

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 20, 2006**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville Municipal Council Regular meeting dated March 20, 2006. If you will all rise for our invocation followed by our pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

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

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

MINUTES - Corrections (if any) and Approval:

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

Public Hearing Minutes of March 6, 2006 re: Fate Agricultural District
moved by Boose seconded by Buescher to approve the Public Hearing Minutes of March 6, 2006 related to the Fate Agricultural District

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

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Public Hearing Minutes of March 6, 2006 re: Slusher Agricultural District
moved by Boose, seconded by Buescher to approve the Public Hearing Minutes of March 6, 2006 related to the Slusher Agricultural District

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

Yes, 7 No, 0

Public Hearing Minutes of March 6, 2006 re: King Agricultural District
moved by Boose, seconded by Buescher to approve the Public Hearing Minutes of March 6, 2006 related to the King Agricultural District

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 20, 2006**

Page 2

those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Council Minutes of regular meeting held March 6, 2006

moved by Olesen, seconded by Manning to approve the Council Minutes of the
regular meeting held March 6, 2006

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

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved.

Clerk of Council Norris: Council will also please note:

Planning Commission Minutes of regular meeting March 14, 2006.

Council Member Boose: Mr. President, there is a notation in the minutes that talked about a
potential review of the codified ordinances for the cellular communication towers. According to
the Assistant Law Director, the current ordinances are not clear. Is that something that we could
perhaps have referred to the proper committee for review?

Council Member Butkowski: Mr. Chairman, that was just reviewed and updated by the Utilities
Committee during the last session.

Council Member Buescher: Is this something that was very recent that she found in the
ordinance.

Council Member Jaenke: I was at the Planning Commission meeting and might be able to shed
some light on this. There are issues dealing with the cell towers, whether it be microwave or
local telephone service. The ordinance the way it is written today is not very clear. Planning
Commission has difficulty in interpreting the ordinance and that is the reason that the Law
Director should take another look at it. This is a new dimension that has recently arrived.

Law Director Crites: I would be in agreement because I have discussed the same with my
Assistant Law Director. The fact is, is that this cell tower ordinance is simply antiquated. When
it came through, things have just changed so fast technologically. We recently ran into a snafu
over a microwave tower. It is completely not addressed in our ordinance what so ever. There
really isn't a matter before Council that I think can properly be referred to a Committee by the
Chair. In the same breath, I think we can say that we intend and we need to address it and maybe
we could contact the appropriate Committee Chair and schedule a meeting.

Council Member Buescher: I am the Chairman of the Utilities Committee and I'll take a look at
that.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's report. The Chair invites the
Mayor and the Department Directors the opportunity to provide Council with an oral report. We
would like to begin with our Mayor, Mr. Gillock.

• **Mayor:**

Mayor Gillock: Thank you, Mr. President. A couple of meetings ago, Council President Arndt asked if I could bring Council up to date on what we have done in regards to flooding. With your indulgence and if we can get the technology to work, I have approximately a dozen slides I would like to show you as well as some other information here to go over. In the fall, we contacted URS Engineering to help us start with sanitary sewer flow monitoring and they provided us with this report in February. This is the executive summary and what they actually did was they went out and put rain gauges in about four areas and ground monitoring in six areas to try and get a picture of what the ground saturation and flooding in the City was and this kind of gives you an idea. The red ones are the rain gauges. There is one here; one down by Sprague; one up by the north west corner and one over here. The green dots are the ground water gauges. This is a schematic of our sanitary sewer. This over here is the westerly that goes this way and from Bob Schmitt's development, Ridgefield, comes up and goes into here. Becker lift station is up in here and then it basically flows. These are the two out flows from the City. Basically what they did was after they analyzed that, they divided the City into 16 sanitary sub basins. They put 18 flow meters around the City and they took readings every five minutes during three rain events to gauge this and these are the 16 basins that they identified throughout the City areas that captured the sewers in that specific area. This is the way they prioritized them. The blue area here is the highest priority; where we have the most problems. If you will notice, it comes all the way over into Mills Creek, which is an area where you don't normally associate sewer problems. All of those houses do not have basements and they are built up. When we analyzed it and looked at the sewer pipes in the ground, that is one of the areas where we are getting a lot of infill and infiltration problems. The areas over here is the least area, the lighter green area, and of course that is where the new westerly sewer is. This area here does not have sewers; as does this. This area would be the medium priority. You see, when they prioritized them, we identified five high priority basins. These are not in any order of priority here. Aurensen, Knoll, Behm and Savannah are areas we are already working on. One of these areas we have already photographed and we will continue to look at them. Jaycox, South of Mills, North Barton and Mills Road east, Main, Broad, Pleasant Street, Olive, Wallace, Cornell, which is mostly ward two and we know we have a problem there and Ridgeview, Poplar and Mildred Streets. When they finished the report, they provided a number of recommendations as you will see at the bottom. Select one or more of the higher priority sub basins for further investigation, testing and rehabilitation, which we have already started on the Aurensen and Behm area. Conduct public information meetings to inform and educate residents, which we have been doing. This is that type of thing where we did have a couple of meetings with residents of Stone Creek and Avalon, which I'll go over in just a second. Consider further flow monitoring to further isolate problem areas which we will be doing. Conduct a physical survey of our manholes, which we will also be doing. Manholes are very deep and they leak just like the pipes do and the grout comes out. When you get about ten feet deep or deeper in North Ridgeville, it is like a lake down there. So anytime you get a crack in a manhole or pipe, the water just pours in. We are committed to a concentrated effort to grout pipes and manholes. The next one is to conduct mainline dye testing

and this will be done on public property to locate leaks, cross connections between the storm and the sanitary and of course, our's are separate systems. When you have cross connections or leaks, then you get storm water into the sanitary sewers. This causes two major problems. One, it contributes to back up and the other is that we are running storm water through our French Creek Plant and paying a lot of money for chemicals and processes to clean what is already clean water. The next one is to develop goals, objectives and policies regarding an inflow and infiltration program. We are attacking that from two directions in that we are working with URS Engineering and we are also at the French Creek Treatment Plant working with the EPA on identifying inflow and infiltration problems within our main interceptors. The next one is down the road a ways and that is dye testing on private property. This will be the laterals that go from the street to our resident's homes. Those laterals are also separate. We have a problem with tree roots getting into them and blocking them. That is one where we want to address after we take care of our own problems. The last one is to develop an updated electronic geographical information system base map for both the storm and sanitary sewers. We should have that done this year. We've been working for some time with Andy Scheneman. We do have a base map. We are now identifying information to add that to those maps. We also need that map for the EPA as part of our storm water management. We have to produce a base map that shows all of our out flows four inches or larger into the City. If a leak is determined, we can back track and determine its source. This is why we went down in size to four inch pipes coming from houses into the ditches. That is one aspect that they are working on. You each have a copy of the Executive Summary that you could read at your leisure. Some of the other things that we are doing and Chris Rangus, Denny Johnson and Larry Griffith could also speak on this, is that we are doing a whole lot of ditch cleaning. How many miles have you done so far Chris?

Service Department Superintendent Chris Rangus: I think we have probably done about 1,800 feet of good ditch cleaning.

Mayor Gillock: Okay, we are also doing pipe jetting. The pipes do get clogged. We have another sewer vac coming. We will have two trucks available to attack that problem. That kind of gives you an overview. We did hold two public meetings with the residents within Stone Creek and Avalon subdivisions, which we subsequently sent them questionnaires in regard to their concerns and problems. I just received them today and I'll briefly summarize them. Again, I just received them today or I would have given you a copy of these. There was approximately 80 surveys sent out to Stone Creek residents. We received 36 back. Out of those 36, only 17 flooded during the August 20 flood event, which was our major flooding. Other than that, we asked if they flooded on other dates. Only four of them had flooded during other times. None of them had sewage problems, only storm water problems. We analyzed where they felt the water was coming in. What type of back ups did they have and was there mud in their crock. We also contacted Oster. The Avalon response, we received 76 responses of which 34 flooded on August 20. Other than that flooding, there were only nine others who flooded during another time. Again, none of them had sewage problems. We have contacted 41 out of the 76 to work with them. Infiltration and inflow is basically the same thing. It is water that is getting into the storm sewer. The difference is whether or not it comes from above ground or below ground. As I said, if you get very far below ground in North Ridgeville, it is just a lake down there. In fact, at the far end of the westerly sewer, we have found that, that end of the sewer is 20 feet under water.

Therefore, if there is an opening in that line, water just pours in. We are continually addressing those and we will be grouting many of those lines.

Moving on, for some other information this evening, the Route 83 Railroad Overpass is now scheduled to be finished July 1. The original deadline was September 1. They are ahead of schedule. That is the good news. Now, the bad news. Next week, they will be adding a temporary lane on the east side of the project, which will require from Monday through Thursday to be one lane with flagmen. Expect delays next week. Once they get the lane added on the east side, then we'll be back to two lanes for the rest of the project. Next week will be very congested over there. If you can find another route, I would suggest it.

One item to give a little heads up of what is coming. We are going to be doing a mercury collection program. The date has not yet been established. This is through the County. The mercury program will be an exchange program that will allow you to bring in old thermometers with mercury in them and you will be given a digital thermometer for free. Watch for more information on that.

Lastly, we often get people that say nice things about our Fireman, the Paramedics especially and the Police. I received a note last week that was very interesting that I want to read to you. It was a letter from a lady that received a speeding ticket. She wrote, I just wanted to say that in spite of the fact that I received a ticket, Patrolman number 39 was exceptionally courteous and very concerned when I became a little emotional. He stayed in his car until he was sure I was okay. He is a fine man to have on your team. We do get nice comments. I did take a look at that two ways, to where she thought he might be afraid or not afraid.

President Arndt: Where does he patrol at?

Mayor Gillock: He can be anywhere. That is Officer Larkin.

President Arndt: Thank you, Mr. Mayor and thank you for the update on the whole water issue. We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. Flooding is a major cause of natural disaster in Lorain County. A close second is tornados. Peak tornado season runs from April through July of every year. Twenty-two people have died as a result of tornado's in Lorain County from 1950 through the year 2000, along with many injuries and incidents of property damage. The best way to avoid injury or loss of life is early warning and the best early warning device is a NOAA weather radio. NOAA is National Oceanic and Atmospheric Administration. These radios respond to a special signal sent by the National Weather Service to alert of a serious weather condition. They can be set to remain silent until the weather service issues an alert for our area.

These radios are available at nearly any electronics dealer or on the Internet. However, the Lorain County Office of Homeland Security & Emergency Management has NOAA weather

radios available at about 60 percent off retail prices. Please contact their office at 329-5117 to have an order form mailed to you.

Our Service Department recently had a visit from Columbia Gas. They were there to investigate a substantial reduction in natural gas usage. It wasn't meter tampering or a defective meter. The reduction was due to our use of waste oil heaters purchased with recycle grant funds. These heaters burn the waste oil we collect from residents and City uses. They burn the waste oil cleanly and save the City money at the same time. I want to thank Utilities Supervisor Jim Whitlock and Service Department Superintendent Chris Rangus for working together to get this done. Please bring your waste oil to the Service Department. I'd love to give Columbia Gas reason to stop by again next winter.

There are several ordinances we would like to have passed tonight with the emergency clause added. Due to the complexity of the agenda, I've distributed a list of requests for passage and the emergency clause. These should be on everyone's desk. I would be happy to discuss any of these as they are considered. I would like to add onto T 37 regarding the westerly assessments. I just talked with Chris Costin. We ask that, that be passed with the emergency tonight to allow assessments to be completed in a timely manner. That is suggested by Mr. Larson. Thank you and that concludes my report.

President Arndt: Thank you, Mr. Johnson. We now have the opportunity to hear from our Engineer, this evening, Mr. Griffith.

• **Engineer:**

Engineer Larry Griffith: Thank you, Mr. President. As you stated earlier, spring arrived today and for most people, including myself, it couldn't have arrived quickly enough. Here are some spring water quality tips to keep in mind.

When planning your garden or lawn work this year, design for low water usage by using a mulch covering to conserve water. Reduce the use of chemical fertilizers, pesticides and herbicides and check local stores for organic products. Compost yard waste for use in your garden and flower beds. Direct your down spouts toward your garden and let mother nature help with the watering chores. Service your gas powered lawn and garden equipment now, so it will be ready for use when you need it. Pick up after your pets and keep live stock out of streams and ditches. Volunteer to participate in Pride Day on May 20th, this year. One hundred seventy-seven North Ridgeville residents and eight North Ridgeville businesses did so last year. Try to become more informed and more involved in the local Black River Watershed groups and encourage others to learn more about the environment.

Thank you Mr. President, that concludes my report.

President Arndt: Thank you, Mr. Griffith. We now turn our attention to our Auditor, Mr. Costin.

• **Auditor**

Auditor Costin: Thank you Mr. Chairman. First item on the agenda is the written report that Council should have received and I request your passage.

Auditor's Written Report for February 2006

 moved by Butkowski, seconded by Buescher to approve the Auditor's written report for February, 2006

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

 Yes, 7 No, 0

Auditor Costin: The appropriation ordinance is before you tonight, T 41. I would request that be passed with the emergency. By State law, that has to be in place by March 31. I would concur with the Safety-Service Director's list of items that he has requested to be passed with the emergency. Probably, the simplest thing to do is as each of these is read, if there are any questions from a financial stand point, I would be glad to answer those upon first reading. That concludes my report and comments. Thank you.

President Arndt: I appreciate that Mr. Costin. Dr. Norris, will you read your other reports.

• **Other Reports**

Clerk of Council Norris: Other reports before Council this evening include:

Building Department Report for February 2006;

Police Department Support Car Report for February 2006;

Fire Department Report for February 2006.

Planning Commission Report to Council of regular meeting March 14, 2006:

APPLICANT: All American Sports Center, 37500 Center Ridge

OWNER: FJD Properties, 37000 Center Ridge Road

REQUEST: Addition to All American Sports Center to include a Nascar/Go-Kart Track and a 35 foot by 80 foot Kart Building

LOCATION: 37500 Center Ridge Road in a B-2 District
 Permanent Parcel No. 07-00-033-000-031

PC ACTION: Approved by a vote of five to zero

 moved by Jaenke, seconded by Boose to approve the Planning Commission Action for the addition at All American Sports Center for a Go-Kart Track and a 35 by 80 foot Kart Building

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, to update Council and the audience, we had considerable

conversation regarding the track and the noise from the Go-Karts. We did learn that the Go-Karts will be equipped with a special muffler. Therefore, we won't really hear a lot of noise. There were tests done on Center Ridge and the surrounding area to determine the various noise levels. The test concluded that the noise levels, particularly if you're on Center Ridge or any of the neighbors in the area, will really be minimal. The track itself will be built behind the existing sport center. It will be hidden from view as you are going down Center Ridge. Most of the building itself will also be behind the existing facility. We talked a lot about our concerns with this track, but Planning Commission was convinced after all was said and done, that this will be an asset to the community.

President Arndt: Thank you, Mr. Jaenke. Is there any other discussion?

Council Member Butkowski: Mr. Chairman, I noticed in the minutes that Mr. Jaenke stated that this was within the B-5 District.

Council Member Jaenke: No, it's B-2. The discussion that we had involved the property around the sports center itself was that much of that property is B-5 and that B-5 as we know, will be used for the style and parking requirements and setbacks and so forth. However, no, this was B-2.

Council Member Butkowski: Thank you.

President Arndt: Any other discussion?

Council Member Buescher: Mr. President, I just wanted to mention to Mrs. Butkowski that I believe the first house east of the batting cage is where the B-5 area begins. It would be right next to this.

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

Yes, 7 No, 0

Clerk of Council Norris: Planning Commission Report is approved.

President Arndt: Dr. Norris, would you continue on with our Committee Reports.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris: We have five Committee Reports this evening. The first is:

1) STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT #4191 We have considered the matter of pedestrian loitering prohibited in bridge areas and recommend that this request be approved and proper legislation be drawn.

Signed: Chairperson Butkowski, Members Manning and Buescher.

 moved by Buescher, seconded by Butkowski to approve the Streets, Sidewalks & Bridges Committee Report #4191

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

Yes, 7 No, 0

Clerk of Council Norris: Report is approved.

2) STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT #4192 We have considered the matter of naming the Route 83 Railroad Overpass "The Shawville Overpass" for

the area once known as Shawville which was a very busy train station and post office. City Council desires to honor Lois Sullivan by using her suggestion to name the overpass and recommend that this request be approved and proper legislation be drawn.

Signed: Chairperson Butkowski and Members Manning and Buescher.

 moved by Buescher, seconded by Butkowski to approve the Streets, Sidewalks & Bridges Committee Report #4192

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, Mrs. Sullivan wrote a letter to the editor suggesting this. This has been something that has been in the planning and desires of the people for that overpass for years. She suggested it here at our Council meeting one night and she said that the overpass project is well on it's way to completion. Usually, a contest is held to name projects. Is one necessary? Time and history has given the overpass a name. In 2010, North Ridgeville will be 200 years old. In place of a contest, let's start planning now to celebrate that occasion. It's not too early for all organizations and interested residents to start thinking about it. I think in honor of her and all the work that she has done for this City, I think it would be great to honor her request to name this overpass, "The Shawville Overpass".

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

 Yes, 7 No, 0

President Arndt: I would love to give Mrs. Sullivan a hand for her contributions to our community. On behalf of our Council and the Administration, it just needs to be stated that we really value your contribution and your continued interest in our community. What a great opportunity to share that with you.

Clerk of Council Norris: Report is approved.

3) STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT #5602 We have considered the matter of T 31-2006 and recommend that this request be approved.

Signed: Chairperson Butkowski and Members Manning and Buescher.

 moved by Butkowski, seconded by Jaenke to approve the Streets, Sidewalks & Bridges Committee Report #5602

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

 Yes, 7 No, 0

Clerk of Council Norris: Report is approved.

4) FINANCE COMMITTEE REPORT #5605 We have considered the matter of T 17-2006, pay raises for Council, for 2008 from \$7,000 to \$9,000 and beginning in 2009 with a 2 percent increase compounded and recommend that this request be considered by Council as a whole and proper legislation be drawn.

Signed: Chairperson Manning, Members Jaenke and Boose.

 moved by Buescher, seconded by Butkowski to approve the Finance Committee Report #5605

President Arndt: Is there any discussion?

Council Member Boose: Mr. Chairman, just a comment that in spirit of accommodation and compromise, I had discussed at the Committee meeting that I wanted to allow this measure to be brought before Council for their full consideration. I am in favor of the two percent increase every year beginning in 2009. One, it is less than the acceptable inflation rate targets of two and a half percent to three and a half percent annually that the financial institutions look at and second, it resolves the issue of future City Council's of having to bring up this salary issue again in future years. However, I am not in favor of the 2,000 dollar increase in 2008 and I will be voting no on this issue due to that. Thank you.

President Arndt: Is there any other discussion?

Council Member Jaenke: Mr. President, we had a lot of discussion regarding this increase and the Committee ended up thinking more about the position rather than the individuals. Really, what we are saying is, is that the increase from 7,000 to 9,000 is for the position. As we all know, our present Council terms expire December 31, 2007. Therefore, we are really not giving ourselves the increase, but we are recommending that the increase of 2,000 dollars be dealt with as a position increase and not a Council individual increase. I just wanted to mention that it is important that the audience understands that we are not giving ourselves a raise. We are really looking at the position in 2008.

President Arndt: Is there any other discussion?

Council Member Manning: Yes, Mr. President. As Chairman of Finance and being on appropriations for several days and seeing that the City is in a better financial situation that it has been in the past, I still don't feel that they are in financial shape to use our money this way, so I will be voting no.

Council Member Buescher: Mr. President, I would just like to remind everyone that City Council has not had a raise since 1993 and all other employees in the City have had increases over the years and as Council members we felt that we have a responsibility to do something about that at this time; out of respect for the future people who may decide to run for Council.

President Arndt: The Chair would like to make a few comments. Raising the issue of increasing the wages of a Council person has truly been a nemesis I think for any Council and yet, what I was delighted as Chair to see is that this Council, as part of the Committee, approached the conversation with moderation, competitiveness and responsibility to the City. Several points the Chair would like to bring to the table, some of which has already been addressed. This legislation is directed to the position, as Mr. Jaenke has described, of Council rather than any one particular individual and number two, in spite of any of the nay-sayers who might be out there, this is truly not a self serving piece of legislation, rather it is a pro-actively future focused piece of legislation. Thirdly, this legislation does not impact your current Council members. The effective date of implementation, I believe, as Mr. Jaenke had pointed out, should this provision pass, would be January 1, 2008 and the current Council completes its tour of duty, December 31, 2007. Finally, it brings me to the final point that in the members that you see seated before you today, we may not be here on the 2008-2009 Council for any variety of reasons. Whether any of us chooses not to run or we don't get elected, so as such, addressing this issue from this prospective, enables your Council members to vote from this Chair's position with a clear and unbiased conscientious.

Council Member Buescher: Mr. President, if I could say one more thing. We were considering

benefits and there were people in the community that felt that was above and beyond where we wanted to go because of the City's finances and so, we as a group decided to completely eliminate any benefits associated with this.

President Arndt: Any further discussion? Will the Clerk please take roll.

Yes, 5 No, 2 (Boose, Manning)

Clerk of Council Norris: The motion has been approved by a vote of five to two. Thus, the report has been approved.

5) **FINANCE COMMITTEE REPORT #5606** We have considered the matter of Tax Abatement Review Board requesting 7 years abatement from Wolff at Ridgeco, LLC and recommend that this request be approved and proper legislation be drawn.

Signed: Chairperson Manning, Members Jaenke and Boose.

 moved by Manning seconded by Boose to approve the Finance Committee Report #5606
President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, a quick explanation of this abatement. It is a seven year abatement. It is 100 percent only for the first three years, during which period, the applicant will be making a 1,000 dollar a year donation to the schools. After that, in year four, it drops to 80 percent and then down 60, 40, 20 and will expire in seven years. It is only for the real estate.

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

Yes, 7 No, 0

Clerk of Council Norris: Report is approved.

President Arndt: We now find ourselves at our correspondence section of the meeting. Tonight we have on one piece of correspondence. Dr. Norris, if you would please read that.

CORRESPONDENCE:

Clerk of Council Norris: Correspondence before Council this evening is:

1) Received a letter from Council Member Dennis Boose requesting formal review of all current impact fees for future Finance Committee review.

President Arndt: THE CHAIR REFERS THAT TO THE FINANCE COMMITTEE

President Arndt: We have no new business before us and so that brings us now to the audience participation section of our meeting.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any member of our audience tonight are invited and encouraged to address your City Council. We request that you fill out the Lobby form that you can find in the back of the room, because it does enable us to contact you personally, should there be a need to do so. You are now welcome and invited to approach the podium immediately to the right of Mrs. Buescher. However, when you do approach the podium, please clearly state your name and address and please limit your comments to three minutes. The lobby is now open.

1) Lois Sullivan, spoke on the flooding issues in North Ridgeville and in particular on Case Road. Mrs. Sullivan provided a brief history of that area and its future planned designation from the Regional Planning Commission. She expressed her belief in the benefits that trees provide and that legislation should be drawn to keep a certain amount of trees when developing the land.

2). Service Department Superintendent, Chris Rangus spoke regarding the need and importance of ordinances T 45 and T 46.

Mayor Gillock: Mr. President, just a follow up with Chris and I know that we had this same situation with the fire truck. I believe that cost us 20,000. Chris, I was told that under the new engines, they won't even burn our regular diesel, which would require us to add further tanks and equipment in that area. We're going to have to do it some day anyway. At least for now, we would like to avoid that in the future.

President Arndt: Who else would like to approach your City Council? There being none, the Chair declares a six minute recess.

RECESS: from 8:24 P.M. to 8:30 P.M.

President Arndt: The Chair calls the Council meeting back to order. Dr. Norris, if you will begin with what appears to be an absolutely voluminous docket of ordinances and resolutions submittals, first, second, third, and multiple readings.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolution Submittals**

Clerk of Council Norris: Ordinances and Resolution Submittals this evening include:

T 41-2006 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, 2006 AND ENDING DECEMBER 31, 2006.

 moved by Olesen, seconded by Jaenke to suspend our By-Laws tonight to give T 41 its first reading

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

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 42-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES, IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$800,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING FIRE APPARATUS AND RELATED EQUIPMENT.

 moved by Boose, seconded by Olesen to suspend our By-Laws tonight to give T 42 its first

reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 43-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$230,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF ACQUIRING MOTOR VEHICLES AND RELATED EQUIPMENT FOR USE IN CARRYING OUT FUNCTIONS OF THE CITY'S DEPARTMENT OF PUBLIC SAFETY AND PUBLIC SERVICES AND PROPERTIES.

moved by Olesen, seconded by Manning to suspend our By-Laws tonight to give T 43 its first reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 44-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ACCEPT BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE LEASE PURCHASE AND/OR OUTRIGHT PURCHASE OF A REPLACEMENT PUMPER/COMBINATION AERIAL LADDER TRUCK WITH EMERGENCY EQUIPMENT TO BE USED BY THE FIRE DEPARTMENT, NOT TO EXCEED \$ 785,000.00.

moved by Boose, seconded by Butkowski to suspend our By-Laws tonight to give T 44 its first reading

President Arndt: Is there any discussion?

Auditor Costin: Mr. Chairman, I would like to recommend that the language that refers to, not to exceed 785,000, be changed to read, in the approximate amount of 785,000.

moved by Buescher, seconded by Butkowski to modify ordinance number T 44 by changing any reference of , not to exceed \$785,000 with, in the approximate amount of \$785,000

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to suspend our By-Laws tonight to give T 44 its first reading as amended. Is there any discussion? All of those in favor signify by yes. All of those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 45-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A MEDIUM DUTY TRUCK WITH PLOW FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE AMOUNT OF \$102,000.00.

 moved by Boose, seconded by Butkowski to suspend our By-Laws tonight to give T 45 its first reading

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

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 46-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A HEAVY DUTY TRUCK WITH PLOW FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE AMOUNT OF \$123,000.00.

 moved by Buescher, seconded by Boose to suspend our By-Laws tonight to give T 46 its first reading

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

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 47-2006 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

 moved by Olesen, seconded by Manning to suspend our By-Laws tonight to give T 47 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President. Just a quick explanation of what this is. The Bainbridge Road reconstruction was some years ago. It was all finished and we closed our escrow account out last year. Out of the blue, we received one final bill for 83,509 dollars that we are not happy with. In following up, we don't have any choice and that is why we are asking for the expenditure of funds. This is the final payment on the Bainbridge Road reconstruction.

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

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 48-2006 A RESOLUTION IN SUPPORT OF THE MEMBERSHIP OF THE CITY OF NORTH RIDGEVILLE IN THE NON-PROFIT CORPORATION TEAM LORAIN COUNTY AND THEREBY SUPPORTING BUSINESS AND

ECONOMIC DEVELOPMENT IN LORAIN COUNTY.

moved by Olesen, seconded by Jaenke to suspend our By-Laws tonight to give T 48 its first reading

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, is there any merit or necessity to adding the level of participation that we are going to be joining the organization? There are several different levels and payment amounts.

Mayor Gillock: We discussed all this during appropriations and picked the level at that time. That is what the ordinance is for. It hasn't changed. This is our participation in the County Team of Lorain, which is an economic development effort. This has been going on for close to two years now and its to the point where we need to be at the table. I would appreciate your support.

President Arndt: Is there any other discussion? Will the Clerk please take roll.

Yes, 6 No, 1 (Butkowski)

Clerk of Council Norris: Motion is approved by a vote of six to one.

**T 49-2006 AN ORDINANCE AMENDING ORDINANCE NO. 3570-2000 AND
CHANGING ASSISTANT ENGINEER TO ASSISTANT TO THE ENGINEER.**

moved by Olesen, seconded by Boose to suspend our By-Laws tonight to give T 49 its first reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

**T 50-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4150-2005 FOR THE
RETROFITTING OF THE COMPLETE MIX TANK NO. 1 FOR THE FRENCH
CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE
AMOUNT FROM \$200,000.00 TO \$300,000.00.**

moved by Butkowski, seconded by Manning to suspend our By-Laws tonight to give T 50 its first reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

**T 51-2006 AN ORDINANCE AMENDING ORDINANCE 3930-2003 FOR THE
PURCHASE OF FOUR (4) MOTOR STARTERS/ CONTROLLERS FOR THE
FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING
THE AMOUNT FROM \$300,000.00 TO \$350,000.00.**

moved by Buescher, seconded by Butkowski to suspend our By-Laws tonight to give T 51 its first reading

President Arndt: Any discussion? All of those in favor signify by yes. All of those opposed by

no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 52-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4147-2005 FOR THE GRIT REMOVAL SYSTEM TANK AND ALL ASSOCIATED WORK FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE AMOUNT FROM \$100,000.00 TO \$110,000.00.

moved by Manning, seconded by Olesen to suspend our By-Laws tonight to give T 52 its first reading

President Arndt: Any discussion? All of those in favor signify by yes. All of those opposed by

no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

T 53-2006 AN ORDINANCE AMENDING PART TEN OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE BY CREATING CHAPTER 1056 TO CONTROL CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY.

moved by Butkowski, seconded by Manning to suspend our By-Laws tonight to give T 53 its first reading

President Arndt: Any discussion? All of those in favor signify by yes. All of those opposed by

no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

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

Law Director Crites: Excuse me, Mr. President, if I may intercept any potential motion. I wanted to briefly direct Council and the Administration's attention to what has been placed before you on this ordinance. That is, there is an amended T 54, likewise there is an amended T 55. The procedure I am asking the members of Council or the Mayor to move to do will apply identically to both T 54 and T 55 and that is the following. I would suggest and advise that a motion to amend by substitution be made for T 54 as well as T 55 for one simple reason. As you will see, in the amended copy I distributed before the meeting, there is a blank existing after an ordinance number. The reason being is both of these ordinances reference the previous T 53, which proposes the adoption of a whole new chapter to control soil erosion, sediment, storm water runoff. The reason we have to amend these two subsequent ordinances is because of the fact that via our diligent Chief Clerk of Council, we realized that the codification company, which is under contract with the City doesn't always and actually, more appropriately, almost never follows our intended selection of where these ordinances will appear in our chapter. Therefore, if we were to leave T 54 and T 55 as they are referencing the proposed chapter of 1056, it would create a codification problem that we're going to avoid by leaving it blank and when T 53 is

adopted in subsequent meetings, we will then amend T 54 and T 55 to then include the adopting ordinance.

move by Buescher, seconded by Butkowski to amend both T 54 and T 55 by substitution
President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: The recommendation by our Law Director is that no further action at this point is required on both T 54 and T 55 until such time that T 53 should be adopted. Is that correct?
Law Director Crites: That is correct.

Mayor Gillock: Mr. President. I think you made a motion to suspend By-Laws for T 54 and I think you need to withdraw that motion.

President Arndt: Mr. Mayor, there was no motion on the floor for T 54 or T 55 because our Law Director spoke up before any of us had an opportunity.

Mayor Gillock: T 55 should still be read though because you didn't address T 55 at all.

President Arndt: What we did, Mr. Mayor Gillock is we amended both T 54 and T 55 according to the request.

Mayor Gillock: But you didn't bring T 55 forward.

Law Director Crites: I think, Mr. President, the point he is making is that no motion was made to give them or move them forward to a first reading.

Mayor Gillock: You addressed T 54 and made the amendment to change them both, but you never went on to T 55 and T 55 was never addressed at all.

Law Director Crites: Would it not appear, as a matter of course, under first readings during the next meeting.

Mayor Gillock: As long as it is introduced this evening.

President Arndt: The Chair will request Dr. Norris to do a complete reading of T 54 and T 55 so that we make certain that we have not missed or left no stone unturned. Dr. Norris, please read T 54 and T 55.

Clerk of Council Norris:

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

President Arndt: That completes our ordinances and submittals. We now move to our list of first readings. Dr. Norris, if you will begin with T 36.

• **First Readings**

Clerk of Council Norris:

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

- T 38-2006 A RESOLUTION TO APPROVE WITH MODIFICATION THE
APPLICATION
1077-2006 MADE BY RAYMOND W. AND SARAH M. WROBLEWSKI TO HAVE
CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED
WITHIN AN AGRICULTURAL DISTRICT.

First Reading

President Arndt: It has been recommended by our Clerk, by the way, on T 38, T 39 and T 40 that they be adopted so that we can get them to the County for disposition by April 1.

 moved by Arndt, seconded by Butkowski to dispense with second and third readings tonight on T 38

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

 Yes, 7 No, 0

 moved by Arndt, seconded by Butkowski to adopt tonight T 38

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

 Yes, 7 No, 0

Clerk of Council Norris: T 38 is adopted and becomes permanent resolution 1077-2006.

Permanent Resolution No. 1077-2006

- T 39-2006 A RESOLUTION TO APPROVE WITH MODIFICATION THE
1078-2006 APPLICATION MADE BY MARCELLA A. BALDAUF TO HAVE CERTAIN
LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN
AN AGRICULTURAL DISTRICT.

First Reading

 moved by Olesen, seconded by Butkowski to dispense with second and third readings tonight on T 39

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

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

 moved by Olesen, seconded by Butkowski to adopt T 39

President Arndt: Any discussion? Will the Clerk please take roll.

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

Clerk of Council Norris: Motion is approved by a vote of six, zero and one abstention and T 39 is adopted becoming permanent resolution 1078-2006.

Permanent Resolution No. 1078-2006

- T 40-2006 A RESOLUTION TO APPROVE WITH MODIFICATION THE
1079-2006 APPLICATION MADE BY ROBERT WENSINK, ETAL, TO HAVE CERTAIN
LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN
AN AGRICULTURAL DISTRICT.

First Reading

 moved by Buescher, seconded by Butkowski to dispense with second and third readings tonight on T 40

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

Yes, 7 No, 0

 moved by Arndt, seconded by Jaenke to adopt tonight T 40

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved and T 40 is adopted and becomes permanent resolution 1079-2006.

 Permanent Resolution No. 1079-2006

T 41-2006 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY
4233-2006 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY
 OF NORTH RIDGEVILLE OHIO FOR THE PERIOD COMMENCING
 JANUARY 1, 2006 AND ENDING DECEMBER 31, 2006.

 First Reading

 moved by Olesen, seconded by Manning to dispense with the second and third
 readings on T 41

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

Yes, 7 No, 0

 moved by Olesen, seconded by Manning to adopt tonight T 41

 moved by Olesen, seconded by Buescher to add the emergency to continue the
 vital operations of the City

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Olesen and a second by Mrs. Manning to adopt tonight T 41 with the emergency. Is there any discussion?

Council Member Boose: Mr. President, as a member of the Finance Committee, I want to thank the Administration and all of the departments for preparing so thoroughly, when they made their presentations to the Finance Committee. I would to thank the Administration and the Department Heads for their thoroughness of getting all the information to us, as I know it took a lot of time. I especially want to thank Mr. Costin, Donna Kiraly and his department. They do an outstanding job of putting all this information together. A couple of notes I wanted to make of the appropriations. First off, one of the key factors is we are now back to an 85, 15 split; 85 percent (inaudible) and 15 percent capital expenditures. That is the first time this has happened in several years. This is a major point that I just want to let residents know. This is one of the reasons why we can do the things for the Service Department for their vehicles, the fire trucks; these type of expenditures throughout the departments have been unfortunately set aside for several years because of the financial situation that the City has been in. As the Finance Chairperson had said earlier, our City is in a better financial situation today than it has been. It still has a long way to go. Even though the appropriations and the budget is not perfect, it is as

close as you could get when you are working with all the departments that we have and the limited amount of funds that we have. Again, I want to thank everyone who was involved in it. Council Member Buescher: Mr. President, I also would like to thank Mr. Costin and Mrs. Kiraly because, unless you really work with them and see how hard they work to keep our City's head above water, you just don't realize how great they are and I appreciate it.

President Arndt: Mr. Costin, would you like to say anything.

Auditor Costin: I'm overwhelmed. Thank you for your comments. The credit goes, obviously, in a large part, to the Department Heads. They work very hard putting all this together. Once you go through the experience, you understand how complicated it really is. It is very difficult sometimes to put those round pegs into square holes. Each year, we continue to accomplish it and each year we continue to improve. Thank you, Mr. Boose, for making a comment that we are in better shape but, we are still not in great shape. We still have a ways to go. I also want to thank the Finance Committee and Council for giving up their time as they attended the meetings as well and made the process much smoother to bring it to the floor for you tonight.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved and T 41 is adopted with the emergency and becomes permanent ordinance 4233-2006.

Permanent Ordinance No. 4233-2006

T 42-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES,
4234-2006 IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$800,000, IN
 ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF
 ACQUIRING FIRE APPARATUS AND RELATED EQUIPMENT.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 42

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

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 42

Auditor Costin: I would like to make a comment on both these two, if I may, Mr. Chairman. What the intention here is that both of these are issuance of BAN's. During the appropriations, the various Department Heads convinced us of the need for capital equipment, particularly because we haven't funded it for three years as Councilman Boose indicated. However, we are still not in position to pay cash for the fire truck or the service trucks. The plan is that we are going to issue bond anticipation notes for the fire truck and also for the two Street Department vehicles in as much as we are already going to bonding this year for other projects; we are going to fit those in. The intention is to have the fire truck paid off over ten years as part of those bond retirement and the Service Department trucks paid off over four or five years, which is the life of our current Street Department, per levy. That is how we're going to be able to fund the vehicle acquisitions that are coming up in 44, 45 and 46.

moved by Boose, seconded by Butkowski to add the emergency tonight to T 42

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I just wanted to add one other comment in regard to the fire truck. Although, we want to get this ordered because of the engine situation required by the EPA, we do need this truck. It is replacing a truck that is 26 years old and is really unserviceable. There is definitely a need for this truck. I just wanted to make that clear.

President Arndt: Thank you, Mr. Mayor. Any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose, a second by Mrs. Butkowski to adopt tonight T 42 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 42 is adopted with the emergency, becoming permanent ordinance 4234-2006.

Permanent Ordinance No. 4234-2006

T 43-2006 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$230,000
4235-2006 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE
PURPOSE OF ACQUIRING MOTOR VEHICLES AND RELATED EQUIPMENT
FOR USE IN CARRYING OUT FUNCTIONS OF THE CITY'S DEPARTMENT
OF PUBLIC SAFETY AND PUBLIC SERVICES AND PROPERTIES.

First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 43

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

Yes, 7 No, 0

moved by Olesen, seconded by Buescher to adopt tonight T 43

moved by Olesen, seconded by Jaenke to add the emergency to receive the vehicle so that we can get this vehicle in time (inaudible)

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Olesen, a second by Mrs. Buescher to adopt tonight T 43 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 43 is adopted with the emergency, becoming permanent ordinance 4235-2006.

Permanent Ordinance No. 4235-2006

T 44-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4236-2006 RIDGEVILLE TO ACCEPT BIDS AND ENTER INTO A CONTRACT

ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE LEASE PURCHASE AND/OR OUTRIGHT PURCHASE OF A REPLACEMENT PUMPER/COMBINATION AERIAL LADDER TRUCK WITH EMERGENCY EQUIPMENT TO BE USED BY THE FIRE DEPARTMENT, NOT TO EXCEED \$ 785,000.00.

First Reading

moved by Boose, seconded by Manning to dispense with the second and third readings tonight on T 44

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

Yes, 7 No, 0

moved by Boose, seconded by Manning to adopt tonight T 44

moved by Boose, seconded by Jaenke to add the emergency tonight to T 44 due to pending the deadline

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose, a second by Mrs. Manning to adopt tonight T 44 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 44 is adopted with the emergency, becoming permanent ordinance 4236-2006.

Permanent Ordinance No. 4236-2006

T 45-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4237-2006 RIDGEVILLE, OHIO, TO PURCHASE A MEDIUM DUTY TRUCK WITH
 PLOW FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND
 ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO
 LAW AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE
 AMOUNT OF \$102,000.00.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 45

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

Yes, 7 No, 0

moved by Boose, seconded by Jaenke to adopt tonight T 45

moved by Boose, seconded by Jaenke to add the emergency tonight to T 45 due to pending the deadline for the 2006 vehicle

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose, a second by Mr. Jaenke to adopt tonight T 45 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 45 is adopted with the emergency, becoming permanent ordinance 4237-2006.

Permanent Ordinance No. 4237-2006

T 46-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4238-2006 RIDGEVILLE, OHIO, TO PURCHASE A HEAVY DUTY TRUCK WITH PLOW
FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER
INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW
AND IN A MANNER PRESCRIBED BY LAW, IN THE APPROXIMATE
AMOUNT OF \$123,000.00.

moved by Buescher, seconded by Jaenke to dispense with the second and third readings tonight on T 46

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

Yes, 7 No, 0

moved by Buescher, seconded by Olesen to adopt tonight T 46

moved by Buescher, seconded by Olesen to add the emergency tonight to T 46

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

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mrs. Buescher, a second by Mr. Olesen to adopt tonight T 46 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 46 is adopted with the emergency, becoming permanent ordinance 4238-2006.

Permanent Ordinance No. 4238-2006

T 47-2006 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.
1080-2006 First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 47

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

Yes, 7 No, 0

moved by Olesen, seconded by Manning to adopt tonight T 47

moved by Olesen, seconded by Manning to add the emergency tonight to T 47

because we owe ODOT monies

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by

no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Olesen, a second by Mrs. Manning to adopt tonight T 47 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 47 is adopted with the emergency, becoming permanent resolution 1080-2006.

Permanent Resolution No. 1080-2006

T 48-2006 A RESOLUTION IN SUPPORT OF THE MEMBERSHIP OF THE CITY OF
1081-2006 NORTH RIDGEVILLE IN THE NON-PROFIT CORPORATION TEAM LORAIN
 COUNTY AND THEREBY SUPPORTING BUSINESS AND ECONOMIC
 DEVELOPMENT IN LORAIN COUNTY.

First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 48

President Arndt: Is there any discussion? Will the Clerk please take roll.

Yes, 6 No, 1 (Butkowski)

moved by Olesen, seconded by Jaenke to adopt tonight T 48

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, there has been discussion about hiring an Economic Development Director and it has been set aside until June. I see this membership for this legislation is for one year. Although we haven't been told the amount of the membership. Why are we spending this money when we are studying the hiring of our own Economic Director this year. If we don't hire him then, then we can look at this again. This is not the first time the County has had a group that is suppose to bring businesses to Lorain County. Each time, nothing has happened. I understand that since November of 04, this group has collected over 300,000 dollars. When I look at the Economic Development score card, it didn't even show 2005. What have they done in the last 17 months? Although, one half of their members are government organizations, attorneys, insurance offices and banks. Where are the 475 manufactures of Lorain County? This group can not service this large variety of needs. What are the qualifications of the people doing this work? In Avon, the Mayor brings business to town. Why not set up a fund and let the Administration bring business to our City? We will then know who is doing the job; who will be working for our City and accountable to us. When was the last time the County has done anything for the City of North Ridgeville? I will be voting no on this legislation.

President Arndt: Thank you. Any other discussion?

Council Member Boose: Mr. President, I am very much in favor of this legislation. I understand what the Council woman has stated in regards to her concerns. I can tell you that we must be at the table, if we are going to have any opportunities to bring some of this business to us that is brought before this organization. Not being at the table, will almost guarantee that we will not be involved. We have already agreed in appropriations of the level of participation and I believe this is a good first step in going forward in working on a macro level to see what type of business and jobs we can

bring to North Ridgeville.

President Arndt: Additionally, there was a clear discussion on behalf of the Mayor. There were several levels of opportunity for membership; ranging, I believe, from 25,000 dollars and it dropped down accordingly. The Mayor has asked for the support at the 10,000 range. Mr. Mayor or Mr. Costin, if you could clarify that even more?

Auditor Costin: He can clarify it. I just want to make a recommendation when he's done clarifying it.

Mayor Gillock: I just want to echo what Councilman Boose just said. I believe this is a formal effort by the County to work on a regional basis for economic development and it is made quite clear to us that any leads that come into the County from the State or any other organizations will be going to Team Lorain County. When we do get an Economic Development Director, he should be a part of this because that is where the activities and leads are going to come from. There were various levels and this was discussed in appropriations at the 10,000 dollar level. They base the membership fee on the City's population and I believe that the purpose of this resolution is to establish that this does meet public policy and I think that for clarification, Mr. Costin would like for us to add that amount in Section 2.

 moved by Mayor, seconded by Boose to amend Section 2 of T 48, at the end of Section 2; to delete the period and add a comma and add the words, and approve the membership expenditure of up to 10,000 dollars to be paid by the appropriate fund

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

 Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Olesen, a second by Mr. Jaenke to adopt T 48 as amended. Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 6 No, 1 (Butkowski)

Clerk of Council Norris: Motion is approved by a vote of six to one and T 48 is adopted and becomes permanent resolution 1081-2006.

 Permanent Resolution No. 1081-2006

T 49-2006 AN ORDINANCE AMENDING ORDINANCE NO. 3570-2000 AND CHANGING
4239-2006 ASSISTANT ENGINEER TO ASSISTANT TO THE ENGINEER.

 First Reading

 moved by Arndt, seconded by Olesen to dispense with the second and third readings tonight on T 49

President Arndt: Is there any discussion?

Council Member Buescher: Mr. President, my question is that, is the change being made because saying Assistant Engineer indicates that the person is actually an Engineer?

Mayor Gillock: When the original ordinance was to be passed, I believe the Committee Report was written and the intent was to hire an Assistant to the Engineer. When the ordinances were written and passed, they said an Assistant Engineer. We hired the person in the position. He is an Assistant to the Engineer. However, we can't address his salary because that position doesn't exist, only the position of Assistant Engineer position exists. Therefore, we are changing it back to the original intent was for the position of Assistant to the Engineer, which is what that individual really is.

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

Yes, 7 No, 0

moved by Arndt, seconded by Olesen to adopt tonight T 49

moved by Arndt, seconded by Olesen, to add the emergency tonight to T 49 to clarify the ordinance to state what the position clearly is and to appropriately address the dollars that relates to his payroll

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

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Arndt, a second by Mr. Olesen to adopt T 49 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 49 is adopted with the emergency, becoming permanent ordinance 4239-2006.

Permanent Ordinance No. 4239-2006

T 50-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4150-2005 FOR THE
4240-2006 RETROFITTING OF THE COMPLETE MIX TANK NO. 1 FOR THE FRENCH
CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE
AMOUNT FROM \$200,000.00 TO \$300,000.00.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings tonight on T 50

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would like to point out that T 50, 51 and 52 are projects for French Creek that were originally presented to Council last year. They were authorized last year, however, they didn't get all their projects done. This is coming back this year and reflects increases in costs from last year to this year on those same projects. The longer we wait on them, the more valuable they become. These were originally presented last year.

President Arndt: What is the reason that there was no further action taken on this?

Mayor Gillock: Simply, because when French Creek comes to appropriations, they bring a number of projects and sometimes, there are too many to complete. They prioritize and get done what they can, however, these are the three they couldn't get done last year.

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

Yes, 7 No, 0

moved by Olesen, seconded by Manning to adopt tonight T 50

moved by Olesen, seconded by Manning to add the emergency tonight to T 50 because this equipment is needed and has already been delayed

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

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Olesen, a second by Mrs. Manning to adopt tonight T 50 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 50 is adopted with the emergency, becoming permanent ordinance 4240-2006.

Permanent Ordinance No. 4240-2006

T 51-2006 AN ORDINANCE AMENDING ORDINANCE 3930-2003 FOR THE PURCHASE
4241-2006 OF FOUR (4) MOTOR STARTERS/ CONTROLLERS FOR THE FRENCH
CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE
AMOUNT FROM \$300,000.00 TO \$350,000.00.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings on T 51

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

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 51

moved by Boose, seconded by Butkowski to add the emergency tonight to T 51 to avoid any additional delays

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

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Boose, a second by Mrs. Butkowski to adopt tonight T 51 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 51 is adopted with the emergency, becoming permanent ordinance 4241-2006.

Permanent Ordinance No. 4241-2006

T 52-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4147-2005 FOR THE GRIT
4242-2006 REMOVAL SYSTEM TANK AND ALL ASSOCIATED WORK FOR THE
FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING
THE AMOUNT FROM \$100,000.00 TO \$110,000.00.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 52

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

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 52

moved by Boose, seconded by Butkowski to add the emergency tonight to T 52 to avoid any additional delays

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, Just a note. I believe that all Council members are well aware, but perhaps some of the residents are not. In that our French Creek Waste Water Treatment Plant is state of the art and is one of the best around. If you have ever had the opportunity to go out there and view it, it is just amazing. The expenditures that we have just approved in T 50, T 51 and hopefully we will approve T 52, go to keeping that facility state the art and in top running condition. President Arndt: Thank you. Any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Boose, a second by Mrs. Butkowski to adopt T 52 with the emergency. Is there any discussion?

Yes, 7 No, 0

Clerk of Council Norris: T 52 is adopted with the emergency, becoming permanent ordinance 4242-2006.

Permanent Ordinance No. 4242-2006

T 53-2006 AN ORDINANCE AMENDING PART TEN OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE BY CREATING CHAPTER 1056 TO CONTROL CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY.
First Reading

President Arndt: That concludes our first readings. Dr. Arndt, if you'll begin with T 23 please.

• **Second Readings**

Clerk of Council Norris: Second readings before Council.

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

T 24-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4243-2006 RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER
 INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER
 PRESCRIBED BY LAW FOR THE RENTAL OF EQUIPMENT AND RELATED
 SERVICES FOR ROAD REPAIR AND MAINTENANCE TO BE USED BY THE
 SERVICE DEPARTMENT.
Second Reading
moved by Butkowski, seconded by Buescher to dispense with the third reading
tonight on T 24

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

Yes, 7 No, 0

moved by Butkowski, seconded by Buescher to adopt

moved by Butkowski, seconded by Buescher to add the emergency tonight to T 24 to continue the vital operations of the City

President Arndt: Is there any discussion?

Auditor Costin: If I could comment on T 24? We could not pass these ordinances last week because we did not have appropriations in place. Now, we do, However, I think that these ordinances can be passed without the emergency since it will take thirty days to bid. Our old contracts, I don't believe, expire until April 30. I think that if these are adopted without the emergency, I think the City will be just fine.

President Arndt: For clarification, Mr. Costin, which ordinances are you referring to?

Auditor Costin: 24, 26, 27, 28, 29 and 30

President Arndt: Yes, we see Captain Snow Plow standing up.

Service Supervisor Chris Rangus: I appreciate the fact that you would add the emergency, but honestly speaking it is not really needed. (inaudible)

Council Member Butkowski: I withdraw my motion for the emergency.

Council Member Buescher: I withdraw my second.

President Arndt: Both Council members Butkowski and Buescher have withdrawn their motion and second. However, there is still a motion on the floor for adoption by Mrs. Butkowski and a second by Mrs. Buescher. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 24 is adopted becoming permanent ordinance 4243-2006.

Permanent Ordinance No. 4243-2006

T 26-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4244-2006 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, FOR THE PURCHASE OF
CHEMICALS TO BE USED BY THE FRENCH CREEK WASTEWATER
TREATMENT PLANT.

Second Reading

moved by Olesen, seconded by Butkowski to dispense with the third reading tonight on T 26

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

Yes, 7 No, 0

moved by Olesen, seconded by Butkowski to adopt tonight T 26

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

Yes, 7 No, 0

Clerk of Council Norris: T 26 is adopted becoming permanent ordinance 4244-2006.
Permanent Ordinance No. 4244-2006

T 27-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4245-2006 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO
FURNISH AND DELIVER CONCRETE TO BE USED BY THE CITY OF
NORTH RIDGEVILLE, OHIO.

Second Reading

moved by Buescher, seconded by Boose to dispense with the third reading tonight on
T 27

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

Yes, 7 No, 0

moved by Buescher, seconded by Boose to adopt tonight T 27

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

Yes, 7 No, 0

Clerk of Council Norris: T 27 is adopted becoming permanent ordinance 4245-2006.
Permanent Ordinance No. 4245-2006

T 28-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4246-2006 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR
THE PURCHASE OF LIMESTONE AND SAND TO BE USED BY THE CITY
OF NORTH RIDGEVILLE, OHIO.

Second Reading

moved by Buescher, seconded by Butkowski to dispense with the third reading
tonight on T 28

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

Yes, 7 No, 0

moved by Arndt, seconded by Jaenke to adopt tonight T 28

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

Yes, 7 No, 0

Clerk of Council Norris: T 28 is adopted becoming permanent ordinance 4246-2006.
Permanent Ordinance No. 4246-2006

T 29-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4247-2006 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND

ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR
THE PURCHASE OF ASPHALT AND RELATED MATERIALS TO BE USED
BY THE CITY OF NORTH RIDGEVILLE, OHIO.

Second Reading

moved by Olesen, seconded by Manning to dispense with the third reading tonight
on T 29

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

Yes, 7 No, 0

moved by Olesen, seconded by Manning to adopt tonight T 29

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

Yes, 7 No, 0

Clerk of Council Norris: T 29 is adopted becoming permanent ordinance 4247-2006.
Permanent Ordinance No. 4247-2006

T 30-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4248-2006 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR
THE PURCHASE OF STORM WATER PIPE AND RELATED PARTS TO BE
USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

Second Reading

moved by Buescher, seconded by Butkowski to dispense with the third reading
tonight on T 30

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

Yes, 7 No, 0

moved by Buescher, seconded by Butkowski to adopt tonight T 30

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

Yes, 7 No, 0

Clerk of Council Norris: T 30 is adopted becoming permanent ordinance 4248-2006.
Permanent Ordinance No. 4248-2006

T 37-2006 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE
4249-2006 CONSTRUCTION OF A SANITARY TRUNK SEWER, TOGETHER WITH THE
NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO,
FROM AN EXISTING MANHOLE IN CASE ROAD AT THE NORTHERN
CORPORATE BOUNDARY OF THE CITY, SOUTH IN CASE ROAD A
DISTANCE OF APPROXIMATELY 300 FEET AND THEN EASTERLY AND
SOUTHERLY IN CITY EASEMENTS, PROPERTIES AND RIGHTS-OF-WAY

TO A POINT APPROXIMATELY 2,400 FEET EAST OF AND 2,600 FEET SOUTH OF THE INTERSECTION OF RACE ROAD AND SUGAR RIDGE ROAD.

Second Reading

moved by Boose, seconded by Butkowski to dispense with the third reading tonight on T 37

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

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 37

moved by Boose, seconded by Butkowski to add the emergency (tape 2, side A ended - motion not audible)

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

President Arndt: Additionally, there is a motion on the floor by Mr. Boose; a second by Mrs. Butkowski to adopt tonight T 37 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 37 is adopted with the emergency becoming permanent ordinance 4249-2006.

Permanent Ordinance No. 4249-2006

President Arndt: That concludes our second readings. Dr. Norris, if you will read our third readings.

• **Third Readings**

Clerk of Council Norris: Third readings before Council this evening:

T 168-2005 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
4250-2006 ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS
 THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND:
 VACANT PROPERTY KNOWN AS PERMANENT PARCEL NUMBER 07-00-
 016-112-027 AND PART OF PERMANENT PARCEL NO. 07-00-016-112-045
 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE
 DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT AND OWNED BY
 VALORE PROPERTIES, INC. AND RINI REALTY CO.

Third Reading

moved by Olesen, seconded by Jaenke to adopt tonight T 168

President Arndt: Is there any discussion?

Council Member Boose: Mr. President. Shortly after Planning Commission Report was approved in January, I was contacted by four residents in that area. Three via phone and one via email talking to me about the proposed zoning and three of four were not in favor of it. A suggestion that was made to me and I took it up was that to get a survey out to those residents who abutted that property. Council members received a copy of it. I sent out thirty four surveys because there are thirty four

residential properties located along East Pitts, North Gina and West Debbie. Twenty three of which are actually adjacent to the properties being considered for rezoning. When considering the responses received from my survey in both cases, the majority of those property owners were not against the proposed rezoning. ~~My bet~~ *I've been* on record as indicating that I would be voting with the majority of those residents and I will do this evening.

President Arndt: Is there any other discussion? There being none, will the Clerk please take roll.

Yes, 6 No, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six to one. T 168 is adopted and becomes permanent ordinance 4250-2006.

Permanent Ordinance No. 4250-2006

President Arndt: That concludes our third readings. We have no old business. Dr. Norris, if you will read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

Public Hearing Monday, April 3, 2006 at 7:15 PM regarding T 53 and T 54.

Next Regular Council Meeting Monday, April 3, 2006 at 7:30 P.M. in Council Chambers.

President Arndt: One announcement that the Chair would like to make and that is, heads up to our Council Members, that the Chair will be absent for our April 17 meeting. Accordingly, the Chair will be calling on our President Pro-Tem Mrs. Manning to lead our assembly. Having said that, the Chair will entertain a motion for adjournment.

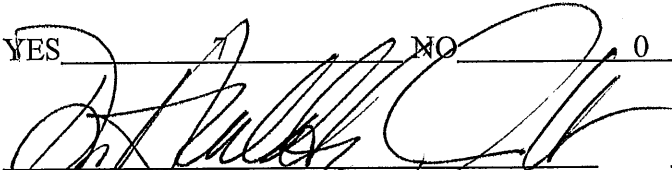
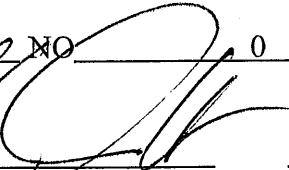
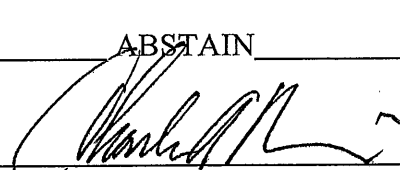
ADJOURN:

 moved by Butkowski to adjourn

President Arndt: Meeting adjourned.

Meeting adjourned at 9:50 P.M.

MOTION Buescher 2ND Jaenke DATE April 3, 2006
(As corrected on Page 33)

YES		NO		0	ABSTAIN		0
PRESIDENT OF COUNCIL DR. RONALD F. ARNDT				CLERK OF COUNCIL CHARLES A. NORRIS			