

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 2, 2012**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, April 2, 2012 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

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

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the minutes of the regular Council meeting held March 19, 2012. Are there any questions or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: You also have before you the special Council minutes of the March 23, 2012 meeting. Are there any comments or questions or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Finance Committee minutes of 03.15.2012, Administrative Committee minutes of 03.19.2012, Civil Service Commission minutes of 03.20.2012, Board of Zoning and Building Appeals minutes of 03.22.2012, and the Parks & Recreation Commission minutes of 02.22.2012.

LOBBY:

President Corcoran: That brings us to the lobby session. This is your opportunity to address Council if you so choose to. I'm just going to open up the meeting right now. Is there anybody that would like to address Council this evening? All right, thank you for coming. Moving on to the Administrator's reports, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. We have a full complement of reporters here this evening. That's kind of scary. It leads me to the first thing I wanted to mention this evening. It is kind of after the fact, but for those of you who knew Jon Wysochanski, who is a reporter here often and a resident of North Ridgeville and was very, very interested in what was going on, is moving to Arizona. Jon called me last Friday and expressed his good-byes to Council. His wife is taking a position out there and it works out well for him. We wish him well. Jon is no longer with us, but we have Beth filling in.

Secondly, we have a guest with us this evening. I think most of the Council Members know her, but I would like to introduce Tissy Simon, who is sitting in the back here. Tissy is my new Administrative Assistant. Sandy Hall, after 22 years, has retired. We had a great party Friday for Sandy and Tissy is now the gatekeeper, so go through Tissy for whatever you need.

Third, a North Ridgeville resident contacted me about doing something with billing that we didn't really get done, but I do want to recognize resident James King. He brought to our attention that today is World Autism Awareness Day and there has been a lot of information on the news this evening and so, just a little bit of recognition that today is World Autism Awareness Day. You can look that up on the website; there is a lot of good information, but we want to recognize his efforts in bringing that to our attention.

You will find at your desk this evening a replacement copy of T 38-2012. I don't think we need a form of motion to replace the one that is in your packets because the one that is in your packet was never officially introduced. We can talk more about it when it comes up and I will explain it, but this is based on the guidance from Pam Hanover at Squires, Sanders. Some minor changes in the ordinance were made in the way we are going to handle it based on the guidance from counsel and the County. I will explain that more when we get into it.

Finally, I would like to request an Executive Session, actually for two purposes. One is for the sale of City property and the other is contract negotiations.

It was moved by Mayor Gillock and seconded by Johnson to go into Executive Session during recess for the purpose of discussing the sale of city property and contract negotiations.

President Corcoran: Are there any objections to that? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Mayor Gillock: Thank you and that concludes my report.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: I certainly want to compliment Grounds and Maintenance. We are a month ahead and we normally would not be mowing lawns and I think this is the second time they have actually mowed City Hall. They have been working in parks. They have done just an outstanding job getting out all the lawn mowers and everything and who would ever think that in the middle of March, we would have 80 degree weather and mowing lawns. Gary, if you are looking, you guys have done a great job this year and we look great tonight, there is no question about it because they were out mowing this morning.

As a point of personal privilege, Mr. President, my sister Gail is with us this evening from Houston, TX. She talked to the Law Director tonight and in the Law Director's case, he keeps me straight as well as the Mayor. So, I have a sister that also keeps me straight. Thanks for coming Gail. That concludes my report this evening.

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

C. Engineer:

Engineer Wangler: No report today.

President Corcoran: Thank you and Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you. Also, no report scheduled for tonight.

E. Other Reports:

President Corcoran: Please note the March 28, 2012 Parks and Recreation Director's Report. Moving on to the Council Committee reports.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Smith:

ADMINISTRATIVE COMMITTEE REPORT dated March 19, 2012 which recommends forwarding a positive recommendation to City Council regarding T 26-2012.

It was moved by Olesen and seconded by Butkowski to accept the Administrative Committee report.

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

It was moved by Boose and seconded by Olesen to suspend By-Laws to place T 26-2012, which was just referenced in the Administrative Committee report on the agenda under first readings.

President Corcoran: Any comments or questions?

Council Member Boose: Yes, Mr. President. This was first brought to Council on March 5 and it was then subsequently referred to the Administrative Committee because Council did have some questions on it. The Administrative Committee held a meeting and questions were answered and we are now ready to move forward on this. The contents of the legislation which allows the rental of public facilities at South Central Park; three of the five pavilions, which will allow residents to pre-schedule outings there and hopefully make more use of the pavilions then they ever had before. Since that has already made the papers from the Committee report, people are calling the Park and Rec. Department to make such reservations and unfortunately are having difficulty because this legislation has not yet passed. So, that is the reason I would like to place it on the agenda and request that, if we could, hopefully consider passage of it with the emergency so our residents can take advantage of the facilities. Thank you.

President Corcoran: Thank you, Mr. Boose. Is there anybody else? It was moved by Boose and seconded by Olesen to suspend the By-Laws to place T 26 on first readings this evening. Any questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: All right, T 26 is now under first readings. Moving on to correspondence.

CORRESPONDENCE:

Clerk of Council Smith:

- A letter dated March 19, 2012 from the Ohio Ethics Commission regarding financial disclosure filing reminder.

Mayor Gillock: Mr. President.

President Corcoran: Yes, Mr. Mayor.

Mayor Gillock: The By-Laws have already been suspended, so I would like to bring up a letter, a piece of correspondence from the Parks and Rec. Director Kevin Fougrousse to Council. Their Board has met and approved an expenditure of \$8,000.00 for some new pathways around the splash pad as well as the sled hill; the pavilion by the sled hill, which is very difficult to get to now. All this takes is a verbal approval and I would like to bring that to Council now to give it a chance to go ahead and get this started or we won't have these sidewalks in place before the Memorial Day Opening. You should have a copy of this.

It was moved by Mayor Gillock and seconded by Boose that Council go ahead and approve the expenditure of \$8,000 from the Park and Recreation Improvement Fund to be used for walking paths around the splash pad and Community Cabin as well as the pavilion by the sled hill.

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

Yes, 7 No, 0

OLD BUSINESS:

President Corcoran: There is no old business. We are at new business with T 35.

NEW BUSINESS:

Ordinance and Resolution Submittals

Clerk of Council Smith:

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

President Corcoran: T 37.

Clerk of Council Smith:

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

President Corcoran: T 38.

Clerk of Council Smith:

T 38-3012 AN ORDINANCE AUTHORIZING THE TERMINATION OF THE TAX
INCREMENT FINANCING EXEMPTION ESTABLISHED IN ORDINANCE NO.
3730-2001 AND RELATED MATTERS.

Mayor Gillock: Mr. President.

President Corcoran: Yes, Mr. Mayor.

Mayor Gillock: This is the one that I ask that you replace the one in your packet with the one that was at your desk. What this is we had what is called a TIF, Tax Increment Financing Plan at the intersection where the Tops store was originally built and when you do a TIF, we use all the real estate taxes generated by the new project to pay for infrastructure improvements and the taxes from the Tops building were used to reconstruct that intersection. We have now collected enough from the taxes to complete the debt service and pay the bonds and it is all paid for. This is the first case of my understanding in the County where this has happened and I'm not sure the County really knew how to handle it. In 2011, we needed about \$5,500 to finish collecting what the city needed and the rest of the property taxes were to be distributed as normal. We had an ordinance that stated that and we sent them a letter asking the County to do that. This year they wrote us a letter and said that they wouldn't do that as we had to pass another ordinance causing the TIF collections to cease. In addition, they would not distribute the funds. They asked us to distribute those taxes. They did give us a percentage breakdown of what entity should get the percentage of those funds. That is why we had to have the ordinance rewritten for the distribution of funds, but we need to pass this so County will stop taking the real estate taxes and allocating it entirely to the city of North Ridgeville and start distributing them properly in the future seeing that the schools get 60 some percent, County gets 20

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percent and JVS and so forth. We need to get this passed. I'm not sure if we need the emergency or not because they won't distribute these until the Auditor has some input.

Auditor Costin: The question is when they are going to stop collecting them. So the more we get, the more we are going to have to redistribute it and it becomes a moot point.

Mayor Gillock: Pam Hanover did provide us a copy with the emergency attached so, I think just to be safe, I would ask that since the By-Laws have been suspended, that we do give this a first reading this evening and adopt it with the emergency if Council would be so inclined to agree with it.

It was moved by Mayor Gillock and seconded by Boose to give T 38 a first reading this evening.

President Corcoran: Any comments or questions? Chris, I have a question. The County won't collect taxes until July, right?

Auditor Costin: The County will collect the second half in July, correct.

President Corcoran: So, we wouldn't necessarily need the emergency? We have plenty of time right?

Auditor Costin: I would think that would be true because anybody that is in arrears on the first half is still going to be paying on the first half rate anyways, so, that is probably true, we wouldn't need the emergency.

President Corcoran: It was moved and seconded to give T 38 a first reading. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 39.

Clerk of Council Smith:

T 39-2012 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, SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE SERVICES FOR THE CHESTNUT RIDGE ROAD PHASE 1 ROADWAY RECONSTRUCTION PROJECT, INCLUDING APPURTENANCES, NOT TO EXCEED \$65,000.00.

It was moved by Mayor Gillock and seconded by Olesen to give T 39 a first reading this evening.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President, T 39 along with the next one, T 40 authorizes the engineering to be done for our Ohio Public Works Commissions projects this year. There are two of them. One is going west from the intersection of Lear Nagle and Chestnut and the other one going east. This is just the engineering phase. They will still have to come back to receive authorization of the actual bidding and construction. We need to get the engineering done so when we get the funds in July, we can go ahead with the construction projects.

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

Yes, 7 No, 0

President Corcoran: T 39 is now added to first readings. T 40.

Clerk of Council Smith:

T 40-2012 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, SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE SERVICES FOR THE CHESTNUT RIDGE ROAD PHASE 2A ROADWAY RECONSTRUCTION PROJECT, INCLUDING APPURTENANCES, NOT TO EXCEED \$50,000.00.

It was moved by Olesen and seconded by Butkowski to give T 40 a first reading this evening.

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

Yes, 7 No, 0

President Corcoran: T 40 is now added to first readings. T 41.

Clerk of Council Smith:

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

Mayor Gillock: Mr. President, just for explanation, we don't need to rush this through, but the R.W. Beckett Corporation is doing some property splits and rearrangement of their property on Beckett Parkway; hopefully in anticipation of future development. As they do that, the present parcel; which they own and it is not uncommon, actually extends to the middle of Race Road. So, they are basically ceding to us that part of Race Road that they own, so it will be dedicated to the city.

President Corcoran: Thank you, Mayor.

President Corcoran: T 42.

Clerk of Council Smith:

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

President Corcoran: THE CHAIR WILL REFER THAT TO THE UTILITIES COMMITTEE.

RECESS:

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

Council adjourned into Executive Session at 7:51 P.M. to discuss the sale of city property and contract negotiations.

Council reconvened at 8:20 P.M.

President Corcoran: Moving on to First Readings. First up we have T 29.

FIRST READING:

Clerk of Council Smith:

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

President Corcoran: T 31.

Clerk of Council Smith:

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

President Corcoran: T 32.

Clerk of Council Smith:

T 32-2012 AN ORDINANCE AMENDING SECTIONS OF CHAPTER 1046, *WATER*, TO
4909-2012 ELIMINATE SECURITY DEPOSITS AND TO CLARIFY PAYMENT
RESPONSIBILITY.
First Reading

It was moved by Mayor Gillock and seconded by Butkowski to dispense with the
second and third readings for T 32.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President. Currently, when someone opens up a water account, they have to pay a deposit of \$50. If they are good customers as most of them are; after a year with no problems, that \$50 is credited to their account and goes away. In those few instances where we have had problems, the \$50 does not generally cover the problem. So the \$50 has become irrelevant and frankly in light of some of the issues we had last year with some theft in that department, we feel just to do away with the \$50 deposit. It is really not benefiting us in anyway. It is the resident's money, which we just hang on to for a while and give it back to them. It is our opinion to just do away with it.

Council Member Johnson: Mr. President, what about the deposits that are currently being held? Will they just be mailed back to the residents?

Mayor Gillock: I am not exactly sure how we are going to handle the ones that are on their now. We will probably just credit their account. We never mail it back to them. When they reach that point that they are in good standing, then the next bill will be credited the \$50.

President Corcoran: Any other questions? It was moved and seconded to dispense with the second and third readings for T 32. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Boose and seconded by Butkowski to adopt T 32.

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

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

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4909-2012.

Permanent Ordinance No. 4909-2012

President Corcoran: T 26.

Clerk of Council Smith:

T 26-2012 AN ORDINANCE ESTABLISHING USER FEES FOR THE RENTAL OF
4910-2012 PUBLIC FACILITIES AT SOUTH CENTRAL PARK.

First Reading

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

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

Yes, 7 No, 0

It was moved by Boose and seconded by Johnson to adopt T 26.

It was moved by Boose and seconded by Johnson to add the emergency in order to begin immediately to have these put in place.

President Corcoran: All those in favor of adding the emergency clause say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: It was moved by Boose and seconded by Johnson to adopt T 26 with the emergency clause. Any comments or questions? Clerk, please call the roll.

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

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4910-2012.

Permanent Ordinance No. 4910-2012

T 38-3012 AN ORDINANCE AUTHORIZING THE TERMINATION OF THE TAX
4911-2012 INCREMENT FINANCING EXEMPTION ESTABLISHED IN ORDINANCE NO.
3730-2001 AND RELATED MATTERS.

First Reading

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

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

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Yes, 7 No, 0

It was moved by Boose and seconded by Johnson to adopt T 38.

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

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

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4911-2012.

Permanent Ordinance No. 4911-2012

President Corcoran: T 39.

Clerk of Council Smith:

T 39-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4912-2012 CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY
LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS,
SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE
SERVICES FOR THE CHESTNUT RIDGE ROAD PHASE 1 ROADWAY
RECONSTRUCTION PROJECT, INCLUDING APPURTENANCES, NOT TO
EXCEED \$65,000.00.

First Reading

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

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

Yes, 7 No, 0

It was moved by Olesen and seconded by Butkowski to adopt T 39.

It was moved by Olesen and seconded by Butkowski to add the emergency so we
can get the preliminary work done before the project goes out for bidding this year.

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

Yes, 7 No, 0

President Corcoran: It was moved by Olesen and seconded by Butkowski to adopt T 39 with the
emergency. Any comments or questions? Clerk, please call the roll.

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

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4912-2012.

Permanent Ordinance No. 4912-2012

T 40-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A

4913-2012 CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE SERVICES FOR THE CHESTNUT RIDGE ROAD PHASE 2A ROADWAY RECONSTRUCTION PROJECT, INCLUDING APPURTENANCES, NOT TO EXCEED \$50,000.00.

First Reading

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

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

Yes, 7 No, 0

It was moved by Olesen and seconded by Johnson to adopt T 40.

It was moved by Olesen and seconded by Johnson to add the emergency in order for this project to be completed in time for the bidding process.

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

Yes, 7 No, 0

President Corcoran: It was moved by Olesen and seconded by Johnson to adopt T 40 with the emergency clause. Any comments or questions? Clerk, please call the roll.

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

Yes, 7 No, 0

Clerk of Council Smith: It passed unanimously and becomes permanent ordinance number 4913-2012.

Permanent Ordinance No. 4913-2012

President Corcoran: Moving on to the second readings we have T 112.

SECOND READINGS:

Clerk of Council Smith:

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

Second Reading

President Corcoran: Up next, we have T 5, which the CHAIR IS GOING TO REFER BACK TO THE SAFETY COMMITTEE.

T 5-2012 AN ORDINANCE AMENDING CHAPTER 618, ANIMALS.

THIRD READINGS:

President Corcoran: This brings us to third readings. Which there are none.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Our next Council meeting will be held Monday, April 16, 2012 right here in Council Chambers at 7:30 P.M.

ADJOURNMENT:

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

Meeting adjourned at 8:22 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on April 16, 2012.



PRESIDENT KEVIN CORCORAN

CLERK OF COUNCIL GEORGE E. SMITH