

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING**

APRIL 3, 2006

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville City Council Regular meeting dated April 3, 2006. If you will all rise for our invocation, followed by our pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt.

Also, present were Acting Mayor Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith and Clerk of Council Charles Norris.

Absent was Mayor David Gillock.

Auditor Chris Costin arrived at 7:56 P.M.

moved by Arndt to adjourn, for the time being, our regular Council meeting so that the Public Hearing may reconvene, seconded by Boose

Yes, 7 No, 0

Meeting adjourned at 7:32 P.M.

moved by Boose, seconded by Buescher to reconvene the regular meeting of the North Ridgeville Municipal Council that was adjourned

Yes, 7 No, 0

Meeting reconvened at 7:37 P.M.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Minutes before Council this evening include:

Public Hearing Minutes of March 20, 2006 re: Wroblewski Agricultural District

moved by Olesen, seconded by Jaenke to approve the Public Hearing Minutes of March 20, 2006 regarding the Wroblewski Agricultural District

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Public Hearing Minutes of March 20, 2006 re: Baldauf Agricultural District

moved by Buescher, seconded by Jaenke to approve the Public Hearing Minutes of March 20, 2006 regarding the Baldauf Agricultural District

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING APRIL 3, 2006**

Page 2

President Arndt: Will the Clerk please take roll

Yes, 6 No, 0 Abstain, 1 (Manning)

Clerk of Council Norris: Minutes are approved by a vote of six to zero, one abstention.

Public Hearing Minutes of March 20, 2006 re: Wensink Agricultural District

moved by Jaenke, seconded by Manning to approve the Public Hearing Minutes of March 20, 2006 regarding the Wensink Agricultural District

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Public Hearing Minutes of March 20, 2006 re: T 168-2006

moved by Jaenke, seconded by Olesen to approve the Council Minutes of the regular meeting held March 20, 2006

President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Council Minutes of regular meeting held March 20, 2006

moved by Manning, seconded by Jaenke to approve the Council Minutes of the regular meeting dated March 20, 2006

President Arndt: Any discussion?

Council Member Boose: Mr. President, I have a correction on page 33, the fourth line down from the top; the beginning of the sentence on that fourth line reads currently, my bet, that should actually read, I've been, versus I bet.

President Arndt: So duly noted. Any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Regular meeting minutes have been approved as corrected.

Clerk of Council Norris: Council will also please note:

Parks & Recreation Commission Minutes of regular meeting February 22, 2006;

Board of Zoning and Building Appeals Minutes of regular meeting March 23, 2006; and

Civil Service Commission Minutes of regular meeting March 21, 2006.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's report this evening. The Chair, invites the Mayor and any of the Directors the opportunity to provide Council with their oral report. We would like to begin with our Mayor, however, the Mayor is on vacation. We will then move onto Mr. Johnson and hopefully Mr. Costin will be here as he has been detained. We will begin with our Safety-Service Director, Mr. Johnson.

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. I wouldn't exactly say the Mayor's on vacation, he's attending a meeting in Fort Knox, Kentucky given by the U.S. Military.
President Arndt: My error, I stand corrected.

I have some good news tonight. Our new sewer vac has arrived. This new equipment will allow us a longer reach, a deeper reach, some they can do a better cleaning of our sanitary sewers and our storm sewers. I look forward to getting a lot more out of our Service Department crews in using this new equipment. It's a little bigger than the last one and does a lot more.

Also, a purchase order has been approved for the traffic lights at the intersection of Ridgeview, Root and Center Ridge. The work should begin soon and should improve traffic flow through this problem area.

With Council's indulgence, I'd like to address a topic that has brought some of our residents to our meeting and I'm sure some are watching tonight on tv. The Westerly Sewer Assessments. I'd like to invite any citizen with questions or comments to discuss them with myself, Law Director Crites, Auditor Costin or Engineer Griffith. Each of these gentlemen can address the topic as it relates to his particular area of expertise.

About five years ago the Administration and Council, serving at that time, were presented with a petition signed by 100 percent of the property owners requesting to be assessed for a trunk sewer in the western area of the city. The city borrowed funds to construct the sewer and according to the petition, those funds were to be assessed to property owners on record in five years. That's now. The Westerly Sewer serves Waterbury, Meadow Lakes, Avalon and some smaller developments. The assessments, on that sewer, go with the land, meaning, as the land is sold and divided, the assessments follow and become a debt to each owner until paid in full.

The city has been working with a consultant and a law firm to finalize this assessment. We are now at the point where we must either collect the funds due or file the assessments with the County for payment over a 20 year period. Each resident that has received an assessment notice has several choices. The assessment can be paid in full by April 19th. The assessment can be paid partially by April 19th, with the balance filed as a lien against the property, payable over 20 years in equal payments or you could do nothing. In that case, the full assessment will be filed as a lien against the property, payable in equal payments over a 20 year period. Residents have been calling City Hall all day with questions and comments.

I'd like to address some of them here in hopes it addresses concerns of residents present or watching at home. Some residents claim they were never informed. That would be an issue between the builder and the resident. The documents each home buyer signed should have contained some form of acknowledgment of a sewer assessment currently due. Title searches should also have revealed a pending assessment. In addition, there have been public meetings and press coverage on the progress of the project throughout the five year time span.

Some residents were told by developers the bills would be paid by the developers. That is an issue between the property owners and the developers. We were required to notify the property owners on all assessments that were not paid by the time the letters went out. Please get in touch with the developer and work out how that's going to be paid if you received a letter.

Some residents question why a neighbor has a different amount assessed. That's a little more complicated to explain and I would like to go over to the board. Excuse my art work, if you would. We have two identical parcels, even though they may not look that way, parcel A has been subdivided into 12 different lots. Parcel B has been subdivided into nine lots with an open space in it. Assume these two, for these purposes, are identical lots, identical parcels from back when the land was farmland. These are the parcels that were brought to us for assessment and they get equally assessed. When you split the lots off, one through 12, those are 12 people who are going to pay the assessment for parcel A. Parcel B had only nine lots parceled out with the open space. Those nine people are going to share that same assessment amount. The assessment is the same for both parcels. But with this one you have nine people sharing it and this one you have 12 people sharing it. That's the form that was given to the City by the petitioners and that's the way we have to do it.

I will be available after the meeting tonight and by appointment at other times to discuss this with any resident who wants to talk about it. I would also like to give residents the telephone number of our consultant in this matter. His name is Wayne Bishop and he can be reached at 419-525-0093 and again, I will be glad to discuss this with any resident any time I am available.

Finally, Mr. President, I would like to hold an executive session after the meeting announcements tonight to discuss a personnel issue. The matter will not require Council action at this time so, the audience can be excused when we adjourn into the executive session.

Mr. President, that concludes my report.

President Arndt: Thank you, Mr. President, we now have the opportunity to hear from our Engineer.

• **Engineer:**

Engineer Larry Griffith: Thank you, Mr. President. As I said about this same time one year ago, tonight I have with me, the City of North Ridgeville Storm Water Management Program Annual Report for 2006 that must be in the hands of the Ohio EPA by April 7th. In this report, we are required to state what we did last year to improve the quality of the storm water discharge to the Black River, what we are going to do to improve the quality of the storm water discharge to the Black River in 2006 and in 2007.

In this report we discuss items such as, what educational items have we made available to the public; what we are doing to eliminate sanitary waste discharge to our streams and ditches; what we are doing to keep our streams and ditches clean of debris; and what we are doing to preserve

the environment throughout our City.

I would like to give a big thank you to the Service Department for their help. About 40 percent of the material in this report is provided by them. I would also like to thank the Board of Drainage and Flood Control and Storm Water Management Implementation Committee for their help in providing material for this year's report.

In closing, I would like to remind everyone not to discard debris into our ditches and to clean debris out of the ditches if there is any ditch that flows through their property; to pick up fecal material after their pets; to have their septic tanks cleaned regularly and not to over fertilize or over pesticide their lawns. Doing these acts of kindness to mother nature make compiling this report much easier.

Thank you, Mr. President, that concludes my report.

President Arndt: Thank you, Mr. Griffith.

 moved by Arndt, seconded by Boose to permit our Auditor to speak at some subsequent time in our meeting should there be a need to do so

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

• **Other Reports:**

Clerk of Council Norris: Council please take note of the:

Water System Operation Report for February 2006.

President Arndt: We have no Council Committee reports. We will move onto our correspondence.

CORRESPONDENCE:

Clerk of Council Norris: There are six items of correspondence before Council this evening:

- 1) Received a memo from City Engineer Larry Griffith submitting rates for plan review, inspection and storm water review in accordance with Codified Ordinance Section 1444.22(b).
- 2) Received a memo from City Engineer Larry Griffith announcing completion of work by developers in accordance with agreements and recommends that various streets in Waterbury Subdivision Phase No. 1 be accepted by Council.

President Arndt: The Chair REFERS THIS TO STREETS, SIDEWALKS & BRIDGES COMMITTEE.

- 3) Received a memo from City Engineer Larry Griffith announcing completion of work by developers in accordance with agreements and recommends that various streets in Waterbury Subdivision Phase No. 2 be accepted by Council.

President Arndt: The Chair REFERS THIS TO STREETS, SIDEWALKS & BRIDGES COMMITTEE.

- 4) Received a letter from Kevin Corcoran, Chairman of the North Ridgeville Chamber of Commerce suggesting a review of Chapter 830 relating to home occupations.

President Arndt: The Chair REFERS THIS TO BUILDINGS AND LANDS COMMITTEE.

- 5) Received a letter from Parks and Recreation Director Jim Spaulding announcing the Parks & Recreation Commission's approval to terminate agreements with various organizations and requests' Council action.

President Arndt: The Chair REFERS THIS TO THE ADMINISTRATIVE COMMITTEE.

- 6) Received a memo from Mayor Gillock announcing the appointment of a Charter Review Commission.

President Arndt: That concludes all of our correspondence. Perhaps, before we go on to new business, will inquire from our Auditor. We suspended our By-Laws, Mr. Costin, to give you the opportunity to speak should you feel there is a report you need to give. If there is none, we will continue moving on with our meeting.

• **Auditor:**

Auditor Costin: Thank you. No report.

NEW BUSINESS:

Clerk of Council Norris: Under new business, this evening:

Received a request for a D5 liquor permit transfer from Hirz & Hirz Enterprises Inc., DBA Bullfrogs Sports Cafe, 33135-45 Center Ridge Road to D J Lesko Industries, Inc. DBA Bullfrogs Sports Cafe at the same location.

President Arndt: The Chair, at this point in time, chooses to ask Council if they have any objections to granting this liquor permit transfer at this location and if not, the Chair will make a motion that we not request a hearing as stated in the application so that this can be sent to the state for final disposition.

moved by Arndt, seconded by Olesen to not request a hearing as stated on the application so that this permit can be sent to the State for its final disposition

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

Parks & Recreation Commission request for Council approve to expend \$9,700.91 from the Parks & Recreation Improvement Fund for the purchase of a Workman 2110 and Groomer moved by Butkowski, seconded by Boose to approve the Parks and Recreation Commission request

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

Received a petition from Kevin A. Beckett, President and CEO of R. W. Beckett Corporation requesting a street name change from Taylor Woods Industrial Parkway to Beckett Parkway
President Arndt: The Chair requests that our Clerk of Council assign this legislation a temporary number.

Clerk of Council Norris: That will be T 61-2006.

President Arndt: As such, the Chair REFERS THIS TO BUILDINGS & LANDS AND PLANNING COMMISSION.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now find ourselves at our audience participation section of our meeting. We call it our lobby. Any members of our audience tonight are invited to address your City Council. We do request that you fill out the Lobby form that you can find in the back of the room for the simple reason, it gives us the opportunity to contact you personally, should there be a need for individual followup. You are now welcome and invited to address your City Council by approaching the podium immediately to the right of Mrs. Buescher. However, important to note, please, clearly state your name and address and please limit your comments to three minutes. Who would like to address your City Council?

1) James Leigh of 38446 Country Meadow Way questioned the sewer assessment in as much as how you can have a neighbor living right next door to one another or across the street and have as much as 100 percent differential in the cost of the sewers. Questioned the manner in which the City acted in conclusion with the developer.

President Arndt: Mr. Johnson?

Acting Mayor Johnson: I would like the Law Director to address this also, but, I will point out that that decision was made five years ago and at this point and the last few years, we have had no option to adjusting the way it's laid out. It was a petition presented to Council. It was the way the assessment had to be done and that is the way we followed through. If anything can be changed, and I'll let the Law Director respond to that, that would have been five years ago.

Law Director Crites: I'm not sure if I want to field the, if anything can be changed aspect of the question, because that would be a very complicated issue that I am not prepared to address. The only point that I want to make to you, sir, I can certainly understand the source of your confirmations. It certainly doesn't seem very fair. It wasn't the City that did the apportionments like that. It was the (tape one side one ends) at the time that the owners of those properties came with that voluntary assessment request or petition to Council. The way that these are proportion is all derived from the way those lots were defined at the time the petition was brought to

Council. If you had those two parcels, parcel A and parcel B, the fact that the developer, then, the way he laid out the subdivision, whereas, obviously you're the poor guy who got stuck in parcel B where the open space ended up. The City, but for the Planning Commission's eventual, the Council's eventual approval of the nature of the type of the development wasn't involved in those decisions. It was how the developer broke down the land.

Mr. Leigh questioned Law Director Crites on speaking to open portions, if he is speaking to common areas.

Law Director Crites: Yes, open space, a detention pond or even land, if your developer decided, open space, the best way too described it, as Mr. Johnson did on the board there.

Mr. Leigh stated that he still needed clarity on open space and questioned if open space is defined as common area, a non titled plot of land.

Law Director Crites: Could be, depending on what kind of subdivision or development you're in. If you're in a PCD or if you're in a different kind of, to make it simpler, if your developer, for any reason, just decided not to develop one section or if he, one lot, decided to be five acres, where the rest of them were quarter acre lots, you could end up with the same kind of break down that way. I may be running off track with that because I'm not sure I understand your question. Maybe Larry can help me out on that.

President Arndt: Mr. Engineer, if maybe you could give us some insight to this please.

Engineer Griffith: I just want to say, when it came time for us to do these assessments, there were a number of meetings held with legal counsel, John Larson with Squire, Sanders and Dempsey, who was legal counsel on all of this from the very beginning. We did not like the way it was being done but, by law, we couldn't change it and we had to stick with this.

Mr. Leigh asked what law.

Engineer Griffith: State law.

Mr. Leigh asked for the chapter and verse of that law.

Engineer Griffith: No, I'm not an attorney and I doubt if our Law Director could either because it is not his speciality. That's the reason why John Larson was involved. That's his speciality.

Council Member Buescher: Mr. President, I believe Mr. Leigh also asked about the common areas and it's my understanding that all the homes that surround a pond which is common area that all that land is assessed to those property owners that adjourn that pond. Is that correct?

Law Director Crites: I am not prepared to answer that one. This on I'll defer to Larry. This falls under the globe of the umbrella of what Mr. Larson did for us. I can give you the answer though, if you have a computer at home, you can access it. Google Anderson's Ohio Revised Code and you'll get the whole entire Revised Code. It's all under chapter seven and it breaks down in chapters. I don't know the exact code section but, you'll see it. It says public assessments. It'll say assessment by petition. There's also some cross overs of other areas in the Ohio Revised Code and the Administrative Codes. That ways down the basic formula of what can and can't be done.

Mr. Leigh thanked Council for their time.

2) Lawrence Raidl of 5177 Weatherstone Drive expressed his appreciation to Mr. Johnson for addressing this in advance and expressed his dismay that that explanation was not part of the assessment letter that was received. Expressed his amazement that 100 percent of the property owners voted for this assessment and asked if all of these people sold their land?

Acting Mayor: What that represents is the land owners, at that time, which were largely developers, plus a few lots that the developers worked with them in order to get the path of the sewer through. Some of them they made deals with to cover their assessments; others wanted in on the assessment. They did have 100 percent participation.

Mr. Raidl asked if the sewer trunk line was specifically for all new developments.

Mr. Johnson: It is for a sewer district, an area.

Mr. Raidl asked if it affects existing residents.

Engineer Griffith: Yes.

Mr. Raidl stated that sounds fair.

Engineer Griffith: The difference is, anyone who did not sign the petition, when they take out their sewer permits, they will have to pay an extra fee. The developer, when he built your house, did not have to pay because it was going to be paid for through this assessment.

Mr. Raidl explained he has had an education because he recalls, when they had him sign all the papers and handed him all the information, they did not wait for you to read it word for word but, will go back and read.

Engineer Griffith: For your edification, there was one builder who chose not to pass this on and that was Pulte. Pulte, in fact, either a week ago or two weeks ago, gave the City a check for 640,000 dollars to cover their assessments. They did not pass it on to their homeowners. That was their choice.

Mr. Raidl stated that he will have to call Mr. Oster and thanked Council for the opportunity.

Council Member Buescher: Mr. President, I noticed from the phone calls I received, also, that there's a very common misconception that when Council passed the legislation to go forward with the assessments, people believed that Council, on our own, made these assessments to the people. This was something that was done five years ago and we simply had to pass this through the Council in order to go through the rest of the process. This isn't something that Council, itself, had any choice in doing. We could not have voted no.

Engineer Griffith: Mr. President, one other item I need to comment on is if there are some people who signed the assessment who currently do not have sewers, they are still going to be assessed because they agreed to the assessment. It may be years before they actually have the sewer but, when they do get the sewer, there's one of the fees that we charge because they're paying this assessment.

3) William Rudnickas of 37999 Stoney Lake Drive ask for clarification on the assessment with regard to why the City put the money forth instead of the developers paying and then later make the homeowners pay.

Law Director Crites: Simply, the City wasn't forced. If you read the statute, the statute says that the legislative authority of a municipality may then when presented with a petition. A petition only requires 60 percent of the frontage. Sixty percent of the people who front the property being improved or 75 percent of the total land if it's a different kind of improvement. Five years ago, I may be speaking out of turn, as an opportunity to get an area of this City developed, that wasn't, to try make this City a better placed. They weren't forced to do it but, the Ohio Revised Code allows a City to do it and why is it better. It would have been a lot nicer if the developers walked in and used their bankers and their creditors.

Mr. Rudnickas stated that he knows of one of the builders or developers would have had more than enough money.

Law Director Crites: The City does this by taking notes that are bonded at a different formula than a private developer would have by going straight to a bank and borrowing money. The interest rates are much different.

Mr. Rudnickas asked who was on Council five years ago that is still representing. ~~(Inaudible)~~
Council Member Butkowski: I voted for the sewer agreement. I checked the Council minutes of February 20, 2001 and found that I did not vote for the sewer agreement. The vote was five to two and it passed with the emergency added to the ordinance.

Acting Mayor Johnson: I would like to point out that it is not just the homes that are built that are paying this assessment. Any land that the developers or builders are sitting on that are yet to be developed that can have houses built, are also being assessed.

4) Mary Leigh of 38446 Country Meadow Way questioned what the maximum assessment was for an individual property.

Acting Mayor Johnson: It was seventeen hundred and some change.

Engineer Griffith: That all depends on what you're saying property.

Acting Mayor Johnson: For a single residential property, about seventeen hundred. There are some very large ones in there for large parcels.

Council Member Buescher: Mr. President, it was my understanding that it was somewhere between 300 and 1,750.

President Arndt: Who else in our audience would choose to address your City Council?

moved by Arndt, seconded by Buescher to suspend By-Laws to dismiss our recess and move into Executive Session

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Before we go, a comment from the Chair. In the way that the residents have handled themselves here, we had no idea what to expect because we, quite frankly, knew that there was some upset among out residents. I must tell you, as Chair, I continue to sit here in some real awe and admiration for the way the folks in our City communicate their differences, or their frustrations or their upsets and it really needs to be said, how much that is appreciated and hopefully you are able to discover that the kinds of things that you've been able to hear from Mr. Johnson and concerned Council persons, that it is our intention to find ways to support and work with everybody in the community. We really want to acknowledge everybody for your civil and appropriate approach.

Council recessed into executive session to discuss personnel.
Council resumed from executive session.

President Arndt: The Chair calls the Council meeting back to order. Dr. Norris, if you will begin with our ordinances and resolutions submittals.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

Clerk of Council Norris: Ordinances and resolutions submittals include:

T 56-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,990,000, 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 NORTHERN 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.

moved by Olesen, seconded by Jaenke to suspend By-Laws to give T 56-2006 its' first reading

President Arndt: Is there any discussion?

Council Member Olesen: Yes, Mr. President. I'd like to know from our Safety-Service Director if we need to pass this tonight.

Acting Mayor Johnson: I would like to defer to the Auditor.

Auditor Costin: This represents BAN's to pay off the existing BAN's which are going to go to notes in August and I would request that it be passed with the emergency tonight so we can sell the BAN's at a good rate and in time to pay off our existing BAN's. I would appreciate that.

President Arndt: Thank you. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

T 57-2006 AN ORDINANCE ACCEPTING A LAND EXCHANGE AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE AND VENDOME ASSOCIATES CORPORATION

President Arndt: The Chair REFERS T 57 TO THE PLANNING COMMISSION.

• **First Readings**

Clerk of Council Norris: First readings before Council this evening include:

T 54-2006 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1474.07, COMPUTATION OF STORM WATER RUNOFF; SECTION 1474.09, DETENTION PONDS; AND SECTION 1474.11, SOIL EROSION PLAN.

First Reading

President Arndt: For the benefit of Council due to an oversight at our last Council meeting, the Chair has referred T 54-2006 to the Planning Commission for their recommendation.

T 55-2006 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1444.22, SUBDIVISION PLAN REVIEW AND INSPECTIONS; APPEAL OF COST ESTIMATES.

First Reading

T 17-2006 AN ORDINANCE AMENDING ORDINANCES NO. 2752-93, NO. 1922-84, NO. 1559-79 AND NO. 1275-77 PROVIDING FOR SALARY CHANGES FOR COUNCIL MEMBERS EFFECTIVE JANUARY 1, 2008.

First Reading

T 58-2006 AN ORDINANCE PROHIBITING LOITERING ON AND AROUND CERTAIN BRIDGES, TRESTLES, VIADUCTS, AND SIMILAR STRUCTURES AND DEFINING LOITERING AND PROVIDING NOTICE.

First Reading

T 59-2006 A RESOLUTION NAMING THE ROUTE 83 OVERPASS "THE SHAWVILLE OVERPASS".

First Reading

T 60-2006 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94, BY RIDGECO, LLC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO DOING BUSINESS AS WOLFF BROS. SUPPLY.

First Reading

T 56-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
4251-2006 THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,990,000, 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 NORTHERN 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

moved by Boose, seconded by Olesen to dispense with second and third readings on T 56-2006

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Olesen to adopt

moved by Boose, seconded by Olesen to add the emergency to pay off the Ban's per our Auditor's request

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally we have a motion on the floor by Mr. Boose, a second by Mr. Olesen to adopt T 56 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 56-2006 is adopted with the emergency becoming permanent ordinance 4251-2006.

Permanent Ordinance No. 4251-2006

President Arndt: That concludes our first readings. Dr. Norris, if you'll begin our second readings with T 36, please.

• **Second Readings**

Clerk of Council Norris: Second readings this evening:

T 36-2006 AN ORDINANCE ESTABLISHING AN APPLICATION FEE FOR RESIDENTIAL AND COMMERCIAL STRUCTURES AND AMENDING NRCO SECTION 1444.12.
Second Reading

T 53-2006 AN ORDINANCE AMENDING PART TEN OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE BY CREATING CHAPTER 1056 TO CONTROL CONSTRUCTION SITE SOIL EROSION,

SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY.

Second Reading

President Arndt: The Chair announces, do to an oversight at our last City Council meeting, the Chair has indeed, referred T 53 to the Planning Commission for their recommendation. That concludes our second readings. We now move on to third readings beginning, Dr. Norris, with T 23-2006.

• **Third Readings**

Clerk of Council Norris: Third readings, one third reading:

T 23-2006 AN ORDINANCE APPROVING THE FINAL PLAT OF CYPRESS STATION
4252-2006 SUBDIVISION FOR RECORDING PURPOSES ONLY.

Third Reading

moved by Olesen, second by Butkowski to adopt T 23-2006

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 23 is adopted becoming permanent ordinance 4252-2006.
Permanent Ordinance No. 4252-2006

President Arndt: That completes our third readings. There is no old business. We have two announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

The next Regular Council Meeting Monday, April 17, 2006 at 7:30 P.M. in Council Chambers.

President Arndt: The second announcement comes from the Chair, just a reminder that President Pro-Tem Manning will be out next Chair at the next meeting.

ADJOURN:

moved by Butkowski to adjourn

President Arndt: Thank you, so moved.

Meeting adjourned at 8:30 P.M.

MOTION Buescher 2ND Jaenke DATE April 17, 2006
(As Corrected)

YES 5 NO 0 ABSTAIN 0

SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY.

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(As Corrected)

YES 5 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL BERNADINE BUTKOWSKI



CHIEF DEPUTY CLERK PAULA D. COPE, MMC