

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 20, 2000**

President of Council Jean Brown called the meeting to order at 7:30 P.M. with the Invocation and the Pledge to the Flag.

President Brown: Roll call please.

ROLL CALL

Present were Council Members: Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski, David Gillock and Jean Brown.

Also, present were Mayor Deanna Hill, Safety-Service Director Daniel Zirzow, Assistant Law Director Toni Morgan representing Law Director Eric Zagrans, Engineer Stewart Lovece, Auditor Chris Costin and Clerk of Council Jim White.

Council Clerk White: Mr. Johnson is on vacation, so we are all aware of that.

President Brown: Okay, good.

Council Member Swindig: Madam Chairman.

President Brown: Yes.

motion by Swindig to suspend By-Laws to start the tape recorder for the Appropriations Meeting, 2nd by Butkowski

President Brown: Second, Mrs. Butkowski. Yes, roll call.

Yes, 6, No, 0

Council Clerk White: Motion carries 6-0.

MINUTES

President Brown: Minutes of the Special Council March 1, 2000. Is there a motion to accept? motion by Butkowski to approve, 2nd by Swindig

President Brown: Any Discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

President Brown: Public Hearing Minutes of March 6 for John H. Smith.

Council Member Butkowski: Madam Chairman.

President Brown: Yes.

motion by Butkowski to accept all five of the Public Hearings Minutes at one time, 2nd by Minnick

President Brown: Can we do that Law Director?

Council Clerk White: Yes, you can.

President Brown: Okay. So then I just have to name all those people that had it then? Like Masny's, Smith, Mr. Michael Smith, Hamm and Mr. Schrauf. There was a motion made. Any discussion regarding them?

Council Member Swindig: Motion by Mrs. Butkowski, 2nd by Mrs. Minnick

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Council Clerk White: Okay, thank you.

President Brown: Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 on all five of the Public Hearings on the Agricultural Districts.

President Brown: Public Hearing Minutes of March 6, 2000, T 145-2000. Motion to accept please.

motion by Butkowski to accept the minutes for T145-2000, 2nd Borocz

President Brown: Motion by Mrs. Butkowski, 2nd by Mrs. Borocz. Any discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

President Brown: Regular Council Minutes of March 6, 2000. I need a motion to accept.

motion by Butkowski to accept the Minutes of the Regular Council Meeting of March 6, 2000, 2nd by Swindig

President Brown: Mrs. Butkowski, were you the one that moved?

Council Member Butkowski: Yes.

President Brown: Okay.

Council Clerk White: Swindig

President Brown: Swindig, thank you. Any discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0

President Brown: Please note that the, thank you to Mr. Gillock, they had the wrong date, they had the minutes for the Parks & Rec. Commission for March 22 and it should be February 23rd. So please correct that on your Agenda.

COMMITTEE REPORTS

1) FINANCE COMMITTEE REPORT #4105 We have considered the matter of transferring various funds of the City of North Ridgeville, Ohio representing reimbursement of Administrative expenses and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski

motion to accept by Swindig, 2nd by Borocz

President Brown: Discussion? Mrs. Minnick.

Council Member Minnick: Yes, Mr. Swindig, can you tell me what this is specifically for?

Council Member Swindig: Madam Chairman, can I refer to the Auditor please.

President Brown: Yes, you may.

Auditor Costin: Yes, each year the City transfers certain funds to the general fund representing

Administrative reimbursement. Specifically from the enterprise fund, water, sewer and refuse, it represents the overhead that the City incurs such as the Administration, billing and so forth. It's a nominal reimbursement to the General Fund for the time that isn't otherwise billed to the enterprise fund. This has been done historically for the last probably 10 - 15 years without any change of amounts. That primarily represents what the reimbursements are. The Committee Report requests that the ordinance be drawn and the ordinance, when it's presented to you, will list the specific transfers and the amounts and the funds involved.

Council Member Minnick: Thank you.

President Brown: Motion to accept.

Council Clerk White: We have that.

President Brown: We have that already. Okay. No more discussion? Okay, vote please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0

2) FINANCE COMMITTEE REPORT #4106 We have considered the matter to amend Ordinance 3429-99 to \$30,000.00 for septic system and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved to accept by Swindig, 2nd by Gillock

President Brown: Discussion? Mrs. Minnick.

Council Member Minnick: Mr. Swindig, is this for the Shady Drive Complex?

Council Member Swindig: Correct.

Council Member Minnick: And the funds will come out of the Park & Rec Fund?

Council Member Swindig: Correct.

Council Member Minnick: Thank you.

President Brown: Any other discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

3) FINANCE COMMITTEE REPORT #4107 We have considered the matter of an ambulance for the Fire Department not to exceed \$135,000.00 and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 motion by Swindig to accept, 2nd by Borocz

President Brown: Any discussion? Mr. Gillock.

Council Member Gillock: Madam President. Just for clarification, this is to replace one of our real old ones.

Council Member Swindig: This is going to replace one of the back-up fire engines or ambulances.

Council Member Gillock: And this will come out of the levy we just passed, renewed?

Auditor Costin: I believe this is earmarked to come out of the ambulance fund. If not, a portion

may come from the fire levy but I don't recall. One of those two.

Council Member Gillock: Okay.

President Brown: Any other discussion?

Council Member Minnick: Will we be trading in the old one?

Council Member Swindig: I don't know, it may be scrapped from what I hear.

Council Member Minnick: But we will not keep it?

Council Member Swindig: No. Unless French Creek wants it.

President Brown: Roll call please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0

4) FINANCE COMMITTEE REPORT #4108 We have considered the matter of State Route 83 storm sewer not to exceed \$55,000.00 and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 motion to accept by Swindig, 2nd by Butkowski

President Brown: Mr. Swindig, Mrs. Butkowski.

Council Clerk White: Okay.

President Brown: Any discussion? Mrs. Minnick.

Council Member Minnick: Where on State Route 83 will this storm sewer be installed?

Council Member Swindig: Madam Chairman, would you refer to the Engineer please? Thank you.

President Brown: Mr. Lovece.

Engineer Lovece: Thank you. North of Mildred and the sewer will run from State Route 83 to French Creek approximately 750 feet.

President Brown: North of Mildred?

Engineer Lovece: Yes.

Council Member Gillock: Madam President?

President Brown: Yes.

Council Member Gillock: Is this a replacement of a smaller line?

Engineer Lovece: Yes.

President Brown: Okay, any more discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0

5) FINANCE COMMITTEE REPORT #4109 We have considered the matter of an Assistant to the Engineer and recommend that this request be approved and proper legislation be drawn authorizing add to Department Head Ordinance, same pay scale as Water Foreman.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved to accept by Swindig, 2nd by Mrs. Borocz

President Brown: Discussion please? Mr. Gillock.

Council Member Gillock: Mr. Lovece, would you, as we discussed, expand on the need for this, what it is, qualifications and so forth?

Engineer Lovece: The needs? I'll go through the needs first. Since I started my employment about five and one-half years ago, the number of housing starts has doubled. There is an increase in the workload for both the Engineering and the Building Departments. Also, since my employment, per Ordinance, I've been assigned in charge of back flow prevention that was normally handled by the Superintendent of French Creek. Being the fact that he is in Sheffield, it didn't make sense to have him enforce an Ordinance in North Ridgeville, so that is something that the Engineering Department does. The Engineering Department typically saves about \$200,000.00, at least \$200,000.00 a year, in performing in-house engineering services rather than farm it out to outside consultants. But with the increasing workload, I'm able to do less and less. So, if we get an assistant, he'll actually help pay for himself by assisting in engineering work and assisting in this back flow prevention. The qualifications would be as follows: the person should have drafting experience, preferably CAD, and some hand drafting experience. This person should be degreed in either Engineering or Construction Technologies and have good organizational skills. Starting salary is identical to a Water Foreman which is approximately \$40,000.00 a year.

President Brown: Any other discussion? Roll call please.

Yes, 5 No, 1 (Minnick)

Council Clerk White: Motion carries 5-1.

6) FINANCE COMMITTEE REPORT #4110 We have considered the matter of bond notes for repair and replacement of specified streets and we recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved by Swindig to accept,

Council Member Gillock: Madam Chairman, before that's seconded, I'd like to ask if we might refer this back to Committee? The way it's written, it just says recommend bond notes for repair and replacement of specified street. It doesn't have an amount and it doesn't say exactly what streets. I did talk to Chris about this today and we know we'll have to have that information before it goes to Bond Council to write the Ordinance. Just seems to me we're getting the cart before the horse here a little bit. If we could send this back to Committee till the other Committee could, or the Council could, determine what streets we're going to work on and what we're going to spend and then bring it back at that time.

Council Member Swindig: Madam Chairman, point of order. We need a second before we can discuss it, but I will withdraw my first.

President Brown: Okay, so then we can, I can send it back?

Council Member Swindig: Take that back into Finance

President Brown: Finance Committee please.

Council Clerk White: That's 4110?

REFER FINANCE COMMITTEE REPORT #4110 BACK TO FINANCE.

7) FINANCE COMMITTEE REPORT #4111 We have considered the matter of the City Auditors pay increasing to \$30,000.00 and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved by Swindig to accept, 2nd by Butkowski

President Brown: Discussion? Roll please.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

8) FINANCE COMMITTEE REPORT #7001 We have considered the matter of increasing Council Clerk's pay to \$5,100.00 and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved by Swindig to accept, 2nd by Butkowski

President Brown: Any discussion? Seeing none.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0

9) STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT # 7002 We have considered the matter of T 1-2000 and recommend that this request be approved and proper legislation be drawn authorizing the removal of 1030.04 and keep first paragraph of Section 1 of proposed T 1-2000

Signed: Chairperson Karen Borocz, Bernadine Butkowski, Dave Gillock
 moved by Borocz to accept; 2nd by Butkowski

President Brown: Did you get that?

Council Clerk White: Yes.

President Brown: Any discussion? Vote please.

 Yes, 5 No, 0 Abstain 1 (Minnick)

Council Clerk White: Motion carries 5-0-1

10) STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT #7003 We have considered the matter of T 2-2000 and recommend that this request be approved and proper legislation be drawn authorizing the amending of 1032.06 to include section 1 as written and to grandfather existing trees on tree lawns.

Signed: Chairperson Karen Borocz, Bernadine Butkowski, Dave Gillock
 moved by Borocz to accept, 2nd by Gillock

President Brown: Discussion? Roll please.

 Yes, 5 No. 0 Abstain, 1 (Minnick)

Council Clerk White: Motion carries 5-0-1

11) FINANCE COMMITTEE REPORT #7005 We have considered the matter of spending up to \$20,000.00 for the update of the Codified Ordinances and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved by Swindig to accept; 2nd by Borocz

President Brown: Discussion? Mrs. Minnick.

Council Member Minnick: I hope that when we spend this \$20,000.00 Council will be able to pay more attention to the Ordinances and vote according to the Ordinances. That's all I have to say.

President Brown: Take a vote please.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

12) FINANCE COMMITTEE REPORT #7006 We have considered the matter of used cars from State purchasing for various departments and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Allen C. Swindig, Jim Johnson, Bernadine Butkowski
 moved by Swindig to accept; 2nd by Borocz

President Brown: Any discussion?

Council Clerk White: Wait, I need...

President Brown: Oh, Mr. Swindig and Mrs. Borocz.

Council Clerk White: Okay.

President Brown: Discussion? Mr. Gillock?

Council Member Gillock: Madam President, are these additional vehicles or replacement vehicles? And if they are replacement, what happens to the old ones?

Council Member Swindig: These are replacements. The ones that are usable will be passed down but I don't think there are that many that are reusable that we'll be able to pass down. Ten of them are earmarked for the Police Department. And the Water Department had a problem with fires in their vehicles and everything else so this is a replacement for the Fire Department. That's four of them and I think it's replacement for vehicles for Engineering and Building Department.

Council Member Butkowski: Mr. Swindig, you said replacement for the Fire Department, you mean Utilities Department?

Council Member Swindig: Utilities. I'm sorry, they had the fires.

Council Member Butkowski: Fire in the Utility Department?

President Brown: Yes. Mrs. Minnick.

Council Member Minnick: How many cars are there total?

Council Member Swindig: Seventeen.

Council Member Minnick: How many will we be getting rid of because right now we have about 60 cars?

Council Member Swindig: We'll refer that to the Safety Service Director.

Safety Service Director Zirzow: Once again, just like last year, basically, what we do is, our fleet

cycles throughout the year as the cars become available on the State purchase program. We would increase total fleet probably by one or two because of the hiring of additional police officers. As you know, each police officer has their own vehicle. Right there they take up approximately half of all the vehicles within the City. As Mr. Swindig pointed out, historically we have gone and shifted down most of these. Once the Police Department deems that they are no longer fit for use for them, we always give them either to Building or Engineering. Once they deem they are not good for them, they go to the Utilities for the water meter readers. And yes, we literally had one catch on fire as it was flying into City Hall here and we had to put the thing out. So basically this is going to cycle us through, give the fleet a little better this year. We're not going to be spending as much down time with Department Heads running out. So in total, you may see an increase by one or two in total number because of the Police Departments' additional personnel. Other than that, they are going to be cycled through. Would you see them immediately? No, because of the transition of when we bring a unit in it goes to the Service Department where they add all the Police equipment. Then by the time they remove equipment and place it into the new vehicles, we have a cycle period of maybe 3 or 4 cars depending on how many we just purchased from the State. So, in that sense, to answer your question, maybe an addition of one or two vehicles at the most. The rest will be replacement and will be discarded by the end of the year.

Council Member Minnick: So you plan on maybe getting rid of 15? When you say discarded, out of the City completely?

Safety Service Director Zirzow: Yes.

Council Member Minnick: And what is the average cost of the vehicle that these are, that you are considering?

Safety Service Director Zirzow: When we purchase?

Council Member Minnick: The ones that you'll be purchasing.

Safety Service Director Zirzow: I think the highest that they've ever gone is what?

Council Member Swindig: \$7,000.00

Safety Service Director Zirzow: Right, I think it was, we'd allocated \$7,000.00. The highest it's ever come out is \$6,500.

Council Member Minnick: Thank you.

President Brown: I have a question for you, Mr. Zirzow. When you have these cars, does the City take bids on the old ones?

Safety Service Director Zirzow: If they're in condition when we discard them, yes we do.

President Brown: Okay. Thank you.

Council Clerk White: We need a roll call.

President Brown: Roll call.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0. That's all the Committee Reports that I have.

Council Member Swindig: Madam Chairman.

President Brown: Yes.

Council Member Swindig: I have an oral Committee Report in the matter of \$2,500.00 to the North Ridgeville Community Project Fund for flags and I'd put that as a form of a motion.

motion by Swindig to accept Finance Committee oral report regarding \$2500.00 to the North Ridgeville Community Project Fund for flags, 2nd by Gillock

President Brown: Any discussion? Seeing none, roll call please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

President Brown: Mayor, your report.

MAYORS REPORT

Mayor Hill: Yes, Madam President. T 22-2000 is a Third Reading for a track excavator. Jerry Kruger, Service Superintendent, has requested that the emergency be added tonight. We currently have no operating excavator and have borrowed one so they can do their work. The time for borrowing has expired. If you will recall, Council passed a Resolution, I see it on Correspondence tonight, passed a Resolution urging the Public Utilities Commission of Ohio to adopt policies and procedures that would support governmental aggregation for the volume purchasing of electric power. I sent a copy of the Resolution along with a letter from the Mayor to the Chairman of PUCO. I have received a reply from the Director stating that the views of the City of North Ridgeville will become a permanent part of the record in this case and that the Director supports governmental aggregation. That concludes my report.

President Brown: Any questions of the Mayor? Going on. Mr. Zirzow?

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Zirzow: Thank you Madam President and Members of Council. First of all, a little different, but I'd like to give a little shout out to Tommy Sweeney if your watching this evening. Tommy is the five year old son of my predecessor Tom Sweeney. I saw him over the weekend. He recognized me from being on TV. When I questioned why he wasn't watching a cartoon network, he said he preferred watching us. So there you have an unofficial poll of five year olds. We rank higher than a cartoon network. Accomplishments for the last two weeks ending March 19, 2000:

PATCHING, PAVING & CRACK SEALING

We are patching potholes City wide and are still using winter mix until when hot asphalt will become available in the beginning of April.

CONSTRUCTIONS & DITCHING:

We are continuing to clean Ridgeway ditch. We are now on the south side of Center Ridge heading towards Race Road.

We have added stone to several streets. They are: Barres, Gloria and all access streets.

We have finished cleaning the east side road ditches on the north end of Wallace.

Due to winter time construction projects, several street pads needed to be re-concreted. They are

at Hickory and south Mills Creek Lane, Luanne and Carolyn and Spencer Court. A blockage was discovered in the ditch south of the Corn Festival parking lot off Bainbridge Road. This area has been cleaned.

We have finished installing roadside drainage pipe at Jaycox and Mills Road. This was done to alleviate the standing water situation on the road.

Ditching and installation of pipe was performed in the 32778 Bagley Road area.

Hickory Trail and Fox Hollow have had a long-standing problem of water laying at the intersections of these roads. This has also been corrected.

WATER BREAKS AND HYDRANT REPAIRS:

There were three water problems discovered in our system in the last two weeks. Two were on Behm and the other was on Stoney Ridge. All problems have been repaired.

Three hydrants were repaired or replaced. They are at: 37342 Sugar Ridge, 5281 Birch and 37078 Sugar Ridge.

A new Pressure Relief Valve was installed at 4913 north Lear Nagle Road..

CATCH BASINS:

Catch basins were installed at: Hickory Trail and south Mills Creek, Hickory Trail and Fox Hollow, and Albert Street.

MISCELLANEOUS:

The sewer jet was used in the following areas: Sanitary Lines: Main, Broad, Pleasant and Rosabelle. For Storm Lines: on Wallace Boulevard.

North Lear Nagle has been bermed from Mills Road to Frances Street.

We are currently berming and filling holes on Lorain Road east of Route 83.

Roadside debris has been picked up along the new Route 10.

The intersection of Lear Nagle and Chestnut has been leveled and the holes filled in the berm once again. This process was also done to the intersection of relocated Route 83 and Lorain Road; Lorain Road and Route 83; and the intersection of Root Road and Lorain Road.

During the March meeting of the Northeast Ohio Service Directors Association, an organization which has been in effect for about four or five decades now I believe, I had the privilege of being sworn in as one of the Executive Board Members representing the west side of Cleveland. This group has historically worked primarily within Cuyahoga County and they are trying to branch out. I have attended several of these meetings with Service Superintendent Jerry Kruger and with Stewart Lovece. Just a preview, one of the things we are working on. As Council is aware, we have mutual aid agreements when it comes to Police and Fire. We are also going to try to start working within our Service Department for these same type of mutual aid agreements and exchange of equipment in times of need. We are working currently with the City of Westlake. Once that information is prepared and been presented to both communities, we'd like to bring it forth to the Council for their consideration. And that is all I have this evening.

President Brown: Thank you. Any questions of the Safety-Service Director?

Mayor Hill: Excuse me Madam President. I forgot one thing.

President Brown: Yes.

Mayor Hill: Under New Business you will find T 38-2000 which discusses amending the City Sanitary Sewer System Tap-In Charges and repealing other sections of the Ordinance. It does not have a name as introduced by. My name was inadvertently left off.

President Brown: Shame on me. There goes that raise.

Council Clerk White: You have a chance to vote on it yet.

President Brown: Okay. Mr. Lovece.

ENGINEER'S REPORT

Engineer Lovece: Thank you Madam President. I'd like to request that Council pass as an emergency T 32-2000 for the Wallace Boulevard water main replacement. And as the Mayor just mentioned about T 38-2000, it is a revision of the existing sanitary sewer tap in fees and we are pleased to introduce this tonight. I can highlight some of the key issues of the Ordinance.

1. It's going to be simplified from the way it was before
2. Avon and Sheffield typically would only pay \$350.00 for a single family home that's built. In those two cities, that's all North Ridgeville would collect.
So actually that \$350.00 will be changed to \$1,100.00 that North Ridgeville will collect per house built in Avon and Sheffield that ties into our sewer.
3. Another key issue is that no credits will be allowed to the developers. Now this part of the Ordinance has existed since 1967 and perhaps it was a good thing in those days but nowadays with all the development going on and the legalities of the credit issue, that will be removed. That's part of what's being rescinded. That's all I have this evening.

President Brown: Any questions of the Engineer?

Council Member Butkowski: Madam President, I do. I have a question. Stewart, do we have any highways designated as major thoroughfares in the City other than the State and Federal highways that run through here?

Engineer Lovece: Would you define major thoroughfare? Cause there's four, there's like four classifications of a highway.

Council Member Butkowski: Well, it's not defined in the Codified Ordinances, it's just called a major thoroughfare other than State and Federal highways in a B-3 district.

Engineer Lovece: I would consider those arterials and you want a definition of arterial?

Council Member Butkowski: No, I just wonder what roads are classified as major highways other than Route 83, 480 and Route 10?

Engineer Lovece: I can only answer the arterial. Center Ridge Road is an arterial, of course that's a State and Federal Highway, State Route 83 is an arterial, 10 is a Freeway, other arterials, Lear Nagel's arterial, urban arterial, that's all. I'd have to check that out further to give you the classifications.

Council Member Butkowski: Okay, thank you.

President Brown: Auditors Report, Mr. Costin.

AUDITOR'S REPORT

Auditor Costin: Yes, Madam Chairman. I have three items for this evening, the first of which is the Auditor's written report for the month of February 2000.

 motion by Swindig to accept, 2nd by Butkowski

President Brown: Discussion? Vote please.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0.

Auditor Costin: Second, I'd like to correct a response that I inadvertently made. The question regarding Finance Committee Report #4107 requested where the ambulance could be paid from and I indicated either from the Ambulance Fund or the Fire Levy Fund and I meant to say Paramedic Levy Fund. But I believe it will be appropriated and paid from the Ambulance Fund. Finally, the Appropriation Ordinance, due to the length of the process of meeting with the Department Heads through setting the final appropriations, we were unable to make cloture. Friday after we completed as far as we were able to go, in detail, we did forward to Council that you might have time to look at it over the weekend, a summary sheet of the five funds of the finances of the City for the year 2000. A list of the very first page of your packet was a highlight of the changes, the additions dealing primarily with personnel and significant items. I passed out tonight a copy of the Ordinance itself in its' final form. I would request that it receive its' First Reading tonight and in fact be passed by emergency in as much as we have to have a permanent appropriation in effect by April 1. Now, upon its First Reading, I'd be pleased to answer any specific questions that you would have about the contents of the Appropriations Ordinance. At that time I'd be glad to walk you through the information that I've given you as well. Perhaps we could take a 5 minute walk through here, or a five second, as much as you would like, just to explain what is included in here to show you where we anticipate the finances are going to take us through the year 2000. That concludes my report.

President Brown: Any questions of Mr. Costin? Mrs. Minnick.

Council Member Minnick: Let me just confirm this, that if we approve this budget tonight, that would mean that any employment requests would still have to go to Committee and come back on Council floor or can they just be automatic?

Auditor Costin: I believe the answer to that question is, if we're creating a new position, the new position would require additional Councilmatic action. If we're replacing or adding to an existing position, that could be done by Administration upon passage of the Appropriation Ordinance. I would defer that though to the Law Director for correction if I'm incorrect.

Assistant Law Director Morgan: I think you're correct on that but I wouldn't give a final answer unless I double check, but I believe you're correct.

Council Member Minnick: Thank you.

President Brown: Any other questions of Mr. Costin?

 motion by Swindig that we give the Appropriation Ordinance a T number so we can give it First Reading tonight, 2nd by Borocz.

President Brown: Discussion? Vote, please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 and becomes T 39-2000.

President Brown: Okay. Law Director. Assistant.

LAW DIRECTOR'S REPORT

Assistant Law Director Morgan: No report.

President Brown: No report. Okay. How about Parks & Recreation Liaison, Mrs. Minnick.

OTHER REPORTS

Parks & Recreation Commission Liaison Report:

Council Member Minnick: Actually I have no report because there was not a meeting but there will be one on this coming Wednesday at 7:30.

Planning Commission Liaison:

President Brown: Planning Commission Liaison is not here.

Please note that we have the:

North Ridgeville Water System Monthly Operation Report for February, 2000;

Buildings Department Report for February, 2000;

Police Department Activity Report for January, 2000;

Police Department Support Car Report for February, 2000; and

Mayor's Court Case Report for February, 2000.

OLD BUSINESS

President Brown: Is there any Old Business that should be taken care of? Mrs. Minnick.

Council Member Minnick: Mr. Lovece, you said that Lear Nagel was an urban arterial.

Engineer Lovece: Yes, south Lear Nagel.

Council Member Minnick: When we, when Council passed the Cypress Equities Rezoning they considered I-480 as the highway and then we all know that from there Cypress could not get the Q-Panel property which they needed for access to Lorain Road because they didn't have access on Lear Nagel, so with that in mind, is Lear Nagel considered a major highway.

Engineer Lovece: I have to see the definition of what they're calling a major thoroughfare. See, that's very vague to me. I'm familiar with other definitions for highways such as free-way, express-way, arterial, collector and local streets, but major thoroughfare is a little ambiguous.

Council Member Minnick: But at that time, Mr. Serazin ruled that Lear Nagel was not that classification and that's what started the whole controversy with the Cypress Equities.

Engineer Lovece: I'm not aware of that.

Council Member Minnick: You're not aware of that?

Engineer Lovece: No, of what the Law Director ruled or what? The controversy meaning

connecting through the Q-Panel property or what controversy?

Council Member Minnick: The controversy was that that property could not be rezoned to B-3 because there was no major thoroughfare and Lear Nagel could not be considered a major thoroughfare and then they said oh, 480 is a major thoroughfare and that's there so then we rezoned, not I, but Council rezoned that land to B-3 and then because there was no real access to a highway, then we had to go with imminent domain with Q-Panel to get a road through to Lorain Road.

Engineer Lovece: So what's your question?

Council Member Minnick: Well, the question is, is Lear Nagel a major thoroughfare?

Engineer Lovece: We'll have to research that.

Council Member Minnick: Thank you.

President Brown: Mr. Zirzow, did you have something you wanted to say?

Safety Service Director Zirzow: Thank you. If, to revisit a dead horse, the issue was, if Council Member recalls accurately, I was Council President at the time and as Mr. Serazin ruled and as some of the other attorneys there also ruled, 480, Route 10, well up in that area it's 480, is considered a thoroughfare no matter how you look at it. If one wants to say south Lear Nagel is not a busy street, so be it. I've heard quite to the contrary and personal experience says it's heavily traveled. The entire southern border of the Q-Panel, Cypress, not the Q-Panel but the Cypress Project, their property that they acquired and now part of Auto Nations because it's been sold off, is lined up along 480. Just like if we go and look at planning and we take into account placing land in an industrial area next to the railroad tracks. We don't have any regularly scheduled train traffic stops within North Ridgeville, yet when we look at planning the industrial corridor happens to be along the railroad tracks. That property is along 480. So the issue of south Lear Nagel stuff which has gone to court, which most of us, or several of us, especially on the last Council were sued personally over, has already been decided in court. And as Mr. Lovece said, I would be more than happy to go ahead and classify, reclassify, whichever definitions Council wants to use for south Lear Nagel Road. If you like, maybe you can get another opinion, however, where you tend to be going with this question, Mrs. Minnick, I believe what you need to look at is on the map it's clearly visible the entire southern border of the Cypress Project is along Route 480. Whether or not it has direct access to it is totally irrelevant just like when you're planning along a railroad corridor whether or not the train actually stops at a train stop right there is not necessarily in consideration because we do not have that in North Ridgeville. Thank you.

Council Member Minnick: Well, your assumption is wrong. What I am recalling and I don't have the minutes in front of me and I probably should have, when that was rezoned there was a big question about we can't do that, we can't rezone it to B-3 because there was no major thoroughfare and then yes, it was decided by the Law Director that 480 was considered a major thoroughfare. What I'm getting at is, Lear Nagel was not considered a major thoroughfare and that was the question. Is Lear Nagel now considered a major thoroughfare when it was not considered a major thoroughfare two or three years ago when we, two years ago, rezoned that property?

Safety Service Director Zirzow: I think you need to ask any of the residents of your Ward

whether or not that's a thoroughfare.

Council Member Minnick: I'm not asking you to answer that with a question.

Safety Service Director Zirzow: And the issue was resolved.

Council Member Minnick: I'm just saying what has changed is that Lear Nagel is now a major thoroughfare where it wasn't a few years ago.

Safety Service Director Zirzow: What I'm saying once again, to clarify, is the issue of Lear Nagel is totally irrelevant because the entire southern border of that property was along I-480 and any way you look at it, that's a major thoroughfare.

Council Member Minnick: Okay, thank you.

Mayor Hill: Point of order. Madam President. Roberts Rules of Order are to be followed if the By-Laws do not speak to the subject. I would ask that you refer to the Law Director for a response that prior actions cannot be the subject of debate. Specifically, only remarks pertinent to a present motion are permitted. Negative remarks regarding prior action taken by Council cannot be brought to the floor. Thank you.

President Brown: Thank you Mayor.

Council Member Minnick: Madam Chairman, President. What I was getting at is the rezoning of Lear Nagel, of Mr. Shave's property, 6200 Lear Nagel. Last Council Meeting, this Council rezoned that. I wasn't referring to anything about Cypress other than stating the fact that a few years ago Lear Nagel was not considered a major thoroughfare. This Council, at the last Council meeting, a vote of 4-3, rezoned that. In my opinion was improperly. And I was just ...

Mayor Hill: Point of Order. Madam President.

Council Member Minnick: ...trying to make

Mayor Hill: Point of Order.

Council Member Minnick: ...clarification

Mayor Hill: That was also voted on by Council. It is a prior action of Council and cannot be brought to Council floor.

President Brown: Thank you, Mayor. New Business. Mr. White.

NEW BUSINESS

T 34-2000 An ordinance authorizing the expenditure of funds for legal services to be provided by Arter & Hadden in connection with electric utility deregulation and municipal aggregation of power.

President Brown: That's a New Business.

T 35-2000 An ordinance authorizing the Mayor of the City of North 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 and installation of crack sealant to be used by the City of North Ridgeville, Ohio.

T 36-2000 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio to

advertise for bids and enter into a contract for a twelve-month period, according to law, and in a manner prescribed by law, to furnish and install full depth concrete pads to be used by the City of North Ridgeville, Ohio.

T 37-2000 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and enter into a contract, for a twelve-month period, according to law, and in a manner prescribed by law, to furnish and install pulva mixing to be used by the City of North Ridgeville, Ohio.

T 38-2000 An ordinance to amend Section 1044.02 of the Codified Ordinances of the City of North Ridgeville to revise charges payable for connection to the City's Sanitary Sewer System, and the terms upon which those charges may be paid, and to repeal Sections 1044.03, 1044.04, 1044.05 and 1044.07 of the Codified Ordinances of the City of North Ridgeville.

T 39-2000 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, 2000 and ending December 31, 2000.

 motion by Swindig for T 39-2000 to have First Reading tonight, 2nd by Butkowski

President Brown: Mrs. Butkowski seconded.

Council Clerk White: Okay.

President Brown: Any discussion regarding it? Vote please.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 for T 39-2000 to have First Reading tonight.

President Brown: Okay. Correspondence.

Council Member Gillock: Madam President.

President Brown: Yes sir.

Council Member Gillock: I have a couple of New Business items I'd like to bring up before the committee. First, I've had discussions with Building Department Administrator, Guy Fursdson. It's my understanding that some time ago, we deleted several building ordinances that we had passed and the Insurances Service Office came out with a new building code affecting the grading system and at that time we eliminated several building standards that we had on the books. I would like to refer this to Buildings and Lands to take a look at these again. I've seen some construction in the City that reportedly does meet code but, in my opinion, it is not as good as I think it should be and I'd like for us to take a look at those again. I believe that was Chapter 1422, called CABO, one and two family dwellings. Have Buildings and Lands meet with the Building Department to review those.

President Brown: With Mr. Fursdson?

REFER TO BUILDINGS & LANDS COMMITTEE AND THE BUILDING DEPARTMENT.

Council Member Gillock: Yes. The second item I'd like to refer to Finance Committee,

Ordinance 880.15 which involves our Tax and Income credit for those that work in other municipalities. This was introduced or passed in 1992. It's been eight years since we looked at it and we're getting more people in town all the time and many of them work outside of North Ridgeville. We grant a credit of 10%, so a lot of people are basically getting hit twice and I think we should take a look at that. I believe most cities do grant a higher credit than that and we need, with all the growth we've had, to take a look at those numbers and see if there isn't something we might be able to do.

President Brown: Okay, well that's Finance Committee.

REFER TO FINANCE COMMITTEE.

Council Member Swindig: Right, thank you.

President Brown: Mr. Swindig is Chairperson and Mr. Johnson is not here so I will have to do a formal letter to him regarding the Building Department and so forth.

Council Member Gillock: Thank you.

President Brown: It'll be taken care of. Okay. Now. Correspondence.

CORRESPONDENCE

1. A memo from Mayor Deanna Hill reminding everyone of the need to schedule use of the conference room prior to announcement of use with Robin Smith to avoid problems.
2. Letter from the Public Utilities Commission of Ohio, Allen R. Shrebner, Chairman, thanking Council for their letter and copy of Resolution 888-2000 supporting government aggregation.
3. Received a memo from the Office of the Clerk of Council announcing the following action taken at the February 8, 2000 Planning Commission meeting.

J. Allen Akin, 35205 Center Ridge Road, Owner; Akin and Akin Collision Center, Inc.; requests remodeling existing building and adding a new building requiring a 5 foot front setback variance, 10 foot front parking buffer, and buffer on rear property line in B-3, Permanent Parcel No. 07-00-021-119-038.

Application was approved as submitted and Mr. Akin agreed to install sidewalks and to work with City Engineer for his approval.

Lake Ridge Academy, 37501 Center Ridge Road, Owner; Clark and Post Architects, Inc. 6125 Broadway, Lorain, Applicant; request approval for construction of a new resource center and parking lot, in R-1 and B-5, Permanent Parcel No. 07-00-034-000-109.

Application was approved contingent upon satisfaction of the City Engineer and with the construction of sidewalks along Center Ridge Road

as required by the Planning Commission.

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

President Brown: Does anyone else on Council have any correspondence they want to make known to us? Seeing none, we'll have Lobby.

LOBBY

President Brown: If you want to speak to Council, I will give you two minutes to speak. Anyone? Well, okay, then we'll go into the First Readings.

RECESS None.

Council Clerk White: You're skipping recess?

President Brown: Yes, I'm skipping recess.

Council Clerk White: Thank you Madam Chairman.

President Brown: You're welcome.

FIRST READINGS

T 39-2000 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY
3545-2000 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY
 OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING
 JANUARY 1, 2000 AND ENDING DECEMBER 31, 2000.

First Reading

motion by Swindig to suspend Second and Third Readings, 2nd by Mrs.
Butkowski.

President Brown: Seconded by Mrs. Butkowski. Is there any discussions? Roll please. This is on the suspension.

Council Clerk White: Yes, of Second and Third Readings, right?

President Brown: Yes.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 to suspend Second and Third Readings
motion by Swindig to adopt, 2nd by Mrs. Borocz

President Brown: Seconded by Mrs. Borocz. Discussion?

Council Clerk White: Did you indicate Emergency?

motion by Swindig to add the Emergency, 2nd by Borocz

President Brown: Thank you Mr. White. Discussion? Roll please.

Council Member Swindig: And the point of the Emergency is that we have to have it in place by April 1.

Council Clerk White: Right. Okay the vote on the Emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0. Motion for the adoption. Roll call.

President Brown: Yes. Roll call.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 and becomes Ordinance 3545-2000 with Emergency.
Permanent Ordinance No. 3545-2000

Council Clerk White: Second Readings?

President Brown: Yes.

SECOND READINGS

T 30-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
3546-2000 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE WALLACE BOULEVARD
WATER LINE REPLACEMENT, AND TO ENTER INTO A CONTRACT
WITH A CONSULTING ENGINEERING FIRM FOR PLANS,
SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME
IN THE AMOUNT OF APPROXIMATELY \$350,000.00.

Second Reading

motion by Swindig to suspend Third Reading, 2nd by Borocz

President Brown: Did you get that?

Council Clerk White: Yes.

President Brown: Any discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 to suspend Third Reading.

Council Member Butkowski: Move to add the emergency

Council Clerk White: We need to adopt first. Would you still Mrs. Butkowski?

President Brown: Do you want to adopt?

Council Member Butkowski: Yes, and then put the emergency on.

Council Clerk White: Okay.

President Brown: Mr. Swindig will adopt too, second

Council Clerk White: Okay

President Brown: Any discussion?

Council Clerk White: Wait. Now the emergency.

President Brown: Oh.

Council Member Gillock: What's the emergency for?

Council Clerk White: I don't know. He asked earlier.

President Brown: He asked us to have the emergency and get it passed

Council Clerk White: The Engineer asked, if you remember, or he can repeat.

President Brown: For the water line.

Council Member Gillock: I know you said you wanted an emergency but we have to have a reason why.

Engineer Lovece: That's about our worst water main. We've had numerous breaks in the last couple of years and we'd like to get a head start on the replacement. First things first, I have to get the engineering. Secondly, we'd like to pave the road. So we'd like to get a water main in first, let the ground settle and get it paved this season, this year, this construction season late spring.

President Brown: Okay.

 motion by Butkowski to adopt, 2nd by Swindig

Council Clerk White: Now, who wishes to make a motion for the emergency or do you?

 motion by Butkowski to add the emergency, 2nd by Swindig

Council Clerk White: Okay. Sorry about that.

President Brown: That's okay, take a vote.

Council Clerk White: Is there any discussion?

President Brown: Oh well, we had our discussion already didn't we?

Council Clerk White: Okay. The roll call on the emergency.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 for the emergency. Now for the adoption.

 Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 and becomes Ordinance 3546-2000 with Emergency.
Permanent Ordinance No. 3546-2000.

T 31-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
 SUBDIVIDER/DEVELOPER AGREEMENT WITH HIGHLAND
 DEVELOPMENT CO. AND ACCEPTING FOR RECORDING PURPOSES
 ONLY THE PLAT OF THE DEERFIELD SUBDIVISION PHASE IV AND
 ACCEPTING THE STREET FOR PUBLIC PURPOSES.
 Second Reading

T 32-2000 AN ORDINANCE ESTABLISHING MINIMUM STANDARDS TO ENSURE
 THAT PUBLIC FACILITIES AND SERVICES NEEDED TO SUPPORT A
 DEVELOPMENT ARE AVAILABLE CONCURRENTLY WITH THE
 IMPACTS OF SUCH DEVELOPMENT.

Council Member Gillock: Point of Order. Didn't we already?

President Brown: We are going to send this back to Committee.

REFER BACK TO BUILDINGS & LANDS COMMITTEE.

(End of Tape)

THIRD READINGS

T 22-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3547-2000 RIDGEVILLE, OHIO TO PURCHASE A KOBELCO 135SR TRACK
 EXCAVATOR 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, FOR

APPROXIMATELY \$55,000.00 PLUS THE TRADE-IN OF A 7-YEAR OLD
TRACK EXCAVATOR.

motion by Swindig to accept, (adopt) 2nd Borocz

President Brown: Seconded by Mrs. Borocz. Any discussion?

motion by Swindig to add the Emergency because we lost our lend-lease vehicle
from the dealer, 2nd by Butkowski

President Brown: This is the Third Reading though.

Council Clerk White: That's okay.

Council Member Butkowski: I'll second the Emergency.

Council Clerk White: Okay.

President Brown: Now, discussion? Vote please.

Council Clerk White: Vote on the Emergency?

President Brown: On the Emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 on the Emergency. Now for the adoption

Yes, 6 No, 0

Council Clerk White: Motion carries 6-0 and becomes Ordinance 3547-2000 with Emergency.
Permanent Ordinance No. 3547-2000

That's all the Third Readings that I have.

President Brown: Unfinished Business?

UNFINISHED BUSINESS

Council Clerk White: There shouldn't be any.

President Brown: No there shouldn't be any. How about Committee announcements?

COMMITTEE MEETING ANNOUNCEMENTS

Council Member Butkowski: Madam Chairman.

President Brown: Yes, Mrs. Butkowski.

Council Member Butkowski: The Administrative Committee is meeting Wednesday, March 22 at
11:00 A.M. in the Conference Room.

Council Clerk White: What time was that?

Council Member Butkowski: At 11:00 A.M.

Council Clerk White: Thank you.

President Brown: March 22nd?

Council Clerk White: Yes.

Council Member Butkowski: Yes

Council Member Swindig: Madam Chairman.

President Brown: Yes.

Council Member Swindig: Immediately following the Administrative, I have one issue on

Finance that I want to handle on a water and a sewer line, that we will handle following the Administrative meeting.

President Brown: And what committee is that?

Council Member Swindig: Finance

President Brown: Finance.

Council Member Swindig: That would be Wednesday, following Utilities.

Council Member Butkowski: Following Administrative

Council Member Swindig: Following Administrative. We'll get it right.

President Brown: Right

Council Clerk White: We're working on it.

President Brown: I will try and get in touch with Mr. Johnson when he gets home and tell him about what we had forwarded back to the Committee.

Council Clerk White: The next regular Council Meeting will be April 3, 2000 at 7:30.

ADJOURNMENT

President Brown: Is there a motion to adjourn?

 motion by Swindig to adjourn, 2nd by Gillock

President Brown: Wait. Mr. Costin. You wanted us to read that. Would you like us to, do you want to read it?

Auditor Costin: No. Just, if you'd wish, what I wanted to comment to you, I missed Other Business, I apologize. With regard to Councilman Gillock's request to the Finance Committee to review the tax credit of the City of North Ridgeville. I would like to make Council aware that there's a bill in the Ohio Legislature at this time that is being studied with regard to how cities can tax its residents and non-residents. And accordingly, based on what happens with that, that may set or determine how we're going to have to react as a City. So I would like to just indicate that we may be well to study that but also not rush into changing our legislation, if appropriate, until we know the outcome of the Ohio Legislature. That may be some time in the not too distant future.

Council Member Gillock: Any changes we might make wouldn't take effect till the end of the year anyway.

Auditor Costin: Well the tax credit change could take effect, it would be prospectively but it could take effect at the pleasure of Council.

Council Member Gillock: But that's a good point. I don't have a problem with that.

Council Member Swindig: Can we move to adjourn?

President Brown: Yes.

Council Clerk White: We got a move, we got a second, we got a third, we got a fourth.

 Yes, 6 No, 0

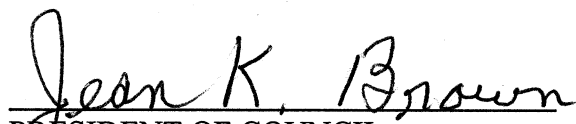
Council Clerk White: motion carries 6-0 to adjourn at 8:36

NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 20, 2000

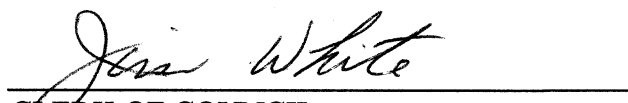
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MOTION Butkowski 2ND Swindig DATE April 3, 2000

YES 6 NO 0 ABSTAIN 1 (Johnson)



PRESIDENT OF COUNCIL



CLERK OF COUNCIL