

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING APRIL 4, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Welcome to the Monday, April 4, 2016 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

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

Councilman Bob Chapek was excused.

Also present was Mayor G. David Gillock, Law Director Andy Crites, City Engineer Scott Wangler, Deputy Auditor Teresa Machovina and Clerk of Council George E. Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of March 21, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: We received the Board of Zoning and Building Appeals minutes of March 24, 2016, the Building and Lands Committee minutes of March 21, 2016, the Parks and Recreation Commission minutes of February 24, 2016 and the Worker's Compensation Safety Committee minutes of March 17, 2016.

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

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

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

Yes – 6

No – 0

LOBBY (REGARDING AGENDA ITEMS ONLY):

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

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. First I just want to mention, Jeff is home sick this evening. I am sure he is watching. I want to say hello to Jeff and we wish he were here and hope he gets better soon.

Secondly, the City received notification from the Ohio Public Works Commission that we will receive partial grant funding for phase 2 of the Jaycox Road reconstruction project. Phase 2 will consist of rebuilding Jaycox Road from where we left off last year – just north of Drake Street in front of Liberty Elementary to Mills Road. We will receive from OPWC \$358,233 in grant money of the estimated total cost of \$607,000. Rebuilding of the road will begin late this summer once OPWC releases the grant money which typically comes July 1st.

Couple of things on our legislation tonight – we have a huge amount of legislation relative to bonds that we are currently in the process of selling which will finance our fire station and do some other things and we are also rolling over some 2006 and 2008 issues. The rollover of those two issues combined will save us over thirteen years approximately \$1,163,642.00 in net present value dollars. That is good news.

On a second procedural item, Mr. Law Director and Mr. President, I would like to ask when we go through our agenda, all these bond Ordinances have been introduced as new business and we read them and then we suspend By-laws and we turn around and give them a first reading. We've had some discussions that we are duplicating ourselves; actually, we are reading them and turning around and giving them another first reading. I would like to ask the Law Director if the original reading could be considered the first reading and eliminate one of those duplicate efforts so that we don't have to read it four times. We only have to read it three times as we are really required to do by Charter.

Law Director Crites: Thanks Mr. Mayor, if I may Mr. President – I would agree with you. This is something that we have looked at in the past. The way that we do our legislation appears on our agenda is a matter of past practice and procedure. It is perfectly legitimate. If there is any purpose to it, I call your attention to Section 15 of the By-laws which simply states when legislation comes before Council it is referred to Committee and then when it comes back it comes back under first readings. Otherwise, if you look at the method at which legislation is addressed by County as prescribed by Charter, the City's true bible or constitution in terms of how things must be done; there is no specification that the legislation appear under new business before being read. It simply says that it has to be read. When the Clerk reads it under new business that constitutes a reading. It is perfectly proper, in my opinion, after that reading for Council, or a Council person, to make the customary motion to suspend the By-laws to waive the requisite second and third reading. Understanding the effect of that tonight will be that we won't have to read all those pieces of legislation twice and then go through the same exercise. If there are any questions to that, I would be happy to address them. In short, I would agree with you Mayor. We are following our Charter and not violating any other statutory provisions or the general laws of the state if we interpret for this evening that the reading of the legislation when it

appears under new business as the first reading and then Council, if they so choose, acts to seek dispensing the second and third reading and passage. This can be done tonight because the legislation which we are discussing, being financial matters, managing debt on BANS and issuance of bonds is not one of the matters which our Charter mandates three readings and not readings that may be waived such as assessment or zoning. Okay?

Mayor Gillock: Thank you.

President Corcoran: I just want to make sure that everyone is clear on that. This bond legislation that we are going through tonight has been discussed and talked about. We talked about it at appropriations. In order to save ourselves a little bit of time, we are only going to read these once and then ask to suspend the By-laws to dispense with the second and third readings. Then the title basically only gets read once instead of multiple times.

Councilman Keenan: Mr. President, just to follow up on that – we will also be looking to get these passed with the emergency tonight?

President Corcoran: Yes, we are as requested by the bond counsel and he has also supplied specific language that we need to read with each one of these.

Law Director Crites: Specific emergency language.

President Corcoran: Yes. We are talking about T 25 through T 42. Okay.

Councilman Keenan: The end result of this – we do all this and for a lot of what we are covering, we are saving \$1.1 million by refinancing the debt at a lower rate and that is no small matter. Well done. The language talks about to take advantage of favorable market conditions and so forth and I think that is a good idea. This justifies the emergency – for me it does.

President Corcoran: Do you want to chime in on that now since it has been brought up?

Deputy Auditor Machovina: Yeah, just a real quick recap just so you know – T 25 through T 29 are for projects that are currently held in bond anticipation notes and have been acquired through 2014 and 2015. T 27 through T 40 are for the refunding of the 2006 and 2008 series in which the Mayor said we would be recognizing \$1,163,642.00. That would be recognized in various funds such as Capital Projects, Water Improvement and Sanitary Improvement funds. In T 41 this is for a major portion of funding the new fire station. We are taking \$6.7 of the \$8.2 million for the levy that was passed this past fall, gratefully by our residents, and we will be taking to a bond over twenty years and taking advantage of the current market rates. T 42 is for the balance of the fire station proceeds that we currently have in notes. We will take that to a bond anticipation note rolling that over until the completion of the project at which time we would then hope to take that balance to bonds as well. Just to give you a scenario of what each one is for.

President Corcoran: Thank you. Anybody have any questions about all that since we are on this topic. Alright great.

Mayor Gillock: Thank you. We have some special guests this evening. Erin Murphy with the Lorain County General Health District and representatives the North Ridgeville Heart and Sole collaborative are here this evening to give Council an brief overview of our City's Heart and Sole initiative. The United Way has provided numerous grants to the City of North Ridgeville administered through Lorain County General Health District to promote health and fitness in our City. This collaborative made up of representatives of the health department and community members, businesses and city personnel has been in existence for eighteen months and done a wonderful job. Erin and some of our other collaborative members are here to give us a recap of those accomplishments, plans they have for the future and also asking for Council's assistance in educating our constituents on all of these wonderful initiatives. Erin you are up.

A PowerPoint presentation was given.

Councilman Boose: Mr. Chairman? I was the Chairman of the Park and Rec Commission last year. I know you worked closely with Kevin Fougousse and the Park and Rec Board as well as the department and instituted a lot of these things; getting a lot of information from not only Kevin and our board, but also the residents of our community throughout outreach including our Master Plan that we did a couple of years ago. It really goes to show that a few people can make a big difference and I sure do want to thank you for all that you did and look forward to the things as you are doing this year as well. Good job.

Mayor Gillock: Mr. President? I also want to thank Erin and Sara and Marilyn and Rita, Tom for all you invested in this program and it is still going on. We really appreciate it. It has been great working with you and we look forward to the great things coming this year. Thanks for being here. That concludes my report.

President Corcoran: Thank you Mr. Mayor. Mr. Engineer.

B. Safety-Service Director: Absent.

C. Engineer: Thank you Mr. President. Last meeting, I discussed our plans to cross Root Road with sanitary which would involve a partial closure and our hopes were to do that during the spring break when school was closed and a few short days after I announced it, the wheels came off that plan when we ran into some soil conditions that stopped that portion of the job. The contractor of the job had to move to another section of the job. That road closure was never realized. It will still be out there at an undetermined time at this point. That concludes my report.

President Corcoran: Thank you. Ms. Deputy Auditor.

D. Deputy Auditor: Good evening Council. My report was basically regarding the bonds and the BANS and the debt legislation that we have on the agenda tonight. I think I have covered everything. Thank you.

President Corcoran: Thank you very much.

E. Other Reports:

President Corcoran: We have the March 2016 Parks and Recreation Director's report.

President Corcoran: There is a committee report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

BUILDING AND LANDS Committee report dated March 21, 2016 which recommends City Council adopt T 17-2016 as submitted.

Moved by Keenan and seconded by Boose to accept the Building and Lands Committee reported dated March 21, 2016.

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

Yes – 6

No – 0

President Corcoran: There is no correspondence.

CORRESPONDENCE: None.

President Corcoran: We have no old business.

OLD BUSINESS: None.

President Corcoran: Moving on to new business. We have T 25.

NEW BUSINESS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 25-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$75,000 TO PROVIDE FUNDS TO PAY COSTS OF ACQUIRING AND INSTALLING COMMUNICATIONS EQUIPMENT AND CONSTRUCTING AND EQUIPPING A SHELTER FOR CERTAIN SUCH EQUIPMENT AND EQUIPPING AND OTHERWISE IMPROVING ITS SITE, ALL TOGETHER WITH NECESSARY

APPURTENANCES AND WORK INCIDENTAL THERETO, FOR USE IN
PERFORMING CITY FUNCTIONS AND SERVICES.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first reading and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 25.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5330-2016**.

Yes – 6

No – 0

President Corcoran: T 26.

Clerk of Council Smith:

T 26-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE
OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL
AMOUNT OF \$255,000 TO PROVIDE FUNDS TO PAY COSTS OF
ACQUIRING A FIRE ENGINE AND RELATED EQUIPMENT
FOR USE IN CARRYING OUT FUNCTIONS OF THE CITY'S
DIVISION OF FIRE.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Boose to allow this to be the first reading and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Boose to adopt T 26.

Moved by Johnson and seconded by Boose to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5331-2016.**

Yes – 6

No – 0

President Corcoran: T 27.

Clerk of Council Smith:

T 27-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$315,000 TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING AN EXTENSION OF JAYCOX ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SIDEWALKS, STORM SEWERS AND A BRIDGE ACROSS ROBINSON DITCH AND ACQUIRING AND INSTALLING STREET LIGHTING AND TRAFFIC CONTROL SIGNAGE, IN EACH CASE TOGETHER WITH NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, AND ACQUIRING REAL ESTATE AND INTERESTS THEREIN IN CONNECTION THEREWITH.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to allow this to be the first reading and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 27.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5332-2016.**
Yes – 6 No – 0

President Corcoran: T 28.

Clerk of Council Smith:

T 28-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,145,000 TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING, RECONSTRUCTING AND REHABILITATING SANITARY SEWERS, SANITARY SEWER CONNECTIONS, MANHOLES AND CLEAN OUTS, TOGETHER WITH NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.
(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

Moved by Johnson and seconded by Butkowski to adopt T 28.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Notes at their maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5333-2016.**
Yes – 6 No – 0

President Corcoran: T 29.

Clerk of Council Smith:
T 29-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS
IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$300,000 TO
PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY’S STORM
WATER MANAGEMENT AND DRAINAGE FACILITIES.
(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

Moved by Johnson and seconded by Butkowski to adopt T 29.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5334-2016.**
Yes – 6 No – 0

President Corcoran: T 30.

Clerk of Council Smith:

T 30-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$4,060,000 TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S FRENCH CREEK WASTEWATER TREATMENT PLANT BY ACQUIRING AND INSTALLING NEW FILTRATION AND ULTRAVIOLET TREATMENT SYSTEMS AND AN ADDITIONAL INFLUENT PUMP AND RENOVATING AND OTHERWISE IMPROVING THE INFLUENT PUMP ROOM AND RELATED CONTROL VALVES, TOGETHER WITH NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.
(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6 No – 0

Moved by Boose and seconded by Johnson to adopt T 30.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Notes at their maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6 No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5335-2016**.

Yes – 6 No – 0

President Corcoran: T 31.

Clerk of Council Smith:

T 31-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$1,385,000 TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S WATERWORKS SYSTEM BY REPLACING EXISTING WATER MAINS, WATER SERVICE CONNECTIONS AND WATER SHUTOFF BOXES AND

ADJUSTING WATER VALVES AND CASTINGS TO GRADE ON OLIVE AVENUE, CROSS STREET, BRANCH STREET AND LEWIS STREET, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 31.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5336-2016.**

Yes – 6

No – 0

President Corcoran: T 32.

Clerk of Council Smith:

T 32-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,620,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$2,525,000 OF CITY'S OUTSTANDING SANITARY SEWER IMPROVEMENT BONDS, SERIES 2006A, THAT ARE STATED TO MATURE ON DECEMBER 1 IN EACH OF THE YEARS FROM 2017 THROUGH 2026, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$13,815,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2006, DATED AS OF AUGUST 23, 2006, TO PROVIDE FUNDS TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION

OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, AND THE CITY'S PORTION OF THE COST OF CONSTRUCTING A SANITARY TRUNK SEWER, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, BETWEEN CERTAIN TERMINI IN CITY STREETS, EASEMENTS AND RIGHTS-OF-WAY; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 32.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5337-2016**.

Yes – 6

No – 0

President Corcoran: T 33.

Clerk of Council Smith:

T 33-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$4,475,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$4,310,000 OF CITY'S OUTSTANDING SANITARY SEWER IMPROVEMENT BONDS, SERIES 2006B, THAT ARE STATED TO

MATURE ON DECEMBER 1 IN EACH OF THE YEARS FROM 2017 THROUGH 2026, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$13,815,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2006, DATED AS OF AUGUST 23, 2006, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY CONSTRUCTING SANITARY SEWERS AND SANITARY SEWER SERVICE CONNECTIONS AND RECONSTRUCTING AND OTHERWISE IMPROVING AND EQUIPPING A SANITARY SEWER PUMP STATION, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 33.

Moved by Johnson and seconded by Butkowski to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5338-2016.**

Yes – 6

No – 0

President Corcoran: T 34.

Clerk of Council Smith:

T 34-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,390,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$2,080,000 OF CITY'S OUTSTANDING SANITARY SEWER SYSTEM IMPROVEMENT BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1 IN 2023 AND 2028, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS, A FORCE MAIN, A PUMP STATION AND MANHOLES, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 34.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5339-2016.**

Yes – 6

No – 0

President Corcoran: T 35.

Clerk of Council Smith:

T 35-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$665,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$575,000 OF CITY'S OUTSTANDING DYKE AVENUE IMPROVEMENT BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1 IN 2023 AND 2028, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING DYKE AVENUE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, CONSTRUCTING CURBS, CATCH BASINS, SIDEWALKS AND STORM SEWERS, RECONSTRUCTING THE PAVEMENT BASE AND PAVING, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 35.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5340-2016.**

Yes – 6

No – 0

President Corcoran: T 36.

Clerk of Council Smith:

T 36-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$575,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$500,000 OF CITY'S OUTSTANDING STREET IMPROVEMENT BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1, 2023 AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S STREET SYSTEM BY IMPROVING CERTAIN DESIGNATED STREETS BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, ADDING A TURN LANE, CONSTRUCTING CURBS, CATCH BASINS AND STORM SEWERS, CONSTRUCTING AND RECONSTRUCTING THE PAVEMENT BASE, PREPARING THE SURFACE, PAVING, SURFACING AND RESURFACING AND INSTALLING TRAFFIC SIGNS, SIGNALS AND STREET LIGHTING, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 36.

Moved by Johnson and seconded by Butkowski to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue

and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5341-2016**.
Yes – 6 No – 0

President Corcoran: T 37.

Clerk of Council Smith:

T 37-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$875,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$760,000 OF CITY'S OUTSTANDING WATERWORKS SYSTEM IMPROVEMENT BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1 IN 2023 AND 2028, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S WATERWORKS SYSTEM BY REPLACING CERTAIN EXISTING WATER MAINS, WATER SERVICE CONNECTIONS AND FIRE HYDRANTS, BY CONSTRUCTING WATER MAINS AND WATER SERVICE CONNECTIONS AND INSTALLING FIRE HYDRANTS BETWEEN CERTAIN TERMINI, AND BY REPLACING CERTAIN EXISTING WATER MAINS, WATER SERVICE CONNECTIONS, FIRE HYDRANTS AND VALVES BETWEEN CERTAIN TERMINI ON CERTAIN DESIGNATED STREETS, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 37.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5342-2016.**

Yes – 6

No – 0

President Corcoran: T 38.

Clerk of Council Smith:

T 38-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$340,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$295,000 OF CITY'S OUTSTANDING STREET IMPROVEMENT BONDS, SERIES 2008E, THAT ARE STATED TO MATURE ON DECEMBER 1, 2023 AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING LEAR NAGLE ROAD AND CENTER RIDGE ROAD BETWEEN CERTAIN TERMINI BY REALIGNING LEAR NAGLE ROAD AT THEIR INTERSECTION, GRADING, DRAINING, WIDENING, CURBING, PAVING, CONSTRUCTING AND RECONSTRUCTING STORM SEWERS, WATERLINES AND SIDEWALKS AND INSTALLING AND IMPROVING TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE

AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN
ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF
REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 38.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5343-2016.**

Yes – 6

No – 0

President Corcoran: T 39.

Clerk of Council Smith:

T 39-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$215,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$185,000 OF CITY'S OUTSTANDING BUILDING ACQUISITION BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1 IN 2023 AND 2028, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF ACQUIRING AN EXISTING BUILDING AND ITS SITE TO HOUSE CITY OFFICES AND FUNCTIONS; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE

EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT
AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE
REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT
TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 39.

Moved by Johnson and seconded by Butkowski to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5344-2016.**

Yes – 6

No – 0

President Corcoran: T 40.

Clerk of Council Smith:

T 40-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$105,000 FOR THE PURPOSE OF REFUNDING FOR DEBT SERVICE COST SAVINGS THE \$90,000 OF CITY'S OUTSTANDING STORM WATER DRAINAGE SYSTEM IMPROVEMENT BONDS, SERIES 2008, THAT ARE STATED TO MATURE ON DECEMBER 1 IN 2023 AND 2028, AND WERE ISSUED AS A PART OF A CONSOLIDATED ISSUE OF \$12,000,000 CAPITAL IMPROVEMENT AND EQUIPMENT BONDS, SERIES 2008, DATED AS OF NOVEMBER 12, 2008, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S STORM WATER DRAINAGE SYSTEM BY CONSTRUCTING STORM SEWERS AND STORM SEWER

HEADWALLS, INSTALLING CATCH BASINS AND IMPROVING DITCHES AND SWALES IN CERTAIN DESIGNATED CITY STREETS AND EASEMENTS, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO; AUTHORIZING AND DIRECTING THE CALL OF ALL OF THE REFUNDED BONDS FOR OPTIONAL REDEMPTION; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT WITH RESPECT TO THE REFUNDING BONDS AND AN ESCROW AGREEMENT WITH RESPECT TO THE REFUNDING OF REFUNDED BONDS.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 40.

Moved by Butkowski and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and refund the Refunded Bonds to achieve debt service cost savings.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5345-2016.**

Yes – 6

No – 0

President Corcoran: T 41.

Clerk of Council Smith:

T 41-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$6,700,000 TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A NEW CENTRAL FIRE STATION AND ACQUIRING, PREPARING, EQUIPPING

AND OTHERWISE IMPROVING REAL ESTATE AND INTERESTS
THEREIN FOR ITS SITE.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 41.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to take advantage of favorable market conditions and provide for the retirement of the Outstanding Note at its maturity and thereby to preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5346-2016.**

Yes – 6

No – 0

President Corcoran: T 42.

Clerk of Council Smith:

T 42-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A NEW CENTRAL FIRE STATION AND ACQUIRING, PREPARING, EQUIPPING AND OTHERWISE IMPROVING REAL ESTATE AND INTERESTS THEREIN FOR ITS SITE.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to allow this to be the first readings and to dispense with the second and third readings.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those

opposed say no.

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 42.

Moved by Johnson and seconded by Butkowski to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to retire the Outstanding Note at its maturity and thereby preserve the credit of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5347-2016.**

Yes – 6

No – 0

President Corcoran: T 43.

Clerk of Council Smith:

T 43-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE JAYCOX ROAD PHASE 2 RECONSTRUCTION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$607,175.00.
(Introduced by Mayor Gillock)

President Corcoran: T 44.

Clerk of Council Smith:

T 44-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A GRANT IN AN AMOUNT OF \$358,233.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE JAYCOX ROAD PHASE 2 ROADWAY RECONSTRUCTION PROJECT.
(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

President Corcoran: Are there any comments or questions?

Councilman Boose: Again, the Mayor mentioned this in his comments – this grant will constitute fifty-nine percent of the total project to complete the Jaycox Road reconstruction. For anybody that has driven down there knows it is in dire need of repair. The first section looks wonderful. It served throughout the winter well. I cannot wait to get this done. I believe that we need to get this grant in place so that when the funds do become available in July, we can move ahead with bidding the project and get this done before the end of the year.

Mayor Gillock: Mr. President, T 43, the Ordinance just before this is the Ordinance that lets us go out for bid for this project. Before we go out for bid, we want to accept this grant, T 44, so we have this money in place and then we will proceed with going to bid at future meetings. We won't get the money until July 1st, so there is no urgency in going to bid or getting that done. Thank you.

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

Yes – 6

No – 0

Moved by Boose and seconded by Johnson to adopt T 43.

Moved by Boose and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5348-2016**.

Yes – 6

No – 0

President Corcoran: T 45.

Clerk of Council Smith:

T 45-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS AND SPECIFICATIONS FOR PHASE 2B DESIGN OF THE OHIO TURNPIKE MITIGATION GRANT PROJECT – 72-INCH DIAMETER PEAK FLOOD FLOW REDIRECTION TO WESTPOINT REGIONAL BASIN, NOT TO EXCEED \$65,000.00.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 45.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause for the immediate preservation of the public health, safety and welfare of the City.

Mayor Gillock: It relates to flooding in the Pitts and Gina area and by doing this project, I believe we could reduce the flooding in that area during a one hundred year flood elevation by six inches or more. The faster we could get this done the better for the residents in that area.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: On the adoption, with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5349-2016.**

Yes – 6

No – 0

President Corcoran: T 46.

Clerk of Council Smith:

T 46-2016 AN ORDINANCE ESTABLISHING A NEW N.R.C.O. CHAPTER ENTITLED “MOBILE FOOD VENDORS”.

(Introduced by Councilwoman Butkowski)

President Corcoran: I will refer that to the Safety Committee. T 47.

Clerk of Council Smith:

T 47-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE/ LEASE FOUR NEW POLICE VEHICLES AND RELATED EQUIPMENT FROM THE STATE BID LIST OR 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 \$133,088.00.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Boose to allow this to be the first readings and to dispense with the second and third readings.

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

Yes – 6

No – 0

Moved by Mayor Gillock and seconded by Boose to adopt T 47.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5350-2016.**

Yes – 6

No – 0

RECESS:

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

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

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

Yes – 6

No – 0

President Corcoran: Moving on to first readings, we have T 19.

FIRST READINGS:

Clerk of Council Smith:

T 19-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY JAMES W. & LORETTA A. KING REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

(Introduced by Mayor Gillock; Public hearing 04/04/2016)

President Corcoran: T 20.

Clerk of Council Smith:

T 20-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY ROBERT SLUSHER REGARDING CERTAIN LAND OWNED BY HIM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

(Introduced by Mayor Gillock; Public hearing 04/04/2016)

President Corcoran: T 22.

Clerk of Council Smith:

T 22-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
OPTION AND GROUND LEASE AGREEMENT WITH TOWERCO 2013,
LLC.

(Introduced by Mayor Gillock)

Councilman Keenan: Mr. President, can I just address a question to the Law Director? My recollection is the last time we heard that, there was a little bit of discussion about it. Is that in the process of being renegotiated or cleaned up a little bit.

Law Director Crites: Actually, having had an opportunity to review it outside the meeting, I saw no language which was objectionable or didn't exist basically in all of our cell tower agreements. So no, there has been no action or request to negotiate or renegotiate that I am aware of. I can ask the Mayor the same.

Councilman Boose: Mr. President, I had some questions last time and I've reviewed them as a member of City Council, I don't negotiate contracts. There were two main things that I had questioned – the one was the wording in regards to the annual renewal of the lease option whether it be one or two. It is my recollection that the answer the Law Director provided was that it could go either way. It is not a lot of money, so I am not really concerned. I think it is \$500. My bigger concern was the location of the project. Initially it was described as being in the southeast corner of the Shady Drive park which concerned me because the only way to access that area of the park would be to go between baseball diamonds twelve and thirteen and the multi-purpose field there and we spent tens of thousands of dollars to go into that area over the years to try to make that a nice area for recreation. Ultimately, it was shown that the location is actually on the southwest corner of the property which is ideal in my opinion. There are a couple trees there; unfortunately, the term Shady Drive is kind of strange because there are only a few trees there that provide shade. It has been always my purpose as a former member of the Park and Rec Commission that whenever we have taken a tree there it is replaced. I know that is not part of this agreement and I am not suggesting that it is, I would like the Administration to do what is best to make sure that trees are replanted somewhere within the facilities so that we can kind of preserve not only the name but just the nature of such projects. The heavy machinery can go in and out of that complex on the existing road and back there near where that is going to be. There is already a kind of gravel parking lot that they can access so I am not too concerned about it making any kind of problems with the recreational areas that have been taken care of over the years. Right now, I am good.

President Corcoran: Thank you.

Mayor Gillock: Mr. President, a little out of the ordinary, but for clarification, Jason from TowerCo is here this evening. If we wanted to allow he can answer or clarify a couple of these points if you would let him.

Moved by Mayor Gillock and seconded by Boose to allow Jason to clarify these points.

President Corcoran: Jason, if you could, can you come to the microphone please? If you could just state your name and address for the record please.

Jason Woodward with TowerCo, 5808 Strawberry Circle, Commerce, MI: stated the design is in the southwest portion of the property. They were looking to put it in the gravel area past the football fields. It is in a 75x75 area so trees aren't disturbed.

Councilman Keenan: Is this a monopole? Or are there guide towers?

Mr. Woodward stated it was and there are no guide towers.

Councilwoman Johnson: I am under the impression there is supposed to be some kind of balloon test when you put up these towers.

Mr. Woodward stated yes per the City code.

Councilwoman Johnson: When will you do this one?

Mr. Woodward stated when the ground lease is executed and the zoning process begins with the City. He stated he wasn't sure if the zoning was applicable because it is municipal property.

Councilwoman Johnson: Well I think it was school property also.

President Corcoran: Anyone else have any other questions? Jason is here.

Councilman Keenan: When I read it, one of the things that bothered me was there was reference in there that if it is a guide tower that you have access to easement rights to maintenance to the guide anchors and so forth.

Mr. Woodward stated that could be stricken if Council chooses to. A guide tower could not be run at that location.

Councilman Keenan: I'm glad to hear all that.

Mr. Woodward stated he would be fine to change the language to state monopole tower in the lease agreement.

President Corcoran: Could you just clarify the point of the renewal options.

Mr. Woodward stated the renewal term is every five years.

Councilman Boose: It says there is an option that can be extended for two additional twelve month periods at \$500. Is that \$500 each year or \$500 total?

Mr. Woodward stated \$500 each year. He added it was like that because Verizon, who they are building the tower for, has a series of budgets that are allocated at certain times. The site is capacity info built and needs built quickly. He stated he was here to get this process approved and he is at the will of Verizon's budget.

Councilman Boose: One question I didn't have, due to the proximity of the residential community right next to this to the west, are there any other restrictions or notices that have to be given to those residents that we need to be aware of for a tower so close?

Mr. Woodward stated it would go through the City zoning and whatever the requirements are.

President Corcoran: Adjacent property owners.

Councilman Boose: Has that been done?

Mayor Gillock: Mr. President, I believe the Ordinance requires a seven hundred and fifty foot setback from any residential area and they are well beyond that. I am not aware of any notification requirements although that would be a good thing to do.

Mr. Woodward stated he thought there would be notification to adjoining parcels but the tower will be dark overall.

Councilman Boose: I wouldn't mind it being lite back there; I like that.

Mr. Woodward stated he wouldn't be against putting some auxiliary downward lighting if the City wanted.

President Corcoran: A switch so that way we can turn it on and off for the football field, right? You mentioned there was a little bit of a time crunch for building this tower?

Mr. Woodward stated Verizon put him in a bad position about a month ago and put the City site on the chopping block and pushed it to 2018. He further stated he told Verizon the City started the negotiations and Verizon agreed to keep it in.

President Corcoran: You cannot begin that until we pass this, right?

Mr. Woodward stated that was correct.

President Corcoran: The benefits to the community for this tower to go up?

Mr. Woodward stated it was a huge benefit to North Ridgeville. The 911 system, police, fire, ambulance all run off of Verizon LTE which is what is going on the tower.

President Corcoran: Any other questions?

Councilman Keenan: I would like to ask, what is the specific ask is there one as far as what to do with this tonight?

President Corcoran: My understanding from Jason is to move this along so that way the Mayor can sign the agreement and so he can get moving on his applications for the FCC and other federal regulations.

Councilman Keenan: I've sat in Jason's seat before; of course he is going to ask. I was wondering Mayor, do you have one? Do you want us to take action on this tonight and make a motion to dispense with the readings? What is it that we are looking to do?

Mayor Gillock: Yes, I think that makes sense. As Jason described, it is a benefit to the City. We had some questions, thankfully he is here and he has answered our questions. I will point out to some of the Council members that are fairly new that we rewrote our telecommunications chapter several years ago with lengthy discussions and review of the Federal Telecommunications Act. We have a really good Ordinance and TowerCo and Verizon have been good to work with and I don't see any problems with this and with the things he has mentioned I would request that we go ahead and get this passed this evening.

Moved by Keenan and seconded by Boose to dispense with the second and third readings for T 22 with the understanding that the lease document would be edited to eliminate any reference to guide towers being the authorized tower type and that the exhibit showing the location be cleaned up and edited so it is very clear where the tower will be located to the exhibit.

Mr. Woodward stated he is in the process of surveying and finishing the site plan and hope to have it within the week.

Councilwoman Johnson: Mr. President, point of order, I believe we had a first reading on March 21st. My notes show that and Mrs. Butkowski's notes show that. I think we suspended but we didn't go any further. We just made a motion to give it a first reading at the last meeting.

Councilwoman Butkowski: We probably did because we didn't have enough to pass it because there were questions and we were waiting until this meeting to get answers to questions.

President Corcoran: I remember it was read.

Councilwoman Johnson: It had its first reading on March 21. It would just be a motion to suspend its third reading because today is the second reading.

President Corcoran: Do you want to amend (the motion) to dispense with the remaining readings.

Moved by Keenan and seconded by Boose to amend his motion to dispense with the remaining motions.

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

Yes – 6

No – 0

Moved by Keenan and seconded by Boose to adopt T 22.

President Corcoran: Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5351-2016.**

Yes – 6

No – 0

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

SECOND READINGS:

Clerk of Council Smith:

T 24-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY BERNARD W. & NANCY L. FATE REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

(Introduced by Mayor Gillock; Public hearing 03/07/2016; First reading 03/21/2016)

President Corcoran: That is the end of second readings. Moving on to third readings, we have T 9-2016.

THIRD READINGS:

Clerk of Council Smith:

T 9-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY ROBERT WENSINK, ET AL. REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

(Introduced by Mayor Gillock; Public hearing 03/07/2016; First reading 03/07/2016; Second reading 03/21/2016)

Moved by Johnson and seconded by Butkowski to adopt T 9.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1377-2016.**

Yes – 6

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: The next regular Council meeting will be on Monday, April 18, 2016 at 7:30 P.M. in Council Chambers.

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

Neal Casbean, 5620 Lear Nagle Rd: asked Council to find out who the “we’s” are on the removal of the stop sign at Lear Nagle Road. He stated he would like an email to his question.

Mayor Gillock: We are Street Superintendent Al Swindig, Safety-Service Director Jeff Armbruster, Police Chief Michael Freeman and I.

President Corcoran: Thank you Mayor. Is there anybody else who would like to address Council?

Angie Harrison, 5647 Lear Nagle Rd: asked what the matrix was to move the crosswalk; how many speeding tickets issued since the removal of the stop sign; and asked what will be done to make the area safe if the stop sign is not going back up.

President Corcoran: Your time is up.

Moved by Boose and seconded by Johnson to give Mrs. Harrison another three minutes.

Mrs. Harrison stated there is a safety issue with the children walking between the buses. She stated she emailed the Police Chief a license plate number of a person that blew through the crosswalk. The Police Chief informed her she needed to be careful crossing a crosswalk.

Mayor Gillock: Mr. President, I can answer a couple things. I am not sure what survey that she is referring to that was mentioned in the paper. There was no survey done and I don’t know what that was referred to. We can get you the number of the speeding tickets. Just for clarification, when I defined earlier who we were, I remember sitting in my office with those individuals when we discussed this so I did not include the schools. We did advise the schools of what was being done and they agreed with it and helped pay for it. They weren’t part, I don’t believe, of the decision making process but we were all in agreement. We made it safer for the kids. We are happy with what we have done down there. We think the whole situation is better, it moves traffic better. We believe the kids, in our opinion, Mrs. Harrison has her opinion, we have our opinion, we have to do what we feel is right. We think we have done it right. We’ve added guardrails, we’ve added flashing lights, and we’ve added school lights. I will get that information in regards to the speeding tickets.

President Corcoran: Is there anybody else?

Councilman Boose: Mr. President, just a comment – I don't live there. I don't have the same perspective that you do. I don't sit there 24/7, but I can tell you that I made an effort this weekend between Friday evening and Sunday evening. I drove through it fourteen times. Of the fourteen times I drove through, eight times there was a police vehicle on that road that came through there. I think that is remarkable. Now, I can drive there another fourteen times and never see another one. Each one of those times when I drove through there, there are so many signs, arrow signs, caution signs that to not recognize them - you would have to be blind. There are some things...I'm not saying that is the fix all. We here as members of Council don't have the authority to put that sign back, take that sign down, tell the police when to be there or not – we don't have that authority. I welcome you the opportunity to come and talk to us and give us your concerns, your suggestions. I encourage you to do that. I enjoy that. I think it gives us all a better feel in what we can try to do to be safer, but at the end of the day, you cannot come to us and ask us to change something that we don't have the authority to do. I can appreciate where you are coming from. I just want to make that clear. Thanks.

Councilman Keenan: Mr. President, it seems like a good time to give you some direct feedback having listened to many of your appeals. I've also made a concerted effort – don't live there, but I've wanted to come and observe myself and just drive it. Just feel it. Drive it. What is logical? From my perspective, as just a resident driving it, I am satisfied with the markings and so forth. It seems logical to me as I drive that area. Therefore, a lot of the decisions that have been made, I find no reason as a resident and a Council person to try to overrule what the Administration's decision process has been. However, one of the topics that you have raised is this question of stop signs cannot be used for speed control. I am dealing with that issue over in Avalon Estates and other places so I very familiar with that. At the same time, they can be used to help control or improve safety and I tend to think of all the arguments I've heard and all my perceptions of driving, the speed limit, I don't understand the speed limit on that road. To me, that is just such a narrow road with narrow setbacks, no curves, etc., I don't understand the speed limit. There was a discussion about going to the state and having them come in and audit or survey and recommend the appropriate speed limit. For me, I am anxious to continue to hear that progress. I don't know what it is, but I just wanted to give you some personal feedback. I sit here and I don't really engage too much in your appeal because you are really speaking to the Administration to a large extent. I just wanted you to know that I am trying to listen to you and understand your situation. Of all the things, it is a question of speed limit for me.

Mayor Gillock: Mr. President. Mrs. Harrison sent us an email asking that we look at the speed limit and there is another issue that has come into play that has helped explain this. I did take your email and we have already sent it to ODOT to take a look at that. Here is what we are dealing with – Lear Nagle is on the federal highway list, therefore ODOT prescribes the speed limit. That street is defined under the federal highway rules and regulations as a through street and the regulations say the speed limit is 35 mph on through streets unless there are some exceptions if it doesn't go all the way through, but this one does. Here is what actually happened – on the other side of Lear Nagle where we have construction, we lowered the speed limit to 25

mph for safety and ODOT came back and told us we can't do that. We have to keep that at 35 unless we do an engineer's investigation and determine there is a safety issue, pass a resolution, go back to ODOT and have them take a look at it to even consider reducing it to 25 mph on a temporary basis during construction only. Speed limit on that street is 35 according to ODOT and according to the regulations. We sent your email and we are going to ask them to take a look at it and consider 25, but barring an engineering study that comes up with something different, which I do not anticipate based on the number of cars we see down there and the traffic off of Rose and the side streets, I do not anticipate any change, but we've just been through all those regulations as far as the speed limit over on the construction side. That is why it is 35. We did send your email today with your comments included.

Councilman Abens: Mr. President, one thing that bothered me – I caught it – a resident, again, I don't live in that area, a resident who is aware of the safety issues all of sudden realized she was going 47 mph by her own admission. I've driven that street – I'm not known as a slow driver, but I don't feel comfortable doing any more than 35 on that street just because of the conditions. A stop sign – if they are not obeying the speed limit laws, I doubt that they are going to obey the stop signs. They may pause, but most times I think you will notice they will just roll through it. That is again, in my experience, watching those kinds of things. I am in agreement that, hopefully we can get the state to look at it and reduce it down to 25 because looking at that particular section, it should not be 35. It is just a little bit too fast for that particular section because of all the areas. Again, ODOT controls it.

Councilman Boose: Mr. President, I also wanted to add when you first came to Council, I recommended that perhaps 25 mph might be something – I don't know how Avon gets away with Jaycox Road off of Detroit south of there. You go north a half mile and you are at I-90 intersection and I don't know how when you go south from Detroit, that is 25 mph all the way to the next road. There is a church there, there is a school there. Around that curve in North Ridgeville, we have a church or two there, we have a school there. Again, I would certainly be glad that the Administration forwarded the information to ODOT and hopefully they will look favorably on it. I do think that at least from Center Ridge to just north of St. Julie, 25 mph seems better to me, but I'm not ODOT.

Councilwoman Butkowski: Jaycox Road in Avon has been that slow as long as I have been driving and that is a long time. I think that is how they got away with it.

President Corcoran: Is there anybody else?

John Vrtachnik, 5553 Main Ave.: expressed his concern about the safety on Lear Nagle with the removal of the stop sign. He asked if the amount on T 26 was incorrect regarding the purchase of a fire truck.

Deputy Auditor Machovina: That was definitely a fire engine. I believe it was a pumper fire engine that we got. A portion of that was paid by a FEMA grant. That was just the City's portion. It was funded back in 2006 or 2008.

President Corcoran: Anybody else?

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 9:41 p.m.

Approval of minutes on April 18, 2016:

A stylized handwritten signature, possibly reading 'K-E', enclosed within a circular loop.

PRESIDENT OF COUNCIL

A cursive handwritten signature, appearing to read 'George E. Smith'.

CLERK OF COUNCIL