

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 21, 2005**

CALL TO ORDER: 7:30 P.M.

President of Council Pro-Tem Bernadine Butkowski: I call the March 21, 2005 Council meeting to order.

INVOCATION: lead by President Pro-Tem Butkowski.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Richard Jaenke, Bob Olesen, Andy Young and President Pro Tem Bernadine Butkowski.

Absent were Council Member Allen Swindig and President of Council Ronald Arndt.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites was represented by Assistant Law Director Toni Morgan, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Charles Norris.

Absent was Law Director Andrew Crites

 moved by Butkowski, seconded by Young to have the Auditor play the appropriations tape

President Pro-Tem Butkowski: Please call the roll

 Yes, 5 No, 0

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

MINUTES - Corrections (if any) and Approval:

President Pro-Tem Butkowski: We first have:

Public Hearing Minutes of March 7, 2004 re: Rak Agricultural District

 moved by Olesen, seconded by Young to approve

President Pro-Tem Butkowski: Please call the roll

 Yes, 5 No, 0

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

Public Hearing Minutes of March 7, 2005 re: Schrauf Agricultural District

 moved by Young, seconded by Olesen to approve the minutes

President Pro-Tem Butkowski: Are there any corrections to these minutes? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

Public Hearing Minutes of March 7, 2005 re: Pioneer Ridge, Phase 2 (in a PCD)

 moved by Olesen, seconded by Young to approve the minutes

President Pro-Tem Butkowski: Are there any corrections to these minutes? Please call the roll.

 Yes, 5 No, 0

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 21, 2005**

Page 2

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

Public Hearing Minutes of March 7, 2005 re: T 12-2005

 moved by Butkowski, seconded by Olesen to approve the minutes

President Pro-Tem Butkowski: Are there any corrections? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

Public Hearing Minutes of March 7, 2005 re: T 13-2005

 moved by Butkowski, seconded by Young to approve the minutes

President Pro-Tem Butkowski: Are there any corrections? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion has been approved by a vote of five to zero.

Council Minutes of the regular meeting held March 7, 2005

 moved by Olesen, seconded by Young to approve the Council Minutes of the regular
 meeting dated March 7, 2005

President Pro-Tem Butkowski: Are there any corrections? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Minutes are approved by a vote of five, zero.

Council Minutes of special meeting held March 10, 2005 re: T 38-2005

 moved by Buescher, seconded by Jaenke to approve

President Pro-Tem Butkowski: There is a correction on page two, under the motion by Young
and seconded by Swindig to adopt, please "to add the emergency". Are there any other
corrections to T 38 minutes? Please call the roll.

 Yes, 4 No, 0 Abstain 1, (Butkowski)

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

Council Minutes of special meeting held March 10, 2005 re: T 39-2005

 moved by Buescher, seconded by Jaenke to approve

President Pro-Tem Butkowski: Are there any corrections? Please call the roll.

 Yes, 4 No, 0 Abstain 1, (Butkowski)

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

President Pro-Tem Butkowski: Please note the:

Parks & Recreation Commission Minutes of regular meeting of February 23, 2005 and
Planning Commission Minutes of regular meeting of March 8, 2005.

MAYOR AND DIRECTORS REPORTS:

President Pro-Tem Butkowski: We will move onto the Mayor and Directors oral reports. Mr.
Gillock.

- **Mayor**

Mayor Gillock: Good evening and thank you, Madam President. This evening, Councilmen, you will find before you a zoning map of the City that delineates all the current residential developments underway in North Ridgeville. This map was asked for by the developers who purchased the Ridgeview Shopping Center to use in marketing to potential tenants. These new homes are helping to drive the revitalization of that shopping center as well as other future retail development within the City. I thought you would find it of interest. After tonight's Council meeting, we will be televising, live, an informational session to explain the three tax issues the City will have on the ballot May 3. The presentation will be taped for showing periodically throughout April on the City public information channel. Be sure to stay tuned and hopefully we can answer any questions in regards to the three issues. In addition, we have scheduled two Town Hall meetings at the Library on April 20 and 28 at 7:00 P.M. to meet with any residents that might have questions in regards to the issues. If you still have questions after tonight's presentation, you can send me an email or plan on attending one of the Town Hall meetings. Thank you and that concludes my report for this evening.

President Pro-Tem Butkowski: Thank you. We move onto the Safety-Service Director, Mr. Johnson.

- **Safety-Service Director**

Safety-Service Director Johnson: Thank you, Madam President. T 51-2005 on your agenda today concerns raised grave markers. I have worked on this issue at length with Sexton Gary Teel. He is convinced, and so am I, that we can better serve our residents' needs by allowing these raised stones. It means no additional work for our people because we groom each stone individually unlike some of the commercial cemeteries that just run over the whole area with the mower. We can serve our residents better by using these raised stones without additional cost. I ask Council to support this change tonight. Secondly, our clock. After all the trouble we had with the clock that was located over the elevator door, we moved it to the back of room over the historical pictures of Council and administrations. We found out that once we got it there, that the light glare on the front of the clock made it impossible to see from any of the Council positions. So, we have moved it to its current position on the wall behind Mrs. Buescher. If that doesn't work, please let me know and we'll get it moved again. That concludes my report.

President Pro-Tem Butkowski: Thank you, Mr. Johnson. We move onto the Engineer, Mr. Griffith.

- **Engineer**

Engineer Griffith: Tonight I would like to discuss the role the Board of Drainage and Flood Control has been playing in our storm water management program.

For the people that are not aware of this Board, it is made up of 13 members. Three of the members are members of Council and they are the chairpersons of the Council Committees on Buildings and Lands, Utilities and the Streets, Sidewalks and Bridges. One representative is from the Administration, one is from the Zoning Board and eight members are from the general public. The general public members must be North Ridgeville residents, two of which come from each of the wards and are appointed by Council.

The EPA is requiring the City, as well as all the other municipalities and townships around us, to adopt three ordinances based around their suggested model ordinances. One ordinance deals with riparian and wetland setbacks, one with construction soil erosion and a third with post construction erosion. By the April 4 Council meeting, a proposed ordinance on riparian and wetland setbacks should be presented to Council for your review. This board, especially Ward 4 representative Richard Backman, has spent many hours preparing this ordinance and they deserve a public thank you.

That being said, unfortunately, of the three ordinances, the riparian and wetland setbacks is the easy one. The other two will be even more difficult to develop. Thank you, Madam President, that is my report for tonight.

President Pro-Tem Butkowski: Thank you. We move onto the Auditor, Mr. Costin.

• **Auditor**

Auditor Costin: Yes Madam Chairman, thank you. We are scheduled for the Auditor's written report for the month of February. Council should have received that report in their boxes prior to the meeting.

Auditor's Written Financial Report for February 2005

 moved by Butkowski, seconded by Olesen to approve the Auditor's Written Report for February

President Pro-Tem Butkowski: Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Report is approved by a vote of five to zero.

Auditor Costin: No further comments at this time.

• **Other Reports**

President Pro-Tem Butkowski: Other reports you'll see tonight in your packet are the:

Building Department Report for February 2005;

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for February 2005;

Fire Department Report for February 2005; and

Water System Operation Report for February 2005.

We will move onto the Planning Commission Report of the regular meeting March 8, 2005.

Clerk, will you read the first applicant.

Clerk of Council Norris: From the Planning Commission Report, the first applicant:

APPLICANT: FJD Properties, LLC, 37000 Center Ridge Road

OWNER: Same

REQUEST: Final approval of Eagle Lakes Condominiums to consist of 61 units within a B-2 District

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 21, 2005**

Page 5

LOCATION: North of Center Ridge Road, East of Meadow Lakes Blvd. within a B-2 District
Permanent Parcel No. 07-00-033-000-002 and 07-00-033-000-032
POSTPONED FEBRUARY 8, 2005 UNTIL MARCH 8, 2005

PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Olesen to approve

President Pro-Tem Butkowski: Are there any comments? Clerk, please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Report is approved by a vote of five to zero.

APPLICANT: New Cingular Wireless, PSC, LLC, 5700 Lombardo Center Drive, Suite 150, Seven Hills, OH 44131

OWNER: FJD Properties, LLC, 37000 Center Ridge Road

REQUEST: Approval of Surety Bond Number 104429972 in accordance with NRCO 1462.14

LOCATION: 37000 Center Ridge Road in a B-2 and R-1 District
Permanent Parcel No. 07-00-028-101-088

PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Olesen to approve

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Report is approved by a vote of five to zero.

APPLICANT: Clark & Post Architects, Inc., 6125 S. Broadway, Lorain, Ohio 44053

OWNER: Lake Ridge Academy, 37501 Center Ridge Road

REQUEST: Construction of an addition to existing gymnasium building

LOCATION: 37501 Center Ridge Road in an R-1 & B-5 District
Permanent Parcel Number 07-00-034-000-109

PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Olesen to approve

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

APPLICANT: Medina Supply Co., P.O. Box 400, Dover, Ohio 44622

OWNER: Same

REQUEST: Construction of a 40 foot by 40 foot by 40 foot building to house existing equipment

LOCATION: 7725 Race Road in an I-2 District
Permanent Parcel Number 07-00-034-000-121

PC ACTION: APPROVED 5-0

 moved by Buescher, seconded by Jaenke to approve

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

 Yes, 5 No, 0

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 21, 2005**

Page 6

Clerk of Council Norris: Motion is approved by a vote of five to zero.

APPLICANT: Bob Yost & John O'Neil, 260 S. Logan, Elyria, Ohio 44035
OWNER: Bradley Center Ltd., 605 Bradley Road, Bay Village, Ohio 44140
REQUEST: Final approval for Sandy Ridge Subdivision
LOCATION: 42.8691 acres east of Case Road, north of Center Ridge Road in an R-1
 and B-3 District
 Permanent Parcel No. 07-00-039-000-001, 07-00-045-110-063,
 07-00-040-000-002, 07-00-046-107-006
PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Olesen to approve
President Pro-Tem Butkowski: Is there any discussion?
Council Member Young: Madam President, there is a little history behind this one. Bob Yost and John O'Neil's project was originally denied by Council the last time it came around after final approval by Planning Commission. The reason that Council denied it initially was because there were some flooding issues that Case Road residents brought forward. In addition to that, there were also conservation issues because it abuts the Lorain County Metro Parks. There was also an issue involving a traffic study and whether or not it would add congestion to Center Ridge Road. Bob Yost and John O'Neil, in good faith, went back and took recommendations from Council. They did a nice job addressing the resident's concerns on Case Road by having a meeting, which they weren't required to do, but did it on their own. They had a meeting addressing all the Case Road residents' concerns and will probably help the situation by providing a retention basin that is going to prevent additional flooding from occurring on Case Road. In addition to that, John O'Neil walked the creek back there and found two dead falls where they were clogging up the creek and he did a nice job in presenting photographs to the Planning Commission and to that meeting with the Case Road residents. In addition to that, they have completed their traffic study and there is no need for a second turn lane or street light here. They are required to do that by our Council ordinances and lastly, they were kind enough to provide a ten foot easement both on the east, and it is my understanding at the Planning Commission meeting, they provided an additional ten foot easement on the northerly side. I would like to thank John O'Neil and Bob Yost for going that extra step in addressing those concerns of the residents and making this a nice project. Thank you.
Council Member Buescher: I would also like to say that there has been a commitment on the part of the City to clear out the ditch so that the water can flow more clearly and I think that the residents are happy to know that, that's going to take affect this summer.
President Pro-Tem Butkowski: Is there any other discussion? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

APPLICANT: Oster Construction, 6150 Park Square Drive, Lorain, Ohio 44053
OWNER: Same
REQUEST: Revision of the Preliminary Approval on the remaining portion of
 Windsor Point Subdivision approved on August 13, 2002

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 21, 2005**

Page 7

LOCATION: Between Avalon Drive and Stoney Ridge Road in an R-1 District
 Permanent Parcel No. 07-00-042-101-035

PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Buescher to approve

President Pro-Tem Butkowski: Is there any discussion?

Council Member Young: In the Planning Commission Meeting minutes there was a mention of sidewalks along the Stoney Ridge parcel there. Oster Construction wasn't positive as to whether or not there were going to be sidewalks there, but it turns out after the meeting, it looks like there are going to be sidewalks there. I would like to reinforce that I would like to see those sidewalks go along Stoney Ridge Road since I have been so actively dubbed the Sidewalk Superintendent by some caller in the Press Line. I'd like to make sure that those sidewalks go in before there is an approval by Council or by the Planning Commission on the final approval of this project.

President Pro-Tem Butkowski: Mr. Young, are you suggesting that we might want to hold up approval tonight.

Council Member Young: Absolutely not, this is a preliminary approval. However, before the final approval, I would like to see Planning Commission hold up the final approval prior to making sure the sidewalks go in. If the sidewalks go in then that is fine too when the final phase comes around.

President Pro-Tem Butkowski: Is there any other discussion? Clerk, please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Report is approved by a vote of five to zero.

APPLICANT: Oster Construction, 6150 Park Square Drive, Lorain, Ohio 44053

OWNER: Same

REQUEST: Revision of the Final Approval of Phase 3, Windsor Point Subdivision
 approved on May 11, 2004

LOCATION: vacant land between Avalon Drive and Stoney Ridge Road in an R-1
 District

 Permanent Parcel No. 07-00-042-101-035

PC ACTION: APPROVED 5-0

 moved by Jaenke, seconded by Olesen to approve

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero

APPLICANT: Avenbury, LLC, Joseph R. Scaletta, 35290 Detroit Road, Avon, Ohio

OWNER: Same

REQUEST: Change of Zoning Classification from R-1 to B-1

LOCATION: 100 Mills Road within an R-1 District

 Permanent Parcel No. 07-00-030-000-055

PC ACTION: APPROVED 5-0

 moved by Buescher, seconded by Jaenke to approve

President Pro-Tem Butkowski: Is there any discussion?

Council Member Olesen: I think something good is coming out of this complex. It's in the

northwest portion of the City. He's proposing some convenient stores there. I think Council is aware that one of our major problems in the City is that everything is on Center Ridge Road. So, a little Mom and Pop store with bread or milk or something like that, would be very appropriate in that area. I think that Mr. Scaletta indicated he also might want to have an office building there and bring his staff to that location. I think it's a win-win project.

President Pro-Tem Butkowski: Thank you, Mr. Olesen. Is there any other discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion approved by a vote of five to zero.

President Pro-Tem Butkowski: Clerk, could you read the correspondence, please.

CORRESPONDENCE:

Clerk of Council Norris: Council has four items of correspondence before it this evening:

- 1) Received a letter from O.D.O.T. District Deputy Director Thomas O'Leary inviting Council Members to attend the Lorain County Government Day on Friday, April 1, 2005 at the Lorain County Community College, Spitzer Center beginning at 9:00 A.M. and ending at 12:30 P.M.
- 2) Received a letter from Ohio EPA Director Joseph P. Koncelik informing the City that the application filed by the City for modification of its publicly owned treatment works pretreatment program meets the requirements of 40 CFR Section 403.9(b).
- 3) Received a letter from resident Dennis Boose recommending that Council investigate the possibility of negotiating an entrance/exit to Ridgeview Plaza from Jaycox Road noting land that is for sale.

President Pro-Tem Butkowski: THE CHAIR REFERS THIS TO STREETS, SIDEWALKS AND BRIDGES COMMITTEE.

- 4) Received a letter from Marconi's Vice President James Karam announcing their calculated percentage of repayment for the previously abated taxes based on the months remaining in the enterprise agreement period.

NEW BUSINESS:

President Pro-Tem Butkowski: Under new business, we have a:

Petition to rezone property at 38891 Center Ridge Road from B-2 Central Business District and I-2 Light Industrial District to B-3 Highway Commercial District and owned by Sparky Development, LTD.

President Pro-Tem Butkowski: REFERRED TO BUILDING AND LANDS COMMITTEE AND PLANNING COMMISSION

AUDIENCE PARTICIPATION (Lobby):

President Pro-Tem Butkowski: Those of you who are speaking tonight, please fill out a form in the back of the room and leave it on the podium next to Mrs. Buescher. Give us your name and

address before you speak and remember you have three minutes. Is there anyone that wishes to speak tonight? I see none, so we will move onto our Recess. I will entertain a motion.

 moved by Young, seconded by Jaenke to dispense with the recess tonight
President Pro-Tem Butkowski: Is there any discussion? Clerk, please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion approved five to zero. There will be no recess.

President Pro-Tem Butkowski: We move onto Ordinances and Resolutions.

ORDINANCES AND RESOLUTIONS:

Clerk of Council Norris: Council has before it this evening:

• **Ordinances & Resolution Submittals**

T 48-2005 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY
 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY
 OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING
 JANUARY 1, 2005 AND ENDING DECEMBER 31, 2005.

 moved by Olesen, seconded by Jaenke to suspend By-Laws to give this its first reading

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

T 49-2005 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO
 DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE
 COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES
 PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT
 PROGRAM (CHIP) GRANT.

 moved by Olesen, seconded by Jaenke to suspend By-Laws to give this its first reading

President Pro-Tem Butkowski: Is there any discussion? Clerk, please call the roll.

 Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

T 50-2005 A RESOLUTION APPOINTING STEPHEN M. SUROVEY TO THE LORAIN
 COUNTY BOARD OF HEALTH TO SERVE AS THE CITY OF NORTH
 RIDGEVILLE'S REPRESENTATIVE.

 moved by Young, seconded by Olesen to suspend By-Laws to give this its first reading

President Pro-Tem Butkowski: Is there any discussion?

Mayor Gillock: Madam President, I would just like to point out that this is a non paid position and Mr. Surovey has been a representative on the Board of Health for seventeen years. He has done a pretty good job there and the Executive Director of the General Health District asked that he be reappointed. We appreciate what Mr. Surovey is doing in representing the City on this board. Thank you

President Pro-Tem Butkowski: Thank you. Is there any other discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

T 51-2005 AN ORDINANCE AMENDING SECTION 1062.12 "GRAVE MARKERS;
FLOWER POT HOLDERS".

 moved by Olesen, seconded by Jaenke to suspend By-Laws to give this its first reading

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

President Pro-Tem Butkowski: We move onto our first readings now. Would you want to read these, please?

• **First Readings**

Clerk of Council Norris: First readings before Council tonight:

T 40-2005 A RESOLUTION TO APPROVE WITH MODIFICATION THE
1036-2005 APPLICATION MADE BY MICHAEL J. SMITH TO HAVE CERTAIN
LAND OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT.

First Reading

 moved by Olesen, seconded by Young to suspend second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

 moved by Olesen, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 40 is adopted by a vote of five to zero and becomes permanent resolution 1036-2005.

Permanent Resolution No. 1036-2005

T 41-2005 A RESOLUTION TO APPROVE WITH MODIFICATION THE
1037-2005 APPLICATION MADE BY FRANK J. MASNY TO HAVE CERTAIN LAND
OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT.

First Reading

 moved by Young, seconded by Jaenke to suspend second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

 moved by Young, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 41 is adopted by a vote of five to zero, becoming permanent resolution 1037-2005.

Permanent Resolution No. 1037-2005

T 42-3005 A RESOLUTION TO APPROVE WITH MODIFICATION THE
1038-2005 APPLICATION MADE BY GEORGE GROSIK AND MARGARET HAPUTA
TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING
LOCATED WITHIN AN AGRICULTURAL DISTRICT.

First Reading

moved by Young, seconded by Jaenke to suspend second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Young, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 42 is adopted by a vote of five to zero and becomes permanent resolution 1038-2005.

Permanent Resolution No. 1038-2005

President Pro-Tem Butkowski: Before we go into T 43, you have another T 43 that was on your desk tonight. Just use that one as the sections were miss marked by a typographical error on the one you received in your packets. Just substitute the one that has the sections marked one through five.

T 43-2005 AN ORDINANCE AMENDING AND INCREASING COSTS OF CERTAIN
4122-2005 SECTIONS OF CHAPTER 1062 ENTITLED "CEMETERIES".

First Reading

moved by Butkowski, seconded by Buescher to suspend second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Buescher, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion?

Auditor Costin: Madam Chairman, in thinking about these ordinances with rate increases, I would suggest Council give some consideration in putting in an effective date for the rate increases in there. If it is your intention not to pass this by the emergency, it would take affect within thirty days after this meeting and for a smooth transition and to give our offices time to update their written records, I would consider going to T 43 and amending sections one, two, and three to read, Section 1062.06 d shall be amended effective May 1, 2005 to read as follows. Insert that in each case under the three sections so that our rates change effective the first day of May as opposed to April 20th.

moved by Buescher, seconded by Jaenke to amend as per the suggestion of Mr.
Costin

President Pro-Tem Butkowski: Is there any discussion? Clerk, please take roll on the amendment.

Yes, 5 No, 0

Clerk of Council Norris: T 43 is amended by a vote of five to zero.

President Pro-Tem Butkowski: We have a motion by Buescher, seconded by Jaenke to adopt including the amendment. Is there any discussion? Clerk, please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 43 is adopted as amended by a vote of five to zero and becomes permanent ordinance 4122-2005.

Permanent Ordinance No. 4122-2005

T 44-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4123-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE PURCHASE OF VIDEO CONFERENCE CAMERAS AND
RELATED EQUIPMENT TO DISPLAY, HOUSE, CONNECT AND MANAGE
SAID VIDEO CONFERENCING CAMERAS FOR USE IN VIDEO
ARRAIGNMENTS OF PRISONERS, NOT TO EXCEED \$40,000.00

First Reading

moved by Olesen, seconded by Jaenke to suspend second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Safety-Service Director Johnson: In an effort to save man hours in the Police Department and possibly the Law Department, we ask that you pass this with the emergency tonight.

President Pro-Tem Butkowski: Thank you. Is there any other discussion on the suspension?
Please call the vote

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Buescher, seconded by Jaenke to adopt

moved by Butkowski, seconded Jaenke by to add the emergency so that we can
save some money

President Pro-Tem Butkowski: Is there any discussion?

Council Member Young: I would like to ask Mr. Johnson, as I am in favor of this, to explain how this is going to save money so that the residents understand exactly how spending forty thousand dollars is ultimately going to save us probably much, much more than that later on.

Safety-Service Director Johnson: Currently, the police have to transport prisoners over to Elyria Municipal Court in order to appear before the Judge for arraignments. With the camera system in, using the internet, the Judge and the prisoner can both see each other on the video system. They can see each other, converse with each other and conduct the whole process without transportation and tying up one of our officers at Elyria Municipal Court while this whole proceeding goes on. It should save a lot of time in the Police Department.

Council Member Young: As Toni Morgan knows and any other lawyer, there are a lot of periods of inactivity at the court system where there are many things going on behind the scenes and this will definitely save some big time for our police officers not having to wait for our particular prisoners.

Safety-Service Director Johnson: Madam President, I would like to add that the officers themselves would rather be here doing their job and not sitting reading the newspaper in Elyria Municipal Court. They want this in as fast as we do.

Assistant Law Director Morgan: Madam Chair, if I could just add my two cents worth. Another issue here has to do with security. There was a Judge's meeting just Friday at Elyria Municipal Court and if anyone is familiar with the building, you know how decrepit it is and the officers were reporting to the judges that the security there was not very good because of the way that the prisoners have to be transported and just today, when I was going into the court, a shackled and handcuffed prisoner was on his way out being chased down. This will increase security as well.

Safety-Service Director Johnson: This was an Elyria prisoner and not one of ours.

President Pro-Tem Butkowski: Is there any other discussion? Clerk, please take roll on the emergency.

Yes, 5 No, 0

Clerk of Council Norris: Emergency is approved by a vote of five to zero.

President Pro-Tem Butkowski: The motion to adopt T 44 with the emergency was made by Buescher and seconded by Jaenke. Please take roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion to adopt is approved by a vote of five zero and becomes permanent ordinance 4123-2005.

Permanent Ordinance No. 4123-2005

T 45-2005 AN ORDINANCE AMENDING SECTION 220.01 "ASSISTANT CLERK OF
4124-2005 COUNCIL"

First Reading

moved by Buescher, seconded Young to suspend the By-Laws to dispense with the second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Buescher, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 45 is adopted by a vote of five to zero and becomes permanent ordinance 4124-2005.

Permanent Ordinance No. 4124-2005

T 46-2005 AN ORDINANCE AMENDING SECTION 220.04 "CLERICAL AIDE TO
4125-2005 ASSISTANT CLERK OF COUNCIL"

First Reading

moved by Olesen, seconded Jaenke to dispense with second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Olesen, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 46 is adopted by a vote of five zero and becomes permanent ordinance 4125-2005.

Permanent Ordinance No. 4125-2005

T 47-2005 AN ORDINANCE AMENDING AND INCREASING COSTS/FEEES OF
4126-2005 CERTAIN SECTIONS OF THE NORTH RIDGEVILLE CODIFIED
ORDINANCES.

First Reading

moved by Butkowski, seconded by Jaenke to dispense with the second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.

moved by Butkowski, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion?

moved by Olesen, seconded by Young to add the emergency as we are losing money in copying records

President Pro-Tem Butkowski: Is there any discussion on this? Clerk, please call the roll on the emergency.

Yes, 5 No, 0

President Pro-Tem Butkowski: Motion was made by Butkowski and seconded by Jaenke to adopt with the emergency. Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 47 is adopted with the emergency by a vote of five to zero and becomes permanent ordinance 4126-2005.

Permanent Ordinance No. 4126-2005

T 48-2005 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY
4127-2005 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY
OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING
JANUARY 1, 2005 AND ENDING DECEMBER 31, 2005.

First Reading

moved by Butkowski, seconded by Jaenke to dispense with the second and third readings

President Pro-Tem Butkowski: Are there any comments?

Auditor Costin: Is it time to discuss its contents?

President Pro-Tem Butkowski: Yes.

Auditor Costin: There are two items. One, I would like to point out a cosmetic error. On the very first line on page one, under the General Fund, Council, there is an extra zero. It should be forty-nine thousand dollars. That is strictly cosmetic. The rest of the numbers are mathematically correct as opposed to four hundred and ninety thousand. The second item is that I request that this be passed tonight with the emergency to put us in compliance with state

Page 15

moved by Young, seconded by Olesen to dispense with the second and third readings

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.
moved by Young, seconded by Olesen to adopt

President Pro-Tem Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 50 is adopted by a vote of five to zero and becomes permanent resolution 1040-2005.

Permanent Resolution No. 1040-2005

T 51-2005 AN ORDINANCE AMENDING SECTION 1062.12 "GRAVE MARKERS;
4128-2005 FLOWER POT HOLDERS".

First Reading

moved by Buescher, seconded by Olesen to dispense with the second and third reading

President Pro-Tem Butkowski: Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero.
moved by Olesen, seconded by Jaenke to adopt

President Pro-Tem Butkowski: Is there any discussion?

moved by Butkowski, seconded by Jaenke to add the emergency in order to keep moving on this and provide a start date on this

President Pro-Tem Butkowski: Is there any discussion? Clerk, please call the roll on the emergency.

Yes, 5 No, 0

Clerk of Council Norris: Emergency is approved by a vote of five to zero.

President Pro-Tem Butkowski: A motion was made by Olesen, seconded by Jaenke to adopt with the emergency. Is there any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: T 51 is adopted with the emergency by a vote of five to zero, becoming permanent ordinance 4128-2005.

Permanent Ordinance No. 4128-2005

• **Second Readings**

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

T 5-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF
REVISED SUBDIVISION 8 IN PHASE IV OF MEADOW LAKES PCD FOR
RECORDING PURPOSES ONLY.

Second Reading

T 32-2005 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS
THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING

LAND: A PORTION OF PROPERTY LOCATED AT 100 MILLS ROAD, PERMANENT PARCEL NUMBER 07-00-030-000-055 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT, AND OWNED BY AVENBURY, LLC.

Second Reading

T 35-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 9, PHASE 4 WITHIN MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY.

Second Reading

• **Third Readings**

President Pro-Tem Butkowski: We have no third readings tonight. Under old business, we have T 21.

OLD BUSINESS:

Clerk of Council Norris: Under old business, before Council this evening is:

T 21-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4129-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE PURPOSE OF
CONSTRUCTING A SIDEWALK ON CHESTNUT RIDGE ROAD FROM
BAINBRIDGE ROAD TO LEAR NAGLE ROAD, AND TO NEGOTIATE AND
ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM
FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES
FOR SAME, NOT TO EXCEED \$105,000.00.

President Pro-Tem Butkowski: A motion has already been made by Olesen and seconded by Young to adopt. The only thing we have to do tonight, if you so choose and we should do, is add the emergency.

 moved by Young, seconded by Olesen to add the emergency for the safety of the residents

President Pro-Tem Butkowski: Is there any discussion on the emergency? Call the roll on the emergency, please.

 Yes, 5 No, 0

Clerk of Council Norris: Emergency is approved by a vote of five to zero.

President Pro-Tem Butkowski: A motion was made by Olesen, seconded by Young to adopt with the emergency. Is there any discussion?

Council Member Young: I would just like to thank Auditor Costin, the Mayor and my fellow Council members for making this project a definite and I look forward to hopefully making some more of these projects definite in the future. Hopefully we can connect the City's sidewalks. Thank you.

President Pro-Tem Butkowski: Thank you. Is there any other discussion? Clerk, please call the roll.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 21, 2005**

Page 18

Yes, 5 No, 0

Clerk of Council Norris: T 21 is adopted with the emergency by a vote of five to zero and becomes permanent ordinance 4129-2005.

Permanent Ordinance No. 4129-2005

UPCOMING MEETING ANNOUNCEMENTS:

President Pro-Tem Butkowski: Upcoming meeting announcements are:

Utilities Committee Meeting Tuesday, March 22, 2005 at 6:30 P.M. in Council Chambers

Public Hearings Monday, April 4, 2005 beginning at 7:10 P.M. in the following order:

- 1) T 5-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF
 REVISED SUBDIVISION 8 IN PHASE IV OF MEADOW LAKES PCD
 FOR RECORDING PURPOSES ONLY.
- 2) T 35-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF
 SUBDIVISION 9, PHASE 4 WITHIN MEADOW LAKES PCD
 FOR RECORDING PURPOSES ONLY.

Public Hearing Monday, April 4, 2005 at 7:20 P.M. to consider T 32-2005

Next Regular Council Meeting Monday, April 4, 2005 at 7:30 P.M. in Council Chambers

ADJOURN:

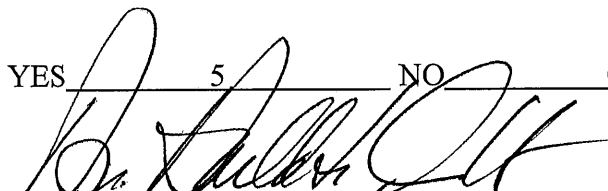
moved by Jaenke to adjourn

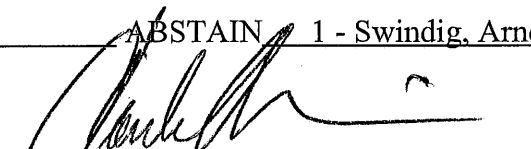
President Pro-Tem Butkowski: Meeting adjourned.

Meeting adjourned at 8:31 P.M.

MOTION Butkowski 2ND Olesen DATE April 4, 2005

YES 5 NO 0 ABSTAIN 1 - Swindig, Arndt


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS