NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 15, 2002

CALL TO ORDER: 8:00 P.M.
President of Council David Gillock: I would like to call this Regular meeting of the North Ridgeville Municipal Council to order. Please stand for the Invocation and the Pledge of Allegiance.

INVOCATION: lead by Council Member Nancy Buescher.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Bernadine Butkowski, Denny Johnson and David Gillock.
Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Tom Beutler, Auditor Chris Costin and Clerk of Council Chuck Norris.

MINUTES - Corrections and Approval:
Regular Council Minutes of April 1, 2002
motion by Butkowski to approve, 2nd by Buescher
President Gillock: Is there any discussion or corrections? If not, please call the roll.
Yes, 6 No, 0 *Abstain, 1 (Swindig)*

President Gillock: Please note:
Civil Service Commission Minutes of March 11, 2002;
Board of Zoning and Building Appeals (Special) Minutes of February 28, 2002 and March 28, 2002;
Planning Commission (Special) Minutes of March 26, 2002;
Planning Commission and Board of Zoning and Building Appeals Work Session Minutes of March 28, 2002; and
Board of Zoning and Building Appeals Minutes of March 28, 2002;

COMMITTEE REPORTS:
Clerk of Council Norris:
BUILDINGS & LANDS COMMITTEE REPORT #7124. We have considered the matter of the February 27 letter from the Building Department to Council referred to the Buildings and Lands concerning suggested revisions in the Zoning Code: No. 1. Approved with changes; No. 2. Approved with changes; No. 3. Approved as is; No. 4. Approved with changes; No. 5. Approved; and recommend that this request be approved and proper legislation be drawn

authorizing approving change in ordinance 1286.05(C-3).
Signed: Chairperson Robert W. Olesen, Members Josanne K. Pagel, Nancy J. Buescher.
motion by Pagel to accept, 2nd by Buescher
President Gillock: Is there any discussion?
Council Member Olesen: Mr. President, I would like to amend this committee report to include the report that the Clerk just read because it was not on your agenda and it should have been. It was inadvertently left off. You received a handout before this meeting which, in more detail, described what those amendments were. There were five in all. The other one that's on there, is on the agenda.
Council Member Swindig: If Mr. Olesen would, amend his amendment to include having the Clerk read it for the public.
President Gillock: I want to make an amendment to add, I want to clarify his amendment as to attach the recommendations to amend certain sections to the committee report. We'll get it attached and then we'll it read in its entirety.
motion by Olesen to amend the committee report to add the recommendations to amend certain sections, 2nd by Pagel
President Gillock: Is there any further discussion on the amendment? Will the Clerk please call the roll.
Clerk of Council Norris: On the motion to amend:
Yes, 7 No, 0
Clerk of Council Norris: Motion to amend carries seven, zero.
President Gillock: Will the Clerk please read the recommendations in their entirety.
Clerk of Council Norris: The recommendations in their entirety.
1. 1279.23 (a) Amend to; "all side yards shall be minimum 7 feet, 6inch setbacks", delete sentence starting with: "For a one story dwelling and 11 feet for a 2 story dwelling".
2. 1279.23 (b) Amend to; "Cluster Single Family Dwelling shall be 15 feet from common open space, unless approved by Planning Commission, and maintain 35 feet from single family property line."
3. 1294.01 (g-9), add section g-9 to read; "The minimum lot frontage on cul-de-sacs and curves resembling cul-de-sacs shall be regulated by obtaining the required lot width at the required front setback requiring radial lines."
4. 1264, 1266, 1268, 1270, 1272 Business Zones B-1 thru B-5, amend conditional use sections so that the wording is the same for all business zones as to procedure requirements. Existing buildings shall follow the same procedure when required. Suggested amending procedure: "Planning Commission approves and recommends to Board of Building and Zoning Appeals for approval with necessary conditions."
5. 1286 Add provisions for Multiple Tenant Business Sign on same parcel.
Amend: 1286.02 (14) adding section 14 to read; "Multiple Tenant Business Sign means a sign which lists multiple tenants' business on the same parcel."
Amend: 1286.05 (C-3) adding section C-3 to read: Multiple Tenant Business Signs, "Maximum area 300 square feet. Only one Multiple Tenant Business Sign for each multiple tenant business

unit. Height of sign and sign setback shall follow existing requirements. Once multiple tenant business sign is constructed, businesses in multiple tenant unit may not construct individual business signs. This does not include wall signs or directional signs.

President Gillock: Open for discussion.

Council Member Pagel: Mr. President, I believe, there is a typo in there and I don't know if you want, by amendment or by motion to amend, to amend the typo or you just want to correct the typo?

President Gillock: Let's just correct the typo.

Council Member Pagel: The first number one, first sentence, all side yards shall be, instead of by.

President Gillock: Other discussion?

Council Member Butkowski: Mr. President, will these changes affect the PCD's that have already been approved if they have not been built on?

Council Member Pagel: Mr. President, I believe in the discussion from Mr. Lynn, he did talk to the Building Department. If you listened when he said he did look at it as radial lines and that was one of our changes that we looked at there and were talking with Guy Fursdon. Radial lines distances from streets and that?

Council Member Butkowski: No, that's not what I mean. All these changes in here are changes in our zoning codes. Now, those PCD's have already been approved under our old code. These are new codes. Will these new codes affect PCD's or will they affect from here on out, anything that we approve?

President Gillock: That's a legal question. My answer would be, these are just amendments to the zoning code and where the PCD ordinance does not apply, they have to follow our zoning code. Now, several of these really don't have anything to do with PCD's, although the first one or two may. Mr. Zagrans, would you like to comment since that really is a legal question?

Law Director Zagrans: Legislation, normally, applies only prospectively. So, you can't go back and un ring the bell if things have been done already. You can legislate from here on out.

Council Member Butkowski: So, if they haven't built what they haven't had approved in Planning Commission, will that fall under there or the whole PCD falls under the old zoning codes.

Law Director Zagrans: I'd have to take a look at what these specific amendments will be and where they will apply. As a general proposition, anytime Council enacts new ordinances, those ordinances apply to anything that goes on in the City from the date they become effective, forward.

Council Member Butkowski: I just was wondering because it's a lot of area that's been approved and I didn't know if they had to fall under these setbacks and that, if they had to fall under, because they were approved under the old zoning, can only adhere to those or do they have to adhere to these new ones. I don't know. That's why I'm asking.

President Gillock: I think in these specific cases, the first two have to do with setbacks and the PCD's have their own setback requirements and the other four, at least the last three, don't have anything to do with PCD's. Four is standardization of language in the code and five and six have

to do with signs. Number three has to do with the set back, measuring the width of a lot on a curve, when you have a pie shaped lot, where you measure the width of the lot. Sometimes, we've ended up on curves with a 30 or 40 front but, the lot is huge because it's pie shaped and this clarifies that the front of the lot will be measured at the front of the house which is where the width has to be determined. So, really only the first two may come into play. Is there any other discussion?
Council Member Olesen: Just one thing Mr. President. We are going to have quite a number more of these coming through from our meetings with the Zoning Board and I will promise you, you'll have this early enough so you can go to your code books and look them up and compare, whatever you have to do. In this instance we were fortunate because five Council people were at this meeting and they approved what we had done at that meeting. I just wanted to add that, thank you.
President Gillock: We've been doing these for three years. We're now starting to get a routine to them so, they're coming in faster. Any other discussion on the committee report? If not, please call the roll.
Clerk of Council Norris: This is on the motion to approve the Buildings and Lands report.
Yes, 7 No, 0
Clerk of Council Norris: It's approved by a vote of seven, zero.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:
President Gillock: We now come to questions for the administration written reports and we have none this evening. So, we'll go to the Auditor's report.

Mayor: None

Safety-Service Director: None

Engineer: None

Law Director: None

AUDITOR'S REPORT:
Auditor's Written Financial Report for March 2002
motion to approve by Butkowski, 2nd by Johnson
President Gillock: Open for discussion. If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Auditor's report is approved by a vote of seven, zero.

Auditor Costin: One comment, I would request that T 30-2002 be passed tonight with the emergency. That deals with the roll over of bond anticipation notes. The notes currently outstanding expire in early May and we would need to issue these notes to pay those. I would

request that Council pass that tonight with the emergency. No further comments at this time.
President Gillock: Any questions of the Auditor?
Council Member Butkowski: I have a question. There's been a rumor going around the City that the City has 41 million dollars in surplus and maybe, that's kind of, giving the finance problems and everything, maybe you ought to answer that for us.
Auditor Costin: I'm not sure that State of Ohio has that much cash right now. The 41 million you're referring to, on our Comprehensive Annual Financial Report for 2000 which you all received previously, I believe that 41 million dollars is the total fund equity of all the City's funds which include governmental funds, general funds, special revenue debt service, enterprise funds and fiduciary funds which are actually monies that aren't ours. Now, that also includes buildings, land and buildings and enterprise funds and noncash assets. I don't know how many of you have your CAFR, but if you have a chance to look at it, we have 20 million dollars of cash at the end of December of 2000. Unfortunately, when you subtract the money that doesn't belong to us, and working from right to left, the fiduciary monies that we're holding on behalf of somebody else are enterprise monies of 13 million dollars. We have 400 thousand capital project monies that earmarked for capital projects. We have 800 hundred thousand dollars that we've collected through special assessments or otherwise that can only be used to pay off the debt that we have, the bonds and that leaves us sufficiently less than that. The enterprise monies that we have, 13 million dollars, unfortunately, is twice as high this year as usual because at the end of last year we had three major projects on going and for that we had already issued notes or bonds and the cash was sitting there and that is to be spent so, the enterprise monies that are available, even for normal operations, are half of what is there. We have projects which include the water tower, the French Creek expansion and the westerlies. So, while we have the cash, there's nothing we can do with that cash except what it was intended for. So, what we need to do is look at what's available in our general fund and our general fund at the end of last year had 1.4 million dollars in it and I think that represented about 18 percent of our general fund expenditures. We don't really have 41 million dollars of funds available to spend. We have more in the area of 1.4 million and that number, unfortunately, due to recent economic times has been dwindling a bit. To receive a more accurate understanding of what we have to work with, I would have you look at the CAFR and then of course, we don't have this complete yet for the year 2001 but, we do have cash basis statements that you received, your December report. That will give you an update of what we have there. The monies that are available in a City, typically, are raised for specific purposes such as the user fees we collect for water. That can only be used for water operations. The fees we charge for sanitation, can only be used for those purposes. We have certain debt issues that we have there that we're collecting on, can only be used for debt. So, what we really have available is, as I said, about 1.4 million dollars going into the year 2001. That should relate you back to where the 41 million came from and what truly is a picture of our City.
Council Member Butkowski: Thank you.

President Gillock: Thank you Mr. Costin and I do have an additional report under the Auditor's

section. Mr. Costin if you would come over here, please. Mr. Costin referred to the Comprehensive Annual Financial Report, the CAFR report. This is a significant accounting report that Chris has won an award for that we want to recognize him for this evening. Let me read you the press announcement first. This is from the Government Finance Officers Association news release:
The Certificate of Achievement for Excellence in Financial Reporting has been awarded to: City of North Ridgeville, Ohio by the Government Finance Officers Association of the United States and Canada, GFOA, for its comprehensive annual financial report, CAFR. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. An Award of Financial Reporting Achievement has been awarded to the individual or individuals, department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to Chris S. Costin CPA, CFGM, City Auditor. The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive spirit of full disclosure to clearly community its financial story and motivate potential users and user groups to read the CAFR and this comes from the GFOA, a nonprofit professional association serving approximately 14,000 government finance professionals with offices in Chicago, Illinois and Washington, D.C.
This is the plaque, Certificate of Achievement for Excellence in Financial Reporting presented to the City of North Ridgeville. I would like to commend Chris and thank him for keeping us out of trouble and accounting for all our money, he and his department. This is a significant achievement. For those of you who haven't seen the CAF report, please try to get a hold of it. Government financing is very complex and it really helps us to understand what's going on. Before I let Chris say something, we've got one more step here. First, I'd like to make a motion that we suspend the By-Laws to allow Brad Lamb from the Auditor's office to speak on behalf of Mr. Costin.

motion by Gillock, 2nd by Johnson suspend the By-Laws to allow Brad Lamb from the Auditor's office to speak on behalf of Mr. Costin

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

President Gillock: I'd like to introduce to you, Mr. Brad Lamb from the State Auditor, Jim Petro's office.
Mr. Lamb: Mr. President, Members of Council, Mayor, I think you pretty much summed it all up there when you read the press release but, a couple more points that Auditor of State Jim Petro likes to point out that this is a clear and understandable financial report and it's intended for public use which we encourage in the Auditor of State's office. Now, out of over 5,000 government entities within the State of Ohio that are audited each year by the Auditor of State's office, only about 263 receive this prestigious award. In honor of this achievement, the Auditor of State Jim Petro presents the award winning government entities with the Auditor's award. On

behalf of the Auditor of State Jim Petro and the taxpayers of the State of Ohio, it gives me great pleasure to present this Auditor's word to Mr. Costin for your 2000 CAFR.
President Gillock: Would you like to say something and recognize your staff?
Auditor Costin: I certainly accept this on behalf of all the citizens of the City of North Ridgeville but, particularly, I have to give credit where it's due, to the Auditor's office, my assistant Deputy Auditor and my staff who I see are here and are in somewhat of big trouble tomorrow and the Treasurer's office, Jim McVeigh and really to all the department heads throughout the City and administration who assist us in keeping on a level financial footing. It is somewhat of a surprise, but I am very appreciative, particularly for the hard word that the financial departments do, that they be recognized like this. Thank you.
President Gillock: Thank you again, Mr. Costin.

OTHER REPORTS:
President Gillock: Please note:
Mayor's Court Operating Trust Fund and Court Bail Trust Fund for March 2002
Police Department Support Car Report for March 2002
Fire Department Report for March 2002

Senior Citizens Advisory Board Liaison Report:
Council Member Butkowski: No report.

Planning Commission Liaison Report:
President Gillock: Would the Clerk please read the first applicant.

Clerk of Council Norris: Planning Commission Special Meeting of March 26, 2002:

Applicant:	Alan F. Scott, Inc. 4255 Vilamoura Dr., Avon 44011
Owner:	Jeffrey Aspery, 5983 Rosebelle Avenue
Request:	Installation of car care center, upscale car wash facility
Location:	32500 Lorain Road in B-4; Permanent Parcel No. 07-00-004-109-025
PC Action:	The application was postponed for 30 days because the existing and finished ground elevations, ground and storm water facilities and flow directions and sanitary sewerage were not yet completed as required for Planning Commission approval. The project was viewed as a very favorable project for the northwest corner of Lorain and Lear Nagle Roads and has been approved by the Zoning Board for a Conditional Use and a front setback variance on Lear Nagle Road because of the corner lot.

President Gillock: Because the application was postponed, there's no action needed.

Clerk of Council Norris: Planning Commission Regular Meeting of April 9, 2002

Applicant: Alltel Ohio, Inc., 560 Ternes Ave., Elyria 44035
Owner: All Purpose Construction, Inc., 37000 Center Ridge Road
Request: Place an AFC cabinet for telephone electronics and associated apparatus, to be placed within easement.
Location: Barres Road, Block "H", Meadow Lakes Subdivision No. 1
Permanent Parcel No. 07-00-043-000-270
PC Action: Approved.
motion to approve by Olesen, 2nd by Buescher

President Gillock: Is there any discussion? Mr. Johnson?
Council Member Johnson: Mr. President, you're going to be seeing a lot more of these cabinets in the future as this City grows. I would like to encourage Planning Commission to look into alternative places to put these like, inside public buildings or, I know they can be placed underground in some cases, they don't need to be out in the public right-of-way every time.
President Gillock: Thank you. Please take that back, Mr. Olesen.
Council Member Olesen: I will take that back to Planning Commission. We did talk about landscaping this facility and apparently there are some pine trees in that area which are going to serve as landscaping apparatus.
Council Member Buescher: Mr. President, is that correct that Alltel will be responsible for the maintenance of the landscaping when it's in place?
Council Member Olesen: I'm not sure. To be perfectly honest, I am not sure.
President Gillock: Would the City Engineer have any information in regards to this? I don't know if it affects our approval but, could you check on that Mr. Beutler and get back to Mrs. Buescher as to who's responsible for the landscaping?
Council Member Butkowski: Mr. President, I checked with Alltel today, they are responsible for it and they said they do maintain them.
President Gillock: I do appreciate that, thank you. Any other questions? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

Applicant: Russell Preferred Properties, 36178 Center Ridge Road
Owner: Oster Homes, Tom Oster, 6150 Park Square Drive, Lorain, 44053
Request: Final subdivision plan approval for Villas of Stone Creek Subdivision No.1 under Chapter 1282, Planning & Zoning Code
Location: Stoney Ridge Road vacant land; Permanent Parcel No. 07-00-032-000-051
PC Action: Postponed until the meeting of April 25, 2002 at applicant's request.

President Gillock: No action needed at this time. Go to the next one please.
Council Member Olesen: Mr. Chairman, just one comment. This is at the party's request. I would like to add, it says it was postponed to the April 25 meeting, that is incorrect. It should be the May 14 meeting.
President Gillock: So noted.

Applicant: Russell Preferred Properties, 36178 Center Ridge Road
Owner: Oster Homes, Tom Oster, 6150 Park Square Drive, Lorain, 44053
Request: Final subdivision plan approval for the Stone Creek Estates No. 1 under Chapter 1282 of Planning & Zoning Code
Location: Stoney Ridge Road vacant land; Permanent Parcel No. 07-00-032-000-051
PC Action: Postponed until the meeting of April 25, 2002 at applicant's request.

President Gillock: We will need no action on this either. The first one is Stone Creek Subdivision. The second one is Stone Creek Estates. They're two parts of the same development but, they brought them in separately.
Council Member Olesen: Mr. President, the second one is also postponed to May 14 and it reads April 25.
President Gillock: So noted. Go on please, to Whitlatch.

Applicant: Whitlatch & Co. P. O. Box 363, Twinsburg, Ohio 44087
Lynn Harlan, representative
Owner: Sugar Chestnut LLC, 50 Public Square, Suite 1050, Cleveland, 44113
Request: Site plan approval of 39 detached single family cluster homes, to be known as Chaddwyck at Waterbury.
Location: Block E within Phase 1 of Waterbury
PC Action: Approved

motion to approve by Pagel, 2nd by Olesen

President Gillock: Open for discussion.
Council Member Pagel: I appreciate Whitlatch coming here today and giving us, what I believe, a very crisp presentation and very informative and I would hope that in the future, other future builders would do the same because I believe the more information, the better.
President Gillock: Thank you. I agree. Anyone else?
Council Member Olesen: Mr. President, I would like to add that Whitlatch came to Planning Commission twice. First as an informational basis. Second, to ask for approval for their program. I would urge that Council consider this when they vote tonight. This company has really done their homework and they have met every requirement of our Codified Ordinances.
President Gillock: Thank you. Anyone else? If not, will the Clerk please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to approve carries by a vote of seven, zero.

Applicant: Bentbrook Properties, 25560 Hilliard Blvd., Westlake, 44145
Owner: AT&T Wireless Services, LLC; Sean Craig, Ever Clear Communications, 6909 Engle Road, Suite 40, Bldg. D, Middleburg Heights, 44130
Request: Co-location of AT&T antennas on existing monopole telecommunications tower and the addition of exterior cabinet on a slab on grade concrete pad inside the existing fenced in compound.
Location: 31726 Center Ridge Road, Permanent Parcel No. 07-00-006-102-164
PC Action: Approved
motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion?
Council Member Butkowski: This is exactly what we would like to encourage is co-location of these antennas to keep the City free of continuing towers in the City. Most of them have been built for co-locations and I see AT&T is taking advantage of that and that will help the environment and aesthetics of the City.
President Gillock: Anyone else?
Council Member Olesen: Mr. Chairman, I'd like to underline what Mrs. Butkowski has said. This is a co-location, this is what we're looking for and we're encouraging it among all applicants that come to Planning Commission.
Council Member Pagel: I just would like the Mayor's and Safety-Service Director's input as far as the question recommending the buffering. Is there a response to that?
Mayor Hill: We don't have the papers before ~~is~~ *us* so, I don't know what you have there.
Council Member Pagel: You want to give them this copy?
President Gillock: We can pass it around.
Council Member Pagel: Mr. President, it was their sign off on the project and you just recommended buffering for around the concrete pad and then the Safety-Service Director said the same and I just didn't know if they agreed or if they would look into that.
Safety-Service Director Johnson: That was our recommendation to the Planning Commission and I really don't know if they did approve it or not because I wasn't at the meeting and it doesn't show up in their minutes.
Mayor Hill: Mr. President, when we make those recommendations, those are recommendations to Planning Commission and then, of course, it's up to Planning Commission to deal with it at the meeting. So, we don't deal with it after, we send the recommendation to Planning Commission, unless there's a further question or something that the administration can take steps to do. At that point, it's up to Planning Commission.
Council Member Olesen: I think the only thing we can add is we do ask for buffering and it was mentioned in reports by the Mayor, Safety-Service Director and those are the ones I found real quickly. So, we do ask for that in these situations.
President Gillock: Any other discussion?
Clerk of Council Norris: On the motion to approve on the Bentbrook report.
Yes, 7 No, 0
Clerk of Council Norris: Report is approved by a vote of seven, zero.

OLD BUSINESS:

President Gillock: Is there any old business? Mayor Hill?

Mayor Hill: Sometime ago and I didn't have time today to look it up but, Mr. Olesen, Council Member, had requested reconsideration of Council's ban on the Mayor's oral report, I'd like to know what committee that was assigned to. Was that . . .

President Gillock: That was referred to Administrative.

Mayor Hill: Administrative, is there anyone or perhaps the President could answer, my question, what is the status of that reconsideration.

President Gillock: We have not received anything back from the Administrative Committee in regards to that referral.

Mayor Hill: Okay. How long before, while something is in committee, is considered dead? Isn't that 60 days?

President Gillock: After 60 days it's considered dead.

Mayor Hill: I'd like to investigate that and bring it up again before Administrative Committee for reconsideration.

President Gillock: I'll check into that and see where it's at, if they plan on addressing it or not.

Mayor Hill: Thank you.

President Gillock: Any other old business. New business.

NEW BUSINESS:

Clerk of Council Norris:

T 37-2002 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to purchase a medium duty, snow plow ready truck, 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 $85,000.00

Council Member Butkowski: Mr. Chairman, the price, 85 thousand dollars is incorrect. According to the appropriations, it should be 83 thousand dollars. So, I'd like to make a motion to amend that to read 83 thousand. It's in the title and it's also in section one.

motion by Butkowski, 2nd by Johnson to amend T 37-2002 to read "$83,000.00" anywhere it currently reads "85,000.00"

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to approve from $85,000.00 to $83,000.00 carries by a vote of seven, zero.

motion by Swindig, 2nd by Buescher to suspend By-Laws to give this its' first reading

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 6 No, 1 (Johnson)

Clerk of Council Norris: Motion to suspend By-Laws carries by a vote of six to one.

T 38-2002 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and negotiate and enter into a contract, for a twelve-month period, according to law, and in a manner prescribed by law, for the purchase of storm water pipe and related parts to be used by the City of North Ridgeville, Ohio.

motion by Swindig, 2nd by Pagel to give this a first reading tonight

President Gillock: Is there any discussion? Mr. Johnson?

Council Member Johnson: I would like to point out that there is no monetary figure in this ordinance.

President Gillock: You are correct. Mr. Costin?

Auditor Costin: Mr. Chairman, that's correct. These are unit price contracts. What we do is we bid the particular different sized of pipe. We do not know how much were going to use. I believe the majority of it is charged to the surface drainage fund as we need it.

President Gillock: Any other discussion? If not, please call the roll.

Clerk of Council Norris: On the motion to suspend By-Laws.

Yes, 6 No, 1 (Johnson)

Clerk of Council Norris: Motion to suspend carries by a vote of six to one.

T 39-2002 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to lease/purchase not more than ten 2003 Police vehicles 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 $220,000.00.

motion by Mayor Hill to suspend By-Laws for a first reading, 2nd by Pagel

President Gillock: Is there any discussion?

Mayor Hill: Yes, Mr. President, I believe Council Members received a memo from Mr. Johnson, the Safety-Service Director, reiterating the reasons for the request that came from the Chief of Police.

President Gillock: Yes, I was going to have the letter read. I wanted to go ahead with suspension of By-Laws first. We were going to do that. Is there any other discussion on the suspension? If not, please call the roll.

Clerk of Council Norris: On the motion to suspend T 39 for first reading.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend T 39 carries by a vote on seven, zero.

President Gillock: T 39-2002 will receive its' first reading tonight. I would ask the Clerk to please read Mr. Johnson's letter in regards to the police car lease.

Clerk of Council Norris:

This is a letter to Council Member from Jim L. Johnson, Safety-Service Director regarding police car lease. Legislation will be introduced at the April 15, 2002 Council meeting to begin the process for leasing the new police cars as appropriated by City Council. Chief Thomas has requested approval of the legislation with the emergency at the April 15 meeting. You will remember, at the budget hearings, Chief Thomas explained that he had negotiated 2003 automobiles at 2002 prices. The Chief has moved as quickly as possible to obtain final guarantees for the lease at the 2002 prices. During that short time, the State Co-Op has changed Ford dealerships. Interest rates for leases have also increased. The State Co-Op has further indicated that the lease price for the automobiles has escalated. Therefore, to avoid the higher cost associated with the State Co-Op, we must bid the leases per T 39-2002. However, is legislative approval is delayed we lose the price guaranteed by the original dealership and will almost certainly pay several hundreds of dollars more per vehicle. Even with the emergency approval at the April 15 Council meeting, the vehicles will not be ready for the road until September. Without emergency approval several things will occur. Number one, we'll lose the opportunity to lease 2003 automobiles at the 2002 prices. Total costs will increase by thousands of dollars. Item two, out finance rates will increase. Item three, the vehicles will not be on the road until, at least, November. Item four, safety concerns increase. Item five, mileage on current vehicles increase. Item six, repairs will have to be made on vehicles that will not use once the new lease cars are ready for the road. The Chief, and I concur, is requesting suspension of the Bu-Laws for passage of the ordinance by the emergency. While it is clear Council is often reluctant to pass legislation by emergency, it is also clear that increased prices and safety concerns must be a priority in this situation. We ask for your cooperation. Jim L. Johnson.

President Gillock: Mr. Costin?

Auditor Costin: Mr. Chairman, for the record, I believe the amount of money requested is 220 thousand 800 dollars which is the body of the ordinance and during appropriations, what we did, was discuss this subject and the Chief has obtained rates for the acquisition of these cars through a lease program and upon the first reading of this ordinance, I'm going to recommend language to the body of the ordinance to recognize that this is going to be a three year lease program. We are not in a position to pay the full amount of money out this year. We will be paying, approximately, 73 thousand 600 per year for three years and again, on the first reading I have language I would like to recommend that Council add to the body of this ordinance. Thank you.

President Gillock: Thank you. We'll amend this during the first reading. Any other discussion or comments in regards to Mr. Johnson's letter? T 40-2002.

T 40-2002 An ordinance amending Ordinance No. 3739-2001 relating to outbuildings.

President Gillock: That's Ordinance Number 3739-2002 introduced by Mrs. Butkowski. Do you want to explain what this is doing here? What the ordinance is for?

Council Member Butkowski: Yes. There was a typo when it was approved and the change is in Section 3. It should read 676 square feet instead of what it read in the previous legislation of 876. It was a typo and it had to be changed.

President Gillock: Any other discussion? Correspondence.

CORRESPONDENCE:

Clerk of Council Norris:

1) Received a letter from Mary Beth Derekito, Secretary of the Lorain County District

Advisory Council submitting resolutions adopted at their annual meeting held March 7, 2002. President Gillock: I would like to REFER TO THE SAFETY COMMITTEE as it relates to the health district. There's three resolutions to be considered that have to be referred to Committee.

2) Received a letter from AT&T Broadband informing of the regulatory ruling that will affect a small portion of the franchise fees they remit to the City under the cable system franchise.

3) Received a notice from Walter & Haverfield in regard to cable franchise fees that may be decreased due to FCC ruling.

4) Received a proclamation from Mayor Deanna Hill proclaiming April 16, 2002 as Lions Clubs Worldwide Induction Day.
Mayor Hill: Mr. President, I would like to be able to read that Proclamation.
President Gillock: Please do.
Mayor Hill:

> Whereas, Lions Clubs International members have volunteered their time in assisting humanitarian causes in their communities since their founding in 1917; and
> Whereas, 1.4 million members in more than 44,500 clubs across 185 countries and geographical areas makes the Lions Clubs International the world's largest service organization; and
> Whereas, Lions members are continually showing their commitment to community devotion through local, as well as international programs that benefit many people; and
> Whereas, new, as well as long-standing members of Lions Clubs International proudly display their legacy of helping others and ensuring a more comfortable life style to so many individuals and organizations who depend so greatly on them.
> Now, therefore, I Deanna L. Hill, Mayor of the City of North Ridgeville do hereby proclaim April 16, 2002 as Lions Clubs Worldwide Induction Day and urge all residents to join me and sho appreciation for Lions Clubs members and their many contributions that are felt throughout the world. Thank you.

President Gillock: Thank you, Mayor and congratulations to the Lions. I know Mr. Johnson and Mr. Olesen are both members. Mr. Olesen, did you want to add anything to this?
Council Member Olesen: No, I think she read that just fine.

LOBBY:
President Gillock: We now move to the lobby portion of the meeting. Anyone wishing to speak is welcome to do so. You have three minutes. Please fill out a lobby sign-in sheet. Does anyone wish to address Council? We will adjourn for recess until nine o'clock.

RECESS: from 8:47 P.M. until 8:55 P.M.

FIRST READINGS:

T 30-2002
3784-2002

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF $6,790,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, AND THE CITY'S PORTION OF THE COST OF CONSTRUCTING A SANITARY TRUNK SEWER, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO FROM AN EXISTING MANHOLE IN CASE ROAD AT THE NORTHEN CORPORATE BOUNDARY OF THE CITY SOUTH IN CASE ROAD A DISTANCE OF APPROXIMATELY 300 FEET AND THEN EASTERLY AND SOUTHERLY IN CITY EASEMENTS, PROPERTIES AND RIGHTS-OF-WAY TO A POINT APPROXIMATELY 2,400 FEET EAST OF AND 2,600 FEET SOUTH OF THE INTERSECTION OF RACE ROAD AND SUGAR RIDGE ROAD.

First Reading
motion by Johnson, 2nd by Swindig to suspend second and third readings
Yes, 7 No, 0
motion to by Butkowski, 2nd by Swindig to adopt
motion by Butkowski, 2nd by Buescher to add the emergency in order to issue and sale notes which is necessary to enable the City to retire the Outstanding note at its maturity and thereby preserve its credit
Yes, 7 No, 0
vote on adoption with the emergency
Yes, 7 No, 0
Permanent Ordinance No. 3784-2002

T 34-2002
3785-2002

AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE SECTION 858.04 TO ALLOW FOR CITY-WIDE GARAGE OR RUMMAGE SALES.

First Reading
motion by Pagel, 2nd by Buescher to suspend second and third readings
Yes, 7 No, 0
motion by Pagel, 2nd by Butkowski to adopt
motion by Mayor Hill, 2nd by Swindig to add the emergency to allow for the planning and promoting of a city-wide garage or rummage sale
Yes, 5 No, 2 (Johnson, Gillock)
Vote on adoption as amended
Yes, 7 No, 0
Permanent Ordinance No. 3785-2002

T 36-2002 AN ORDINANCE MODIFYING THE TERMS OF THE SENIOR CENTER RENTAL AGREEMENT AND REFLECTING INCREASED FEES AND AMENDING NRCO SECTION 1064.02.
First Reading

T 41-2002
950-2002 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY JOSEPH M. & JOYCE M. MARIE SOLOMON TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.
motion by Olesen, 2nd by Swindig to suspend second and third readings
Yes, 7 No, 0
motion by Butkowski, 2nd by Olesen to adopt
Yes, 7 No, 0
Permanent Resolution No. 950-2002

T 37-2002 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A MEDIUM DUTY, SNOW PLOW READY TRUCK, 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 $85,000.00
First Reading

T 38-2002
3786-2002 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF STORM WATER PIPE AND RELATED PARTS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
First Reading
motion by Swindig, 2nd by Olesen to suspend second and third readings
Yes, 6 No, 1 (Johnson)
motion by Swindig, 2nd by Butkowski to adopt
Yes, 7 No, 0
Permanent Ordinance No. 3786-2002

T 39-2002
3787-2002 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO LEASE/PURCHASE NOT MORE THAN TEN 2003 POLICE VEHICLES 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 $220,000.00.
First Reading
motion by Pagel, 2nd by Swindig to suspend second and third readings
Yes, 7 No, 0
motion by Pagel, 2nd by Swindig to adopt
motion by Mayor Hill, 2nd by Pagel to add the emergency in order to purchase police vehicles in the amount guaranteed before the expiration of the guarantee agreement
Yes, 7 No, 0
motion by Pagel, 2nd by Butkowski to amend by replacing "$220,800.00", with "$73,600.00 per year for three years"
Yes, 7 No, 0
vote on adoption with the emergency and as amended
Yes, 7 No, 0
Permanent Ordinance No. 3787-2002

SECOND READINGS:

T 35-2002
3788-2002
AN ORDINANCE AMENDING ORDINANCE 3752-2001 EXTENDING THE MONTHLY CONTRACT WITH ADS ENVIRONMENTAL FROM JANUARY 31, 2002 THROUGH APRIL 30, 2002 AT THE RATE PREVIOUSLY APPROVED OF $1920.00 PER MONTH AND APPROVING PAYMENT THEREOF.
First Reading
motion by Butkowski, 2nd by Olesen to suspend third reading
Yes, 7 No, 0
motion by Butkowski, 2nd by Olesen to adopt
Yes, 7 No, 0
Permanent Ordinance No. 3788-2002

THIRD READINGS:

T 24-2002
3789-2002
AN ORDINANCE AMENDING CERTAIN SECTIONS OF NORTH RIDGEVILLE CODIFIED ORDINANCE CHAPTER 452 REGARDING PARKING TO INCREASE AND TO STANDARDIZE THE WAIVERABLE FINES AS FAR AS PRACTICABLE.
Third Reading
motion by Swindig, 2nd by Butkowski to adopt
Yes, 7 No, 0
Permanent Ordinance No. 3789-2002

T 26-2002
3790-2002
AN ORDINANCE ADDING LANGUAGE TO NORTH RIDGEVILLE ORDINANCE SECTION 1044.02(C), (D), (E), AND (F) ESTABLISHING THE

CHARGE FOR A CHANGE OF USE OR FOR INCREASED USE IN THE USE BENEFIT CALCULATION.
Third Reading
motion by Swindig, 2nd by Butkowski to adopt
Yes, 7 No, 0
Permanent Ordinance No. 3790-2002

T 29-2002
3791-2002

AN ORDINANCE AMENDING SECTIONS 246.01, COMPOSITION OF THE DEPARTMENT.
Third Reading
motion by Pagel, 2nd by Swindig to adopt
Yes, 7 No, 0
Permanent Ordinance No. 3791-2002

UNFINISHED BUSINESS: **None**

COMMITTEE MEETING ANNOUNCEMENTS:
Clerk of Council Norris:
Next Council Work Session Monday, May 6, 2002 at 7:30 P.M.

Next Regular Council Meeting Monday, May 6, 2002 at 8:00 P.M.

Utilities Committee to meet Monday, April 22, 2002 at 9:30 A.M. in the Conference Room.

ADJOURNMENT:
motion to adjourn by Swindig
President Gillock: Meeting adjourned.

Meeting adjourned at 9:22 P.M.

MOTION *(as corrected)* Butkowski 2ND Buescher DATE May 6, 2002

YES 7 NO 0 ABSTAIN 0

G. David Gillock
PRESIDENT OF COUNCIL

Charles A. N
CLERK OF COUNCIL