

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 2, 2001**

CALL TO ORDER 7:30 P.M.

President of Council Jean Brown: I'd like to call the general meeting, regular meeting of the North Ridgeville Municipal Council to order for April 2, 2001. Please stand for the Invocation and the Pledge of Allegiance.

INVOCATION by President Brown.

PLEDGE OF ALLEGIANCE by all.

President Brown: Thank you. Please take roll Mr. White.

ROLL CALL

Present were Council Members Larry Overby, Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski and David Gillock and President of Council Jean Brown.

Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Stewart Lovece, Deputy Auditor Donna Kiraly and Clerk of Council Jim White.

MINUTES

President Brown: Please note the

Public Hearing Minutes of March 19, 2001 regarding T 13-2001

Public Hearing Minutes of March 19, 2001 regarding T 21-2001

Council Member Swindig: Madame Chairman?

President Brown: I thought we could bunch them together, the three of them.

Council Member Swindig: Well the next one is a regular Council meeting.

Council Clerk White: No, you can't do the Council one.

President Brown: Okay, we can do the two then.

motion by Swindig to accept the minutes of the Public Hearings on T 13 and T 21, 2nd by Butkowski

President Brown: Any discussion? No discussion, take the roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

Regular Council Minutes of March 19, 2001

President Brown: I need a motion to accept.

motion by Borocz to accept, 2nd by Swindig

President Brown: Any discussion? Please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

President Brown: Please note:

Civil Service Commission Minutes of February 20, 2001 and March 20, 2001

Parks & Recreation Commission Minutes of February 28, 2001

Planning Commission Minutes of Regular meeting of March 13, 2001 and

Special meeting of March 27, 2001

Tax Abatement Review Board Minutes of March 22, 2001

Board of Zoning & Building Appeals Minutes of March 22, 2001

Moving on to Committee Reports. Finance Committee Report Number 7028, Mr. White.

COMMITTEE REPORTS

Council Clerk White:

1. FINANCE COMMITTEE REPORT #7028 Members of Council: We have considered the matter of bond anticipation notes in the amount of \$500,000.00 and recommend that this request be approved and proper legislation be drawn authorizing the above for the Service Garage expansion and the construction of a salt shed.

SIGNED: Allen Swindig, Larry Overby and Bernadine Butkowski

motion by Swindig to accept, 2nd by Overby

President Brown: Discussion please? Mr. Gillock?

Council Member Gillock: I have just a question. This is in the amount of \$500,000.00 and it's to fund the next two committee reports. However, they add up to \$540,000.00, I was just curious where the other \$40,000.00 is coming from?

Council Member Swindig: Forty thousand will come out of the General Fund, or out of Capital.

President Brown: Does that take care of your question? Any other discussion? Please take roll, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

2. FINANCE COMMITTEE REPORT #7029 Members of Council: We have considered the matter of authorizing the Mayor to advertise for bids and enter into a contract for the expansion renovation of the Service Garage, not to exceed \$425,000.00 and recommend that this request be approved and proper legislation be drawn authorizing same.

SIGNED: Allen Swindig, Larry Overby and Bernadine Butkowski.

motion by Swindig to accept, 2nd by Overby

President Brown: Any discussion? Take roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

3. FINANCE COMMITTEE REPORT #7077 Members of Council: We have considered the matter of authorizing the Mayor to advertise for bids and enter into a contract for

the construction of a salt shed, not to exceed \$115,000, and recommend that this request be approved and proper legislation be drawn authorizing the above.

SIGNED: Allen Swindig, Larry Overby and Bernadine Butkowski.

motion by Swindig to accept, 2nd by Overby

President Brown: Discussion? Take roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. That's all the Committee Reports that I have.

Council Member Swindig: Madame Chairman?

President Brown: Yes, Mr. Swindig.

Council Member Swindig: There was a Committee Report that was in that was not put on the Agenda. I don't know if it was a slip up or what it was.

Council Clerk White: Mis-communication

Council Member Swindig: Mis-communication. I'll take the blame of it, but I caught it and it was too late Friday afternoon when I caught it. We have considered the matter of T 8.

Law Director Zagrans: Excuse me, Madame President. I'm sorry. Point of order. There would have to be approval by the Council for suspension of By-Laws in order to consider something not on the Agenda. Sorry to interrupt you, Al.

Council Member Swindig: Okay. Madame Chairman, can I have a suspension of By-Laws to make a motion?

President Brown: You make that motion?

motion by Swindig to suspend By-Laws, 2nd by Overby

President Brown: Second by Mr. Overby. Any discussion? Okay, take a roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend By-Laws to have the committee report.

President Brown: Oral Committee Report.

Council Member Swindig:

4. FINANCE COMMITTEE ORAL REPORT We have considered the matter of T 8-2001, and we already have in place almost everything that is in that ordinance. What it amounts to is there's parts of that ordinance that deals with attorney, client privileges and we're moving to have it denied and myself and Larry signed it.

President Brown: What's the number on that, Mr. Swindig?

Council Member Swindig: That was for ordinance T 8-2001 that was referred to Finance.

motion by Swindig to accept, 2nd by Overby

President Brown: Discussion?

Council Member Butkowski: Madame President, since we weren't able to bring T 8 with us tonight, could he read what is on T 8 so we are familiar with what T 8 is?

President Brown: Is it T 8 or 28?

Council Member Butkowski: He said T 8.

President Brown: Okay.

Council Member Swindig: An ordinance, and it was discussed at Finance, an ordinance amending Ordinance 3481-99 and authorizing the Law Director to provide legal services in connection with litigation involving the City of North Ridgeville Ohio, with the approval of City Council and requiring the submission of a detailed billing statement with respect to said legal services.

President Brown: Any discussion?

Council Member Butkowski: Madame President, did he say that was accepted or denied?

Council Member Swindig: Denied.

President Brown: He said denied. Any other discussion? Please take roll Mr. White.

Yes, 5 No, 2 (Minnick, Butkowski)

Council Clerk White: Motion carries five, two.

President Brown: So it's denied. Moving on, Mayor's Report.

MAYORS REPORT

Mayor Hill: Thank you Madame President. I want to thank Councilwoman Borocz for making us acutely aware, through constant reminders, that the railroad crossing on Route 83 has, with settling, become extremely bumpy and difficult to cross. I followed up, her phone calls, with Norfolk Southern. They were due to begin making repairs today, but because they were called out on an emergency situation, were unable to start and at this point, we are unsure of the starting date. It must be clearly understood that because it is railroad property, they, not the City, establishes the work dates and schedule. We're just glad they are making the repairs.

On the agenda tonight is an enterprise zone agreement for Beckett Air and Beckett Gas. The first thing to understand is that almost no one likes abatement, especially me as a former teacher, but it is what I often call, a necessary evil. The end result, of course, is employment, income taxes and real estate taxes versus no increased employment, no new income taxes and scant real property taxes on vacant land. Secondly, this is only the second of four steps in an enterprise zone agreement. The first step is review and recommend by the Tax Abatement Review Board. The second step is review and, essentially, recommendation by City Council. Then it goes to the Lorain County Commissioners and following their approval, to the State of Ohio, for final approval. Third, even with abatement the schools automatically receive 45 percent of all new income tax. The City receives 55 percent with 5 percent of that set aside for administrative purposes. Fourth, Beckett has always exceeded their projected employees and investment. Fifth, prior to my becoming Mayor, in return for abatement, they gave the schools six thousand dollars per year. During my term, an agreement was reached and they make payments of twenty-five thousand dollars per year to the schools. That is in addition to the 45 percent of new income taxes. Lastly, an agreement was negotiated that they would pay with this abatement, the income tax to the City and schools as well as twenty thousand dollars per year to the schools until the community center levy is passed. Then, the twenty thousand dollars per year, up to 10 years, would go to the senior center for their non-profit foundation. The foundation financially supports Meals on Wheels, the purchase of walkers, etcetera, that are loaned out and will, if funds permit, pay for chore services, that's a badly needed service by our seniors, such as raking

leaves, snow removal, fixing leaky faucets and cleaning services for seniors who are unable to do so themselves. The end purpose is to keep seniors in their homes, to reduce the use of taxpayers money for those who cannot stay in their own homes because they can't keep up with the demands of staying in their own homes, and to reduce the amount of City funds to the Senior Center so that the money could be expended elsewhere for services beneficial to all residents of all ages. That concludes my report.

President Brown: Thank you Mayor. Any questions of the Mayor's oral report?

Council Member Butkowski: Madame President?

President Brown: Yes, Mrs. Butkowski?

Council Member Butkowski: I had a resident call me and wanted to know what fund paid for the flyer that came out with our water bill.

Mayor Hill: It comes out of General Fund because it is an informational piece. That's permitted.

Council Member Butkowski: Thank you.

President Brown: Mrs. Minnick?

Council Member Minnick: Mayor Hill, can you tell me how much money would come from Beckett had we not given them tax abatement?

Mayor Hill: You have those papers. I don't have them in front of me but you have them.

Council Member Minnick: I didn't see them.

Mayor Hill: They're attached.

President Brown: Any other questions?

Council Member Minnick: I didn't see it.

President Brown: Okay, moving on to the Safety-Service Director's report, Mr. Johnson.

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Johnson: Madame President, ditch cleaning and piping was performed on Avon Belden, Island, Schaefer, Center Ridge and the Westfield Sewer Plant.

There were three call outs for four water breaks all on north Mills Creek Lane. The one call out that involved two breaks, came during the middle of the night during the last snow storm.

The sewer vac was used for storm cleaning on Island, Center Ridge, Avon Belden and sanitary sewers were cleaned on Aspen.

Catch basins were either installed or repaired on the following streets: Birch, West Point, Monica, Carolyn, Luanne, Nicole and Case.

Residents on Burns Road issued complaints of dead tree limbs and dead trees along Burns Road falling on the roadway. The dead trees were removed and the other trees have been trimmed. Stoning was done on McKinley, Adele and parts of Sycamore and all access roads.

In the past few months, several upgrades have been made to our sewer package plants. Some of

the work was done to comply with new EPA requirements. This was especially true at the Westfield Plant. The Debbie lift station was completely renovated, including the electrical work. Warning alarms were installed at the Westfield and Schneider plants. These alarms will sound at the North Ridgeville Police Department. This will be helpful to the residents. We should now be alerted to problems at the plant before the lines back up and cause the residence problems. The total cost for all this work was under fifteen thousand dollars.

The asphalt plants have notified us that they will be open either April 9th or the 16th. As soon as they are opened, we will begin to permanently repair our streets. We also have started cutting concrete off the street project list. Thank you.

President Brown: Thank you Mr. Johnson. Any questions of Mr. Johnson's oral report? Seeing none moving on to the Engineer, Mr. Lovece.

ENGINEER'S REPORT

Engineer Lovece: Thank you Madame President. Bainbridge Road reconstruction, I believe it was last week that the contractor set precast concrete bridge deck beams. Otherwise, progress is slow and rather disappointing. Contractor has been reminded numerous times about the progress schedule and the hefty liquidated damages clause of \$800.00 per day. In summary, the bridge was closed November 6 and it was scheduled to be open sometime mid-January. I've been projecting to the contractor that they'll lose up to \$100,000.00 in liquidated damages by the time this bridge is open to traffic. Contractor frequently cancels progress meetings and does not provide up to date progress schedules when requested by ODOT. We've urged ODOT to strictly enforce the liquidated damages clause and that's our only recourse. One good thing, the bridge is being done, the quality is excellent. I should say that, but the progress is not. So, we'll keep everyone informed but right now I project, based on their current production, that they will complete in mid-May, opening the bridge to traffic.

Water mains. As the Service Director mentioned there were four water breaks on north Mills Creek Lane. We've been watching this area. It's been a problem area and we'll be coming to Council with proposed legislation sometime in the near future to replace a section of this water main on north Mills Creek Lane. Another problem area is the water main, it's a small water main, on Spruce Pine Way which is in similar condition. I also looked at the condition of the water main on Cornell for Councilman Swindig's request. I would say that I thought it was worse than it was. Out of the three streets, Wallace, Olive and Cornell, Cornell is by far the street with the least amount of water breaks and when we put the water main in on Wallace we provided another connection onto Cornell along Cross Street and we've actually improved the fire flows in that area up to about 73 percent. So, at this time I wouldn't recommend replacing a water main on Cornell, but focusing more on north Mills Creek Lane and Spruce Pine Way.

Last, but not least, I'd like to request that Council pass ordinance T 65-2000 tonight. That's for authorizing the Mayor to enter into an agreement with SprintCom or Sprint Company. What

they'd like to do is utilize, instead of building another tower that would be considered by most unsightly, they intend to install an antenna on the tower behind the service garage. What I did, I had them look into, at their expense, they hired a structural engineer to review the tower to make sure it's adequate to handle the weight and wind load of the antenna and I had them hire an electrical engineer to investigate if this antenna will interfere with the existing antennas on the tower right now. The report looks good on both counts and we stand to, right now we've been talking to the Mayor and Engineer. We've been talking to SprintCom and looks like we can negotiate sixty thousand dollars lump sum payment every five years. That also inflates 15 percent every five years. That's some of the frame work of what we're attempting to negotiate with SprintCom.

Thank you.

President Brown: Thank you, Mr. Lovece. Any questions of Mr. Lovece's oral report? Mr. Gillock?

Council Member Gillock: Stewart, is that sixty thousand dollars, is that comparable to what they would pay to lease off another tower?

Engineer Lovece: Yes, we've looked into that. That's comparable or better, actually. Slightly.

President Brown: Anyone else have any questions of his oral report? Moving on to the Auditor, Mrs. Kiraly.

AUDITOR'S REPORT

Deputy Auditor Kiraly: I have no report.

President Brown: Then there won't be any questions, will there. Okay, moving on to the Law Director's report, Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Thank you Madame President. There is no report from the Law Department tonight.

Council Member Minnick: Madame President?

President Brown: Yes.

Council Member Minnick: I do have a question of Mr. Zagrans. Is it correct that you hired a law firm to represent the City in the ACLU case?

Law Director Zagrans: No.

Council Member Minnick: Okay. Well, in reading the minutes last week, they said, "I will not be defending the City alone if the ACLU were to file litigation. Although it remains my hope and belief that it will decide not to. I contacted and hired the recognized foremost expert in the State of Ohio on first amendment law when we adopted the rules in December. He will be representing the City of North Ridgeville along with me."

Law Director Zagrans: Either I misspoke or the minutes got the tense wrong. I contacted and will hire the foremost expert in first amendment law.

Council Member Minnick: Okay. In our Charter in 5.3, Special Counsel, that's suppose to

come before Council before you do that.

Law Director Zagrans: Oh, obviously. Absolutely.

Council Member Minnick: All right. Thank you.

President Brown: Any other questions of the Law Director's report? There was none, moving on to other reports.

OTHER REPORTS

Please note:

Mayor's Court Case Report for February 2001

Police Department Report for February 2001

Police Department Support Car Report for February 2001

Do we have a report from the Parks & Recreation Commission?

Parks & Recreation Commission Liaison Report:

Council Member Overby: No report this evening.

President Brown: None, Mr. Overby.

Planning Commission Liaison Report:

Council Member Gillock: We have one application this evening that Planning forwarded. The applicant is Convenient Car Sales. The owner is Kenneth Hasick and the request is to erect a 2000 square foot building to be operated as a used car sales and service facility at 7054 Avon Belden Road. This has been discussed by Planning before and a Phase 2 pollution study was requested. The applicant returned to Planning with the study which was reviewed by the City Engineer and discussed and Planning recommended that the application be approved with the recommendation that continued periodic environmental monitoring be done. I might just add that the report stated, according to the professional engineer, that there was no pollution that would be required to be cleaned up by Ohio law.

President Brown: Okay.

Council Clerk White: Are you going to make a motion?

President Brown: It has to have a motion.

Council Member Gillock: Do you want to do that now or wait until we get to it. If you want to do it now I will make the motion.

motion by Gillock that the Planning Commission report be approved, 2nd by Minnick

President Brown: Mr. Overby?

Council Member Overby: I would like this to be referred to Buildings and Lands please.

Council Member Gillock: That would come after the vote on the action, I believe, wouldn't it?

Law Director Zagrans: Yes.

President Brown: Any other discussion? Please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

President Brown: That's to accept the report, right?

Council Clerk White: Yes.

Council Member Overby: I would like this to be referred to Buildings and Lands please.

President Brown: Is there a second on it?

Council Member Swindig: I'll second.

Council Clerk White: This doesn't need to be a motion.

President Brown: Oh, okay, then I will refer it to Buildings & Lands.

Council Member Overby: Thank you very much.

REFERRED TO BUILDINGS & LANDS COMMITTEE

Senior Citizens Advisory Board Liaison Report:

President Brown: Allrighty. I have no report for the Senior Center. Moving on to Old Business. I don't think we have any.

OLD BUSINESS None

Moving on to New Business, Mr. White.

NEW BUSINESS

Council Clerk White:

Application for Placement of Farmland in an Agricultural District by Joana & Jonel Berlovan for 11.25 acres on Avon Belden Road.

T 61-2000 A resolution to approve the expenditure of funds.
 motion by Swindig to suspend By-Laws to give T 61 a first reading tonight, 2nd by
 Borocz

Council Clerk White: Second by the voice.

President Brown: Mrs. Borocz, the voice.

Council Clerk White: Yes.

President Brown: Discussion? Seeing none, take roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero for T 61-2001 to have a first reading tonight.

T 62-2001 A resolution accepting the City Engineer's findings and directing ODOT (Ohio Department of Transportation) to rescind the Director's journal entry thereby reinstating a 35 M.P.H. speed limit to the herein described portion of Center Ridge Road.

Council Member Gillock: Madame President?

President Brown: Yes, Mr. Gillock?

Council Member Gillock: Would you refer this to the Safety Committee?.

President Brown: Yes I will. Okay. Moving on.

REFERRED TO SAFETY COMMITTEE.

Council Clerk White:

T 63-2001 A resolution to approve the expenditure of funds.
 motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by
 Overby

President Brown: Discussion? Roll please on the suspension.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero for T 63-2001 to have first reading.

T 64-2001 A resolution to approve the expenditure of funds.
 motion by Swindig to suspend By-Laws to give this its first reading tonight, 2nd by
 Overby

President Brown: Discussion? Take roll, please, on the first reading.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero for T 64-2001 to have first reading tonight.

T 65-2001 An ordinance authorizing the Mayor of the City of North Ridgeville to negotiate
 and enter into a site lease agreement with SprintCom, Inc.
 motion by Gillock to suspend By-Laws so this could have its first reading tonight, 2nd by
 Swindig

President Brown: Discussion? Take roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero for T 65-2001 to have first reading tonight.

T 66-2001 An ordinance authorizing the North Ridgeville Service Department to sell five
 junk vehicles in a manner authorized by law.
 motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Overby

President Brown: Discussion? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero for T 66-2001 to have first reading tonight.

T 67-2001 A resolution authorizing the payment of \$22,356.25 to Gerald Phillips plus
 reimbursement of \$140.00 in Court Costs as required by the order of The
 Supreme Court of Ohio entered on March 7, 2001.
 motion by Minnick to suspend the By-Laws for first reading tonight, 2nd by Butkowski

President Brown: Any discussion? Please take roll.

Yes, 3 No, 1 (Brown) Abstain, 3 (Overby, Swindig, Borocz)

Council Clerk White: Three, one, three, so it does not suspend By-Laws.

T 68-2001 A resolution of the Council of the City of North Ridgeville consenting to an
 Enterprise Zone Abatement agreement between the City of North Ridgeville,
 Ohio, and R.W.Beckett Corporation and Beckett Air, Inc., corporations organized
 and existing under the laws of the State of Ohio; and authorizing and directing the

Mayor of the City of North Ridgeville to execute the aforementioned agreements on behalf of the City of North Ridgeville; authorizing and directing the Clerk of this Council to transmit a certified copy of this resolution along with the Enterprise Zone agreement to the Board of Lorain County Commissioners for further consideration by the Board.

T 69-2001 An ordinance amending Ordinance No. 3591-2000.

Council Clerk White: That's all of the New Business that I have.

President Brown: Okay. Thank you. Moving on to Lobby. I will allow you two minutes. Your two minutes start after you give your address. Just a minute.

Council Clerk White: Bottom of page five.

President Brown: Bottom. Okay. I see it. Thank you very much Mr. Zagrans.

CORRESPONDENCE

Council Clerk White: I have three pieces of correspondence.

- 1) Received from the Lorain County Community Development Department Director Ronald F. Twining, a copy of the unofficial 2000 Decennial Census and noted corrections that will take place when the Official Census is released.
- 2) Received the 2000 Lorain County Community Development Department Annual Report.
- 3) Received a Notice of Appeal in the Common Pleas Court of Lorain County by Joseph Antush, Mike Tyson, John Prajzner, Chris Crobaugh, Ron Hawke and Marian Hawke, of the decision of City Council approving the final development plan Phase I of Meadow Lakes, Ordinance 3650-2000 at the February 20, 2001 Council meeting.

That's all the correspondence that I have.

President Brown: Thank you, Mr. White. Now we will enter into the Lobby Session. I will give you two minutes. Your time starts after you give me your address.

LOBBY

- 1) Charles Federoff of 33007 Leafy Mill Lane came before Council as a taxpayer and as a voter who stands opposed to the 40 percent increase in the income tax which is not a tax for schools or libraries but for a special interest synonymous with a certain political party who is in the tax and spend mode. Also objected to the flier circulated in our utility bills which did not state proposed and is illegal and should be taken to the State Attorney General. Suggested using RITA. Thanked the City Engineer for trying to do something good for the City on a daily basis and even trying to make us more money.

President Brown: Thank you.

- 2) Joseph Antush of 38500 Otten Road stated that he doesn't believe in tax abatements and stated that it could of been negotiated for less than 100 percent. Stated that he doesn't fell good about taking money away from our schools and giving it to our Senior Center.
- 3) Dick Brent of 8659 Harris Drive stated we had nothing but negative articles in the paper for the last 14 months about North Ridgeville on both sides. Stated he had met a John Gilgenbach who he thought was an employee of the Senior Center, but found out he'd been a volunteer for the past 15 years and feels he should be given recognition for his service.
- 4) John Prajzner, 35140 Mildred Street, stated his concerns by Beckett Corporation's request for a tax increase, at the same time we're being asked for a 40 percent increase in income tax.

President Brown: Anyone else wishing to speak? None. Moving on to the Administration. Does anyone have anything they'd like to say? They have one minute. If not, then we will have recess.

Council Member Gillock: Madame President?

President Brown: Wait til I set my timer. Okay, go.

Council Member Gillock: I just want to respond to Mr. Antush because I looked into this myself and that \$20,000.00 is not a Council decision or under our review. That is something totally separate, negotiated by the Mayor with Mr. Beckett. Where that money goes, they worked that deal out and Council can't approve or deny that part of it. So I wanted to make that clear.

President Brown: Thank you Mr. Gillock.

Mayor Hill: Madame President, I do have an additional statement.

President Brown: Wait just a minute til I stop this and start over again.

Mayor Hill: Okay.

President Brown: Okay, go.

Mayor Hill: Actually the Tax Abatement Review Board, but you're right, the Mayor heads up that Committee, does make that decision. Present were myself, Bob Liston from the City Chamber of Commerce, Dr. Rockwell, Biagio Sidoti, the treasurer of the schools, City Treasurer Jim McVeigh, recording secretary Paula Cope. Actually, they had started off offering twelve thousand dollars for use as the Committee decided. Back and forth negotiations resulted in twenty thousand dollar contribution. This was approved by the Committee. Thank you.

President Brown: I would like to call a recess until, I'll give you ten minutes, twenty after eight

RECESS from 8:10 P.M. to 8:20 P.M.

President Brown: I'd like to reconvene this meeting, please. Mr. White, please, the first

readings.

FIRST READINGS

Council Clerk White:

T 47-2001 AN ORDINANCE ESTABLISHING JAIL TIME IN LIEU OF PAYMENT OF
FINES FOR MAYOR'S COURT.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 49-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3667-2001 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW,
AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL
FULL DEPTH CONCRETE PADS TO BE USED BY THE CITY OF NORTH
RIDGEVILLE, OHIO.

First Reading

President Brown: Constitutes a first reading.

motion by Swindig to suspend second the third readings, 2nd by Overby

President Brown: Any discussion? Take roll please, on the suspension.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.

motion by Swindig to adopt, second by Overby

President Brown: Any discussion on the adoption?

motion by Swindig to add the emergency so we can get started on our street pad
replacements early this year, 2nd by Overby

President Brown: Any discussion on the emergency? Take roll please on the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero on the emergency. Now on the adoption.

President Brown: On the ordinance.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 49-2001 becomes Ordinance 3667-2001
with emergency.

Permanent Ordinance No. 3667-2001

T 50-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3668-2001 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW,
AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL
PULVA MIXING TO BE USED BY THE CITY OF NORTH RIDGEVILLE,
OHIO.

First Reading

President Brown: Constitutes a first reading.

motion by Swindig to suspend second and third readings, 2nd by Overby

President Brown: Discussion on the suspension? Take roll on the suspension please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second the third readings.

motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion on the adoption?

motion by Swindig to add the emergency due to getting started in the paving season, 2nd by Overby

President Brown: Any discussion? Please take roll on the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero on the emergency. Now for the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 50-2001 becomes Ordinance No. 3668-2001 with the emergency.

Permanent Ordinance No. 3668-2001

T 51-2001 AN ORDINANCE TRANSFERRING VARIOUS FUNDS OF THE CITY OF NORTH RIDGEVILLE, OHIO REPRESENTING REIMBURSEMENT OF ADMINISTRATIVE EXPENSES OR OPERATING TRANSFERS.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 52-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY MICHAEL A. AND SANDRA G. VROOMAN TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 53-2001 AN ORDINANCE RETAINING THE SERVICES OF A PROFESSIONAL PLANNER, NOT TO EXCEED \$50,000.00 PER YEAR.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 54-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE MOBILE DATA TERMINALS FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH A PRIVATE VENDOR ACCORDING TO LAW AND IN

A MANNER PRESCRIBED BY LAW, NOT TO EXCEED IN THE
AGGREGATE \$35,000.00.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 55-2001 AN ORDINANCE AMENDING ORDINANCE 2762-93 BY INCREASING
THE COMPENSATION OF THE EXECUTIVE SECRETARY OF THE FAIR
HOUSING BOARD.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 56-2001 AN ORDINANCE AMENDING ORDINANCE 2744-93 BY INCREASING
THE COMPENSATION OF THE A.D.A. COMPLIANCE COORDINATOR.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 57-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER
PRESCRIBED BY LAW, FOR THE PURCHASE OF A SCREEN UNIT FOR
THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO
EXCEED \$85,000.00.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 58-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3669-2001 RIDGEVILLE TO PURCHASE A PRESS BUILDING ROOF FOR THE
FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED
\$15,000.00.

First Reading

motion by Swindig to suspend By-Laws to suspend second and third readings
tonight, 2nd by Overby

President Brown: Discussion on the suspension? Take roll please on the suspension.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.

motion by Swindig to adopt, 2nd by Overby

President Brown: Any discussion on the adoption? Roll please, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 58-2001 becomes Ordinance Number 3669-2001.

Permanent Ordinance No. 3669-2001

T 59-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF A COMPACTOR FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$68,000.00.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 60-2001 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE OR LEASE A TELEPHONE SYSTEM FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO A CONTRACT WITH A PRIVATE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$84,000.00.

First Reading

President Brown: Constitutes first reading.

Council Clerk White:

T 61-2001 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

918-2001 First Reading

motion by Swindig to suspend By-Laws to suspend second and third readings, 2nd by Overby

President Brown: Discussion on the suspension? Seeing none, please take roll call on the suspension.

Yes, 5 No, 1 (Minnick) Abstain, 1 (Butkowski)

Council Clerk White: Motion carries five, one, one.

motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion? Take roll on the adoption, please.

Yes, 5 No, 1 (Minnick) Abstain, 1 (Butkowski)

Council Clerk White: Motion carries five, one and one. T 61-2001 becomes Resolution Number 918-2001.

Permanent Resolution No. 918-2001

T 63-2001 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

919-2001 First Reading

motion to suspend By-Laws to suspend second and third readings, 2nd by Overby

President Brown: Discussion? Roll on the suspension please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.
motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion on adoption. Take roll please, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 63-2001 becomes Resolution Number 919-2001.

Permanent Resolution No. 919-2001

T 64-2001 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

920-2001 First Reading

Council Member Swindig: Madame Chairman.

President Brown: Yes, Mr. Swindig.

motion by Swindig to suspend By-Laws to suspend second and third readings, 2nd
by Overby

President Brown: Discussion on the suspension? Roll, please, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.
motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion on the adoption? Seeing none, please take roll on the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 64-2001 becomes Resolution Number 920-2001.

Permanent Resolution No. 920-2001

T 65-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3670-2001 RIDGEVILLE TO NEGOTIATE AND ENTER INTO A SITE LEASE
AGREEMENT WITH SPRINTCOM, INC.

First Reading

President Brown: Constitutes first reading.

motion by Overby to suspend second and third, 2nd by Swindig.

President Brown: Discussion on the suspension? Take roll on the suspension, please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.
motion by Overby to adopt, 2nd by Swindig

President Brown: Discussion on the adoption? Please take roll, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 65-2001 becomes Ordinance No. 3670-2001.

Permanent Ordinance No. 3670-2001

T 66-2001 AN ORDINANCE AUTHORIZING THE NORTH RIDGEVILLE SERVICE
3671-2001 DEPARTMENT TO SELL FIVE JUNK VEHICLES IN A MANNER
AUTHORIZED BY LAW.

motion by Overby to suspend second and third, 2nd by Swindig

President Brown: Discussion on the suspension? Take roll, please, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend second and third readings.

motion by Swindig to adopt, 2nd by Overby

motion by Butkowski to add the emergency so we can get rid of these cars.

Council Member Swindig: There's no need for the emergency because they are waiting for the police auction to get rid of it and that comes up in thirty days.

Council Member Butkowski: Just as long as they are gone.

President Brown: Then we don't have to have the emergency. Just on the adoption we're voting on, Mr. White.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 66-2001 becomes Ordinance Number 3671-2001 and that's all the first readings that I have.

Permanent Ordinance No. 3671-2001.

SECOND READINGS

Council Clerk White:

T 31-2001 A RESOLUTION APPROVING THE TRANSFER OF THE BALANCE OF
ACCURATE ELECTRONICS' CLASS 1 TAX ABATEMENT TO TRI-STATE
LABORATORIES.

Second Reading

President Brown: That constitutes second reading.

Council Clerk White:

T 32-2001 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO
921-2001 DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES
PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT
PROGRAM (CHIP) GRANT.

Council Member Borocz: Madam Chairman

President Brown: Yes.

motion by Borocz to suspend third reading, 2nd by Swindig

President Brown: Discussion on the suspension? Take roll on the suspension, please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero to suspend third reading.

motion by Borocz to adopt, 2nd by Gillock

motion by Borocz to add the emergency, the emergency is so that the application has time to get to Columbus before the deadline of April 12, 2nd by Gillock

President Brown: Discussion on the emergency?

Council Clerk White: Time out a second. I need the second on the adoption.

Council Member Borocz: That was me also.

Council Clerk White: Okay.

President Brown: Mr. Gillock.

Council Clerk White: Sorry, I heard a couple of voices.

President Brown: Okay. Any discussion? None, take roll please.

Council Clerk White: On the emergency.

President Brown: On the emergency.

Yes, 7 No, 0

Council Clerk White: Seven, zero on the emergency. For the adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 32-2001 becomes Resolution Number 921-2001 with an emergency.

Permanent Resolution No. 921-2001

T 33-2001 AN ORDINANCE AUTHORIZING PAYMENT TO LORAIN COUNTY
TRANSIT FOR TRANSIT SERVICE.

Second Reading

President Brown: Constitutes second reading.

Council Clerk White:

T 37-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE
APPLICATION MADE BY ROBERT WENSINK, ETAL, TO HAVE CERTAIN
LAND OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes a second reading

Council Clerk White:

T 38-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE
APPLICATION MADE BY NANCY L. FATE TO HAVE CERTAIN LAND
OWNED BY HER DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes a second reading.

Council Clerk White:

T 39-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE
APPLICATION MADE BY MARCELLA BALDAUF, TRUSTEE, TO HAVE
CERTAIN LAND OWNED BY HER DESIGNATED AS BEING LOCATED

WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading.

Council Clerk White:

T 40-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY SHIRLEY A. AND JOSEPH M^CCASKEY TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading

Council Clerk White:

T 41-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY RAYMOND W. AND SARAH M. WROBLEWSKI TO HAVE CERTAIN LAND OWNED BY HER DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading

Council Clerk White:

T 42-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY JAMES W. KING TO HAVE CERTAIN LAND OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading

Council Clerk White:

T 43-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY ROBERT SLUSHER TO HAVE CERTAIN LAND OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading

Council Clerk White:

T 44-2001 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY M & J COMPANY TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Second Reading

President Brown: Constitutes second reading.

Council Clerk White: That's all the second readings that I have.

President Brown: Okay.

THIRD READINGS

Council Clerk White: Third readings.

T 13-2001 AN ORDINANCE AMENDING CHAPTER 1282.11 BY DELETING (B)(3) TO
3672-2001 REFLECT THAT THE REGIONAL DWELLING HOUSE CODE IS NO
LONGER USED.

motion by Borocz to adopt, 2nd by Overby

President Brown: Discussion? Take roll, please.

Yes, 5 No, 1 (Minnick) Abstain, 1 (Butkowski)

Council Clerk White: Motion carries five, one, one. T 13-2001 becomes Ordinance 3672-2001.
Permanent Ordinance No. 3672-2001

T 26-2001 AN ORDINANCE REPLACING ORDINANCE 3486-99 AND ORDINANCE
3673-2001 3499-99 AND WITHDRAWING THE REQUIREMENT OF FLOW
MONITORING METERS FOR NEW TAP-INS TO THE FRENCH CREEK
INTERCEPTOR.

motion by Swindig to adopt, 2nd by Overby

President Brown: Mr. Swindig, second by Mr. Overby. Discussion? Please take roll on the
adoption.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 26-2001 becomes Ordinance 3673-2001.
That's all of the third readings that I have.

Permanent Ordinance No. 3673-2001

UNFINISHED BUSINESS None

President Brown: Okay. We don't have any unfinished business. Committee announcements,
please, Mr. White.

COMMITTEE MEETING ANNOUNCEMENTS

Council Clerk White:

Next Regular Council Meeting Monday, April 16, 2001 at 7:30 P.M.

Public Hearing Monday, April 16, 2001 at 7:25 P.M. on Berlovan Agricultural District.

That's all that I have.

President Brown: Mr. Gillock?

Council Member Gillock: There will be a Utilities Meeting April 9, 2001 at 5:15 p.m. in the

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING**

APRIL 2, 2001

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Conference Room, presuming it's available. If not, we'll post it.

ADJOURNMENT

President Brown: Okay. Ask for an adjournment?

motion by Swindig to adjourn, 2nd by Overby

President Brown: All in favor?

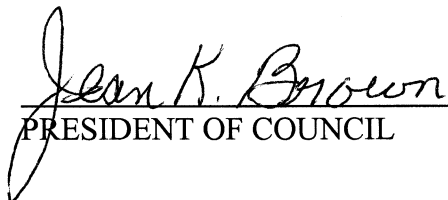
Council Clerk White: We don't need it.

President Brown: Okay. Meeting adjourned.

Meeting adjourned at 8:40 P.M.

MOTION Overby 2ND Borocz DATE April 16, 2001

YES 5 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL