engineer Wangler: Yeah, I'd like to talk about grass clippings as we are starting to mow our grass a little earlier than last year. The grass clippings are going to have to be disposed of properly, not blown into ditches and if people that choose to compost - it should be done in a proper way and a proper location to not annoy your neighbors and so forth. That concludes my report.

President Corcoran: Thank you and Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you Mr. President. A couple items: number one the financial report for March-Council has received that. Comments-I'd like to bring your attention to the fact that we issued our bond anticipation notes just recently at an interest rate of .85%. I don't recollect during my entire tenure here that we had an interest rate that low. So I told them we will take all the money we can get, but unfortunately we were limited to that. It was passed by legislation.

Finally, during the appropriations it was pointed out our Refuse Fund is projected to have a deficit balance by the end of the year. Accordingly, there was legislation that was drawn a short time ago, a meeting or so ago, I think last meeting it was brought to Council and was referred to Utilities and Utilities I'm sure will discuss their report. But, during the course of tonight's meeting, I would recommend that Council consider suspending By-Laws to have this ordinance reintroduced and passed with the emergency tonight. If we can pass it with the emergency tonight, it can actually be in May's billing. The calculations would be done tomorrow in time to go out in May's billing. We desperately, the City, desperately needs the money in the Refuse Fund. That concludes my report, observations and requests. Thank you very much.

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Mayor Gillock: Mr. President?

President Corcoran: Yes, Mr. Mayor?

Mayor Gillock: Just a comment to go along with what the Auditor is saying. I just want to point out on the other side of the coin, we roll over a million dollars a month that we invest. We got quotes today, just to let Council know, our highest quote was Lorain National for .40% which means that if we give them a million dollars per year, we earn \$700.00. Star Ohio was paying .07%.

President Corcoran: Thank you.

It was moved by Boose and seconded by Buescher to suspend the By-Laws and place T 42 on first readings.

President Corcoran: Are there any comments or questions?

Council Member Boose: Mr. President?

President Corcoran: Yes, Mr. Boose?

Council Member Boose: Just to bring everyone up to date: this legislation or the effects of this legislation were discussed quite a bit during our appropriations meetings with the Finance Committee earlier this year. As the Auditor had stated, if we do not have an increase in the current collection rates for the residents on the disposal of solid waste, yard waste, recycled materials, the City would project to have over a \$500,000 deficit in that fund by the end of the year. The City entered into a contract with Allied Waste several years ago. This is the fourth year. We have not changed rates since April 2009 even though every year the rate to the City per household has gone up in addition to the surcharge for fuel. The Safety Service Director made a comment during the Utilities meeting that we held that the contract rate for diesel fuel I believe is \$2.50 and right now, as most of you can drive around and see what diesel fuel is selling; I don't remember any station showing a diesel fuel rate of less than \$4.00. So, the annual increase that the City has been receiving on the contract, as well as the fuel surcharge, has depleted our funds. It is necessary for us to increase the monthly rate, per household. It is not something anyone likes to do. We certainly don't want to have it done, but if we don't do some sort of adjustment, we are going to have a major deficit in our funding and that we cannot have. So that is the story.

President Corcoran: Thank you Mr. Boose. Any other comments?

Council Member Boose: Oh, yes, one more thing. Not changed in the ordinance is that there continues to be a discount for senior citizens and for those households with residents that are disabled, per the guidelines of the Social Security Administration. So those discounts will continue to be had for those residents that already have them.

President Corcoran: Okay. Is there anybody else? Alright.

It was moved by Boose and seconded by Buescher to suspend the By-Laws and place T 42 on first readings.

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

Yes, 7 No, 0

President Corcoran: T 42 is now added to first readings.

E. Other Reports:

President Corcoran: Other reports. You received the March 2012 Water Distribution Reports, March 2012 Fire Department Report, March 2012 Building Department Report and March 2012 Support Car Report. There is a Council Committee report. Mr. Clerk?

COUNCIL COMMITTEE REPORTS:

Clerk of Council Smith:

UTILITIES COMMITTEE REPORT dated April 9, 2012 which requests City Council approve T 42-2012 as submitted.

President Corcoran: There is no correspondence or old business. Moving on to new business.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission recommendations to Council from their April 10, 2012 meeting:

An ordinance vacating the existing 25-foot stub street of Ravenway Drive located north of Avalon Drive in Windsor Point Subdivision.

PC ACTION: Recommends by a vote of five to zero that Council approve the 25-foot stub street of Ravenway Drive.

It was moved by Olesen and seconded by Butkowski to accept the Planning Commission recommendations.

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

Yes, 7 No, 0

President Corcoran: The Planning recommendations were accepted.

Ordinance and Resolution Submittals

President Corcoran: T 43.

Clerk of Council Smith:

T 43-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF
NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.,
NORTH RIDGEVILLE DIVISION.

It was moved by Mayor Gillock and seconded by Olesen to give T 43 a first reading this evening.

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

Yes, 7 No, 0

President Corcoran: T 44.

Clerk of Council Smith:

Introduced by Mayor Gillock;

T 44-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A TRAC EXCAVATOR AND APPURTENANCES 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 \$156,000.00.

It was moved by Mayor Gillock and seconded by Olesen to give T 44 a first reading this evening.

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

Yes, 7 No, 0

President Corcoran: T 45.

Clerk of Council Smith:

Introduced by Mayor Gillock;

T 45-2012 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 FRENCH CREEK WATERLINES REPLACEMENT PROJECT, NOT TO EXCEED \$180,000.00.

It was moved by Mayor Gillock and seconded by Butkowski to give T 45 a first reading this evening.

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

Yes, 7 No, 0

RECESS:

President Corcoran: That brings us to the recess portion of our meeting, which means we will be going into Executive Session.

Council adjourned into Executive Session at 7:51 P.M. to discuss the acquisition of property.
Council reconvened at 8:00 P.M.

President Corcoran: Moving on to First Readings. First up we have T 35.

FIRST READING:

Clerk of Council Smith:

T 35-2012 AN ORDINANCE AMENDING ORDINANCE NO. 4885-2012 BY INCREASING
THE PAY SCALE OF THE HEAD MECHANIC.
First Reading

President Corcoran: T 37.

Clerk of Council Smith:

T 37-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4914-2012 CONTRACT WITH DANIEL T. CLANCY & ASSOCIATES, INC. FOR
PROFESSIONAL SERVICES RELATING TO COMPETITIVE
EXAMINATIONS AND THE APPLICATION AND INTERVIEW PROCESS
FOR CLASSIFIED POSITIONS IN THE FIRE AND POLICE DEPARTMENTS
WITHIN THE CITY OF NORTH RIDGEVILLE, NOT TO EXCEED \$40,000.00.
First Reading

It was moved by Mayor Gillock and seconded by Johnson to dispense with the second and third readings for T 37.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President?

President Corcoran: Yes, Mr. Mayor?

Mayor Gillock: This is authorizing, this is basically authorizing us to do the testing to update our Police eligibility list. We have potentially three Police officers that might be leaving. One for sure-he is going back to Harvard Law School. Two others-we are not sure, but if we had to replace them we would need a new list. So we would like to get that updated.

President Corcoran: Any other comments or questions. It was moved by the Mayor and seconded by Johnson to dispense with the second and third readings for T 37. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Boose and seconded by Johnson to adopt T 37.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4914-2012.

Permanent Ordinance No. 4914-2012

Clerk of Council Smith:

T 41-2012 AN ORDINANCE ACCEPTING THE DONATION OF 0.6217 ACRES OF LAND
FROM THE R.W. BECKETT CORPORATION AND DEDICATING IT FOR
PUBLIC PURPOSES.

First Reading

President Corcoran: T 42.

Clerk of Council Smith:

T 42-2012 AN ORDINANCE ESTABLISHING THE RATE CHARGED FOR
4915-2012 THE COLLECTION AND DISPOSAL OF SOLID WASTE, YARD
 WASTE, AND RECYCLABLE MATERIALS, AND AUTHORIZING
 THE PERIODIC ADJUSTMENT OF THE RATE COMMENSURATE
 WITH THE COST OF THE SERVICE.

First Reading

It was moved by Boose and seconded by Buescher to dispense with the second and third readings this evening.

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

Yes, 7 No, 0

It was moved by Boose and seconded by Buescher to adopt T 42.

It was moved by Boose and seconded by Johnson to add the emergency in order to meet the billing deadline in the Utilities department.

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

Yes, 7 No, 0

President Corcoran: It was moved by Boose and seconded by Buescher to adopt T 42 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4915-2012.

Permanent Ordinance No. 4915-2012

President Corcoran: T 43.

Clerk of Council Smith:

T 43-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4916-2012 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
 FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., NORTH
 RIDGEVILLE DIVISION.

First Reading

It was moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 43.

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

Yes, 7 No, 0

It was moved by Olesen and seconded by Butkowski to adopt T 43.

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It was moved by Olesen and seconded by Butkowski to add the emergency in order to get the agreement settled.

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

Yes, 7 No, 0

President Corcoran: It was moved by Olesen and seconded by Butkowski to adopt T 43 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4916-2012.

Permanent Ordinance No. 4916-2012

President Corcoran: T 44.

Clerk of Council Smith:

T 44-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4917-2012 RIDGEVILLE TO PURCHASE A TRAC EXCAVATOR AND
APPURTENANCES 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 \$156,000.00.

First Reading

It was moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 44.

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

Yes, 7 No, 0

It was moved by Olesen and seconded by Butkowski to adopt T 44.

It was moved by Olesen and seconded by Butkowski to add the emergency in order to replace the broken equipment.

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: It was moved by Olesen and seconded by Butkowski to adopt T 44 with the emergency. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4917-2012.

Permanent Ordinance No. 4917-2012

President Corcoran: T 45.

Clerk of Council Smith:

T 45-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4918-2012 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
 MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER
 FOR THE FRENCH CREEK WATERLINES REPLACEMENT PROJECT, NOT
 TO EXCEED \$180,000.00.

First Reading

It was moved by Olesen and seconded by Butkowski to dispense with the second and third readings this evening.

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

Yes, 7 No, 0

It was moved by Olesen and seconded by Butkowski to adopt T 45.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes),
Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4918-2012.

Permanent Ordinance No. 4918-2012

President Corcoran: That is the end of the first readings. Moving on to the second readings. T 29.

SECOND READINGS:

Clerk of Council Smith:

T 29-2012 AN ORDINANCE AMENDING A TYPOGRAPHICAL ERROR IN
 ORDINANCE NO. 4802-2011, WHICH ADOPTED THE JOB DESCRIPTION OF
 THE FULL-TIME POSITION OF SEWER VACUUM OPERATOR.

Second Reading

President Corcoran: T 31.

Clerk of Council Smith:

T 31-2012 AN ORDINANCE AMENDING AND INCREASING COSTS OF CERTAIN
 SECTIONS OF NRCO CHAPTER 1062 ENTITLED "CEMETERIES".

THIRD READINGS:

President Corcoran: Third readings. We have T 112.

Clerk of Council Smith:

T 112-2011 AN ORDINANCE AMENDING NRCO SECTION 1060.11: *DUMPSTERS AND
Revised TRASH COLLECTION AREAS.*
4919-2012

It was moved by Butkowski and seconded by Boose to amend by substitution the revised version of T 112-2011.

President Corcoran: There are comments. Mr. Law Director do you want to explain the reason?

Law Director Crites: All we are simply doing is amending by substitution to replace the previously filed ordinance with a minor modification that we made by the Utilities Committee to simply add that the dumpsters-the visibility should be restricted of dumpsters from residential dwellings and commercial establishments.

Council Member Buescher: Was there already a motion on...

President Corcoran: Just to ah...

Council Member Buescher: Just to revise?

President Corcoran: To adopt the, yeah, to revise the...

Council Member Buescher: I'm still having a problem with this because there is a particular commercial property that follows all of these restrictions, but yet is open to the street and it is close to a main highway. So all three sides are closed to residential and other commercial, but it is not closed to the street and that is where you would see all the traffic. You have to enter really from the back. It is very obvious when you go by a place like that and it is right out in the front.

Law Director Crites: Yeah, obviously I understand your point that you wouldn't want to have an eye sore visible by the street, but however, I think that maybe you might be hard pressed to find a street in the City these days, but for a couple of the more rural avenues in which there wasn't a residential dwelling or commercial structure nearby. If you understand what I am saying. So, you see what I am saying. It would almost be impossible unless maybe, you know...

Council Member Buescher: Well, even if it were open from the back, it still could be facing a residence or a commercial property. So...

Law Director Crites: It would have to be screened. That is ideally, or actually, the main purpose is...

Council Member Buescher: I mean if you were entering from the back rather than from the front like the one on Center Ridge. It is a little difficult to come to any final solution.

Council Member Boose: Mr. President?

President Corcoran: Yes, Mr. Boose?

Council Member Boose: If I can ask? Isn't there a street or a business across from the street from this dumpster?

Council Member Buescher: It is in a commercial area.

Council Member Boose: So this would be covered because it is across the street. It would be visible from the commercial property. It would need to be enclosed all four sides.

Law Director Crites: Yes, correct.

Council Member Buescher: Wow, okay. Alright.

Council Member Johnson: I was just going to say, it would be in an enclosure. There could be a gate or whatever as long as it is enclosed.

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Council Member Buescher: That would be alright then.

President Corcoran: It was moved by Butkowski and seconded by Boose to amend by substitution the revised version of T 112-2011. Any comments or questions on the amendment? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Johnson and seconded by Butkowski to adopt the revised version of T 112.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Corcoran (yes)

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4919-2012.

Permanent Ordinance No. 4919-2012

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Our next Council meeting will be held Monday, May 7, 2012 right here in Council Chambers at 7:30 P.M.

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the city this evening, this meeting is adjourned.

Meeting adjourned at 8:15 P.M.

Approval of Minutes:

These Minutes were approved at the regular meeting of the North Ridgeville Municipal Council on May 7, 2012.



PRESIDENT KEVIN CORCORAN



CLERK OF COUNCIL GEORGE E. SMITH