

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 17, 2003**

CALL TO ORDER: 8:00 P.M.

President of Council David Gillock: I would like to call this meeting of the North Ridgeville Municipal Council regular session to order. Would you please stand for the Invocation and Pledge of Allegiance.

INVOCATION: lead by Council President Gillock.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Bernadine Butkowski, Denny Johnson and President of Council David Gillock.

Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Chuck Norris.

motion by Butkowski to suspend By-Laws to allow the Auditor to start the appropriations tape, 2nd by Johnson

President Gillock: Is there any discussion? This is a tape that we're required to play when we do appropriations. It has to be played through at a Council meeting. No other discussion? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved seven, zero.

President Gillock: Mr. Costin, would you please begin the tape.

MINUTES - Corrections and Approval:

President Gillock:

Public Hearing Minutes of March 3, 2003

motion to approve by Butkowski, 2nd by Johnson

President Gillock: Is there any discussion on the March 3 Public Hearing minutes? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved by a vote of seven to zero.

Regular Council Minutes of March 3, 2003

motion to approve by Butkowski, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Minutes are approved by a vote of seven to zero.

Special Council Minutes of March 6, 2003

motion to approve by Butkowski, 2nd by Olesen

President Gillock: Are there any corrections or additions? If not, please call the roll.

Yes, 1 No, 0 Abstain, 1 (Buescher)

COMMITTEE REPORTS:

1) FINANCE COMMITTEE REPORT #7233 Members of Council: We have considered the matter of following fiscal policies for 2003 as reflected in the 2003 permanent appropriations:

1. Eliminate capital projects spending for 2003 except already scheduled "debt service payments" and absolute necessary replacements or improvements;
2. Limit overtime to only "absolute required" overtime and monitor diligently;
3. Freeze non-contractual wage increases and eliminate new hires other than needed replacement hires.

And recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Bernadine Butkowski, Members Allen C. Swindig and Dennis L. Johnson and Nancy J. Buescher.

motion to approve by Butkowski, 2nd by Johnson

President Gillock: Is there any discussion on Finance Committee Report 7223? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

2) BUILDINGS & LANDS COMMITTEE REPORT #7234 Members of Council: We have considered the matter of the application for placement of farmland in an Agricultural District by Joseph J. Simmons for 14.83 acres on Island Road and recommend that this request be approved with modifications and the attached legislation be adopted by April 7, 2003 in accordance with the procedures set forth in the Ohio Revised Code.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: 07234 is approved by a vote of seven, zero.

3) BUILDINGS & LANDS COMMITTEE REPORT #7235 Members of Council: We have considered the matter of T 127-2002 and recommend that Section 1282.11(b)3 be repealed in its entirety. Minimum house sizes are contained in Section 1424.03 and recommend that this request be approved and legislation be revised.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero

4) **BUILDINGS & LANDS COMMITTEE REPORT #7236** Members of Council: We have considered the matter of Dumpsters and Trash Collection Areas. The following requirements shall apply to all dumpsters and trash collection areas:

- i. Dumpsters and trash collection areas shall be set back in compliance with buffer requirements for the district.
- ii. Dumpsters and trash collection areas in residential districts shall be set back a minimum of ten (10) feet from the property lines.
- iii. All dumpsters and trash collection areas shall be totally enclosed and screened from view as approved by Planning Commission.
- iv. Existing dumpsters and/or trash collection areas prior to the enactment of this ordinance, but which would fall within the parameters of this ordinance, shall have one year from receipt of notice of the requirements of this ordinance to comply with the requirements herein.

And recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion? I have a question. There's no requirement in here as far as set back or any other requirements in regard to business or industrial sites. The first one says in compliance with buffer requirements but, you only have buffer requirements when you have different zoning districts. If you had a commercial district with commercial on both sides, there's no requirement listed here in regards to where the dumpster should be. Is it the intent of the committee that they be set back ten feet or more in all cases or is this something we need to amend before adopting?

Council Member Pagel: Mr. Chairman, we discussed this, pretty much, in detail and that statement was, with our clarification, that for district, for the type of zoning district that it was, it would go according to the buffering requirements and that was Guy Fursdon suggestion at that time and he felt that was very clear.

President Gillock: Not all districts have buffering requirements. If you have a commercial district with a commercial district on both sides, there are no buffer requirements. We can still have the ordinance approved but, we need to clarify that before we adopt it. Maybe we can bring it up with Guy or with the Planning Commission at the next meeting.

Council Member Johnson: Mr. Chairman, on that same issue, number three, all dumpsters and trash collection areas shall be totally enclosed and screened from view as approved by the Planning Commission. I'm looking at industrial, in an industrial area where the dumpster is behind the building or between the building at railroad tracks. It's not really necessary to screen

them. Are we going to force them or are we giving the Planning Commission the authority to exempt that, call that screening with the building?

President Gillock: Mr. Olesen, could you run these by Mr. Fursdon?

Council Member Olesen: Sure. I think our emphasis on the whole ordinance was that we're talking about residential property abutting apartments and things like that.

Council Member Johnson: Mr. Chairman, I understand and support the principal behind it. I just don't want it to be too restrictive for industrial people when it doesn't have to be.

President Gillock: Thank you. Any other discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

5) BUILDINGS & LANDS COMMITTEE REPORT #7237 Members of Council: We have considered the matter of repealing Section 1282.14(g) as this section is covered under the Conditional Use provisions and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

6) BUILDINGS AND LANDS COMMITTEE REPORT #7238 Members of Council: We have considered the matter of T 18-2003, an ordinance amending North Ridgeville Codified Ordinance Section 1242.03, Building Permits and Certificates of Occupancy Required; Certificates for Nonconforming Uses; Issuance of Street Numbers for Structures; Time Limitation for Commencement of Work and recommend that this request be approved.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

7) BUILDINGS & LANDS COMMITTEE REPORT #7239 Members of Council: We have considered the matter of T 19-2003 and recommend striking the words in Section 1 (b) and replacing with "The prevailing fee shall be charged for additional copies" and recommend that this request be approved.

Signed: Chairperson Robert W. Olesen and Member Josanne K. Pagel.

motion to approve by Olesen, 2nd by Johnson

President Gillock: Is there any discussion? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

8) SAFETY COMMITTEE #7240 Members of Council: We have considered the matter of T 15-2003, an ordinance amending Chapter 854, Peddlers, Canvassers and Solicitors
Signed: Chairperson Josanne K. Pagel and Members Allen C. Swindig and Robert W. Olesen.

 motion to approve by Pagel, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

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

 motion by Butkowski to suspend By-Laws to make an oral report tonight for the issuance of bond anticipation notes, 2nd by Buescher

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

9) FINANCE COMMITTEE ORAL REPORT Is for the issuance of approximately five million nine hundred fifty-five thousand dollars of BAN, bond anticipation notes, for the repayment of outstanding BAN's due May 8, 2003 related to the Westerly Sanitary Sewer Improvement Project.

 motion by Swindig, 2nd by Butkowski to approve

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

Clerk of Council Norris: Oral report is approved by a vote of seven, zero.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Gillock: We have no written reports from the administration this evening or the Law Director. Auditor's report, Mr. Costin.

AUDITOR'S REPORT:

Auditor's Written Financial Report for February 2003

 motion by Swindig, 2nd by Butkowski to approve the written financial report

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by Council by a vote of seven, zero.

Auditor Costin: Mr. Chairman, I would request that T 26, T 27 and T 28, which are all scheduled for their first reading tonight, be passed tonight. T 26 is the permanent appropriation ordinance for 2003 and I would request that T 26 be passed with the emergency. T 27 is our transfer ordinance and T 28 deals with the change in the income tax split for 2003 which revenue transfers reflected in T 26. I would request those three be passed tonight and at their schedule first reading, I will be glad to answer any questions and I do have some comments at that time.
President Gillock: Only T 26 needs the emergency?

Auditor Costin: Correct.

President Gillock: All right and just a quick clarification on T 28, Mr. Costin referred to the income tax. What we're speaking about is how we allocate those funds. We're not changing the income tax structure, the rates or anything like that, just the allocation. Any other comments?

Auditor Costin: That concludes my oral comments.

OTHER REPORTS:

President Gillock: Please note:

Service Department Activity Report for February 10 through February 24, 2003 and
Report for February 24 through March 9, 2003;

North Ridgeville Visitors Bureau 2002 Annual Report;

Mayor's Court Operating Trust Fund/Bail Trust Fund for February 2003;

Fire Department Report for February 2003;

Police Department Activity Report for February 2003;

Building Department Report for February 2003; and

Water System Monthly Operation Report for February 2003.

Clerk of Council Norris:

Planning Commission Liaison Report: Meeting of March 11, 2003

APPLICANT: Lynn Harland; Whitlatch & Co., P.O. Box 363, Twinsburg, Ohio 44087

OWNER: Whitlatch & Co., P. O. Box 363, Twinsburg, Ohio 44087

REQUEST: Final Plan approval of 36 unit Fairfield Lane condominium development

LOCATION: Block E2 within Phase 1 of Waterbury PCD,
Permanent Parcel No. 07-00-036-000-190

PC ACTION: Approved

 motion to approve by Olesen, 2nd by Swindig

President Gillock: Is there any discussion?

Council Member Olesen: Mr. President, they have met all requirements that the City has asked of them including, and this isn't a requirement, they are going to mound the area to shield the neighbor. I think they've gone out of their way in this respect and I would like to see this pass. The only thing we're waiting for, right now, is the engineering approval. They can't move ahead until the Engineer approves it.

President Gillock: Anyone else? Mrs. Butkowski?

Council Member Butkowski: As we discussed in the Work Session, I have a problem that the engineering report is missing and that there are still some questions that haven't been answered on that and I think we should hold up on our approval until those questions are answered.

President Gillock: Anyone else?

Council Member Pagel: I'd like to know if the Engineer has any comments tonight on this and possibly, your time frame for your approval for this plan.

President Gillock: Mr. Griffith, would you like to respond?

Engineer Griffith: I have no comments at this time. It's still under review.

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President Gillock: Thank you. Anyone else? If not, please call the roll.

Yes, 3 No, 4 (Buescher, Pagel, Butkowski, Johnson)

Clerk of Council Norris: The report is not approved by a vote of three four.

APPLICANT: Joe Molnar, Ridgefield Homes, Inc., 8501 Woodbridge Court
OWNER: Ridgefield Homes, Inc., 8501 Woodbridge Court
REQUEST: Final approval of Ridgefield Subdivision 8A (17 single family lots) and 8B
 (21 cluster lots), in R-1
LOCATION: Ridgefield Subdivision, south of Lorain Road and west of Bagley Road;
 Part of Permanent Parcel No. 07-00-001-000-158
PC ACTION: Approved

 motion to approve by Johnson, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

OLD BUSINESS:

NEW BUSINESS:

Clerk of Council Norris:

T 3-2003 AN ORDINANCE AMENDING CHAPTER 406 OF THE CODIFIED
 ORDINANCES TO AUTHORIZE A TRAFFIC LIGHT AT THE
 INTERSECTION OF DYKE ROAD AND CENTER RIDGE ROAD.

President Gillock: REFERRED TO SAFETY COMMITTEE.

T 29-2003 AN ORDINANCE AMENDING ORDINANCE NOS. 3721-2001, 3592-2000,
 AND 3497-1999 BY INCREASING THE AMOUNT OF THE FRENCH CREEK
 WASTEWATER TREATMENT PLANT EXPANSION FROM \$6,096,000.00
 TO \$6,771,000.00.

President Gillock: REFERRED TO FINANCE COMMITTEE.

T 30-2003 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO
 DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE
 COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES
 PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT
 PROGRAM (CHIP) GRANT.

 motion by Mayor Hill to suspend By-Laws for a first reading, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

Mayor Hill: Mr. President, at this time I'd like By-Laws suspended so that we may add the ODOT, 480 provision.

 motion by Mayor Hill, 2nd by Swindig to suspend By-Laws to introduce the ODOT legislation

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

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

President Gillock: Would the Clerk please read the introduction and section one.

 THE FOLLOWING ORDINANCE/RESOLUTION ENACTED BY THE CITY OF NORTH RIDGEVILLE OF LORAIN COUNTY, OHIO HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT.

 SECTION 1 - PROJECT DESCRIPTION

 WHEREAS, THE LPA/STATE HAS IDENTIFIED THE NEED FOR THE DESCRIBED PROJECT:

 THE PURPOSE OF THE PROJECT IS TO PERFORM PREVENTIVE MAINTENANCE ON VARIOUS ROUTES AND SECTIONS THROUGHOUT DISTRICT THREE. THE TREATMENT SHALL CONSIST OF SEALING THE ASPHALT SURFACE WITH MICROSURFACING. INCLUDED IN THE PROJECT, IS INTERSTATE ROUTE 480, IN THE CITY OF NORTH RIDGEVILLE.

 NOW THEREFORE, BE IT ORDAINED BY THE CITY OF NORTH RIDGEVILLE OF LORAIN COUNTY, OHIO.

President Gillock: This is at no cost to the City. Mr. Swindig?

Council Member Swindig: Can we have that assigned a T number, please?

President Gillock: First, we need to suspend By-Laws to have it introduced with the emergency clause attached.

 motion by Swindig, 2nd by Olesen that the ordinance be introduced including the emergency clause

President Gillock: Is there any discussion? If not, please call the roll.

 Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

President Gillock: Will you now assign a T number?

Clerk of Council Norris: I will be happy to. The T number is T 31-2003.

President Gillock: Ordinance. Now, we need a motion to suspend By-Laws to give this a first reading this evening.

 motion by Swindig, 2nd by Butkowski to give this a first reading.

President Gillock: Is there any discussion? Mr. Johnson?

Council Member Johnson: Just curious, I've been through this before. Where exactly does 480 end and Route 10 begin and the Turnpike ramp begin? Is there a line there somewhere?

Mayor Hill: There's not a particular line but, where it's divided off and you have to get off to get back on, I think, that's supposed to be the dividing line.

President Gillock: Any other questions? Please call the roll.

Yes, 7 No, 0

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

Council Member Pagel: Mr. Chairman, I'd like to make a motion to suspend By-Laws to consider the resolution for the approval of the application made by Joseph J. Simmons. It was in our Buildings and Lands report tonight.

President Gillock: We can't take a new ordinance the same evening as the committee report.

Council Member Swindig: That's why we are suspending By-Laws.

President Gillock: You want to suspend By-Laws and do them both tonight?

motion by Pagel to suspend By-Laws to allow the Simmons application to be heard, 2nd
by Butkowski

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion's approved by a vote of seven to zero. T number will be T 32-2003.

CORRESPONDENCE:

Clerk of Council Norris:

Received from The Supreme Court of Ohio, Case No. 03-85 In Mandamus Entry in regard to State of Ohio, City of North Ridgeville, ex. rel Committee for the Referendum of Ordinance 3844-02, John Prajzner, Chairman, et al., Relators, versus Chuck Norris, City of North Ridgeville City Council, et al., Respondents.

Council Member Pagel: Mr. Chairman, what I wanted to ask previous to correspondence was, according to the Buildings and Lands Report this resolution has to be approved and adopted by April 7. I was going to respectfully ask for a motion to suspend By-Laws to have this have a first reading tonight.

motion by Pagel, 2nd by Swindig to give T 32-2003 a first reading this evening

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

LOBBY:

President Gillock: We now come to the lobby portion of our meeting. Anyone is allowed and welcomed to speak to Council. You'll be given three minutes. We ask that you use the Lobby Sign-In Sheets in the back when signing in, in case we have to get back to you with a response, we have your name and address. Please give us your name and address when you come to the podium.

1) Andy Young of 35290 Elder Street spoke on behalf of Dan and Kelley and their children Michelle, Matthew and Masey Feieraband who reside at 35288 Oxford Court and their neighborhood. Spoke in regard to a March 15, 2003 unprovoked attack of the Feieraband's family dog by a neighborhood pit bull running free. Noted that digital photographs of the dog's injuries were emailed to Council Members and Officials. Thanked the administration and Police Chief Thomas for their hard work. Addressed concerns about Ordinance 618.01 and asked that its mechanism of enforcement be strengthened.

President Gillock: Mr. Young, your three minutes are up.

Mr. Young requested two additional minutes to finish his statements.

motion by Pagel to suspend By-Laws to allow Mr. Young additional time, 2nd by Butkowski

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

Mr. Young further explained the request that Council amend 618.01 and 618.105 to expand definitions of both dangerous dogs and viscous dogs; fines increased from a measly amount to a steeper level; increase the 50 thousand dollar liability insurance minimum to something more substantial; viscous dog penalty to give the court the discretion to have the viscous dog humanely destroyed in the event of an attack similar to this one; under 618.01 the definition of dangerous animal to include viscous dog; mandatory registration of pit bulls in the City and a mechanism that allows the Police Chief to hold the pit bill in City custody until the investigation has been completed. Noted that the bit bull is no longer in City custody. Explained that they want assurances that City Council and the Administration are going to do everything possible.

President Gillock: Thank you. For those that weren't in the work session, I've already REFERRED THIS TO THE SAFETY COMMITTEE to address these same issues. At the public meeting, you are welcome to attend and make comments at that time. We will be taking a look at this issue. Mayor Hill?

Mayor Hill: Yes, I'd like the Police Chief or his representative as well as a representative of the Law Department to be notified and I will ask them to attend any Safety Committee meeting because they are the ones that have to enforce and prosecute. Secondly, actually, it's a matter a policy and not ordinance that, what is done with the dogs. The Chief has already issued an order that in the future dogs involved in cases of this type are to be kept at our local kennel where we exercise complete authority over their release and as was stated during the work session, Chief Thomas was greatly distressed by the actions of the pounds in releasing the dog and having it taken just across the county line. So, it is a policy issue that we're talking about, keeping it in the kennel and he has already issued that policy.

Council Member Pagel: Mr. Chairman, as Chair of the Safety Committee and responsible dog owner, I sympathized with everyone who has come here tonight and I appreciate you all coming

here tonight and we will expedite this. We will meet as soon as possible and we will work with the Police Chief and the Prosecutor's office to make sure we have the ideal ordinance in place.
President Gillock: Anyone else wish to address Council?

2) Joe Antush of 38500 Otten Road spoke in regard to the Public Hearing on the changes to Meadow Lakes Development Phase II. Spoke about the change of Otten Road going to Avalon. Noted that previously the straight through road was one that met with Race Road and was to help the already congested traffic. It will be worse when these developments are finished. Stated that he asked the reason for the change and was not given an answer. He was told that the PCD zoning gives Council control over the development. Stated that he does not see any green or open space.

3) Gene Kleinholz of 7324 Dyke Avenue spoke about a petition for sewers on Dyke Road. Noted one dilemma and that is the largest single owner of property is the City. Stated that he would like a resolution of support from Council on the 10 lots.

President Gillock: Anyone else? If not, we will take a recess until five till.

RECESS: from 8:45 P.M. to 8:55 P.M.

FIRST READINGS:

Clerk of Council Norris:

T 26-2003 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY
3883-2003 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY
 OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING
 JANUARY 1, 2003 AND ENDING DECEMBER 31, 2003.

First Reading in its' entirety.

motion by Swindig, 2nd Butkowski to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to dispense with second and third readings carries by a vote of seven to zero.

motion by Swindig, 2nd by Johnson to adopt

President Gillock: Is there any discussion?

motion by Swindig to add the emergency, 2nd by Butkowski due to the March 31,
this budget taking over and the temporary running out

President Gillock: Is there any discussion on adding the emergency? If not, please call the roll.

Yes, 7 No, 0

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

President Gillock: Is there any further discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero and becomes Ordinance 3883-2003 with the emergency.

Permanent Ordinance No. 3883-2003

T 27-2003 AN ORDINANCE TRANSFERRING VARIOUS FUNDS OF THE CITY OF
3884-2003 NORTH RIDGEVILLE, OHIO REPRESENTING REIMBURSEMENT OF
ADMINISTRATIVE EXPENSES OR OPERATING TRANSFERS.

First Reading

motion by Swindig, 2nd by Johnson to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is adopted by a vote of seven to zero and becomes permanent ordinance 3884-2003.

Permanent Ordinance No. 3884-2003

T 28-2003 AN ORDINANCE AMENDING SECTION 14(c) OF ORDINANCE NUMBER
3885-2003 2698-92 OF THE CITY OF NORTH RIDGEVILLE, OHIO, RELATING TO
THE ALLOCATION OF INCOME TAX FUNDS.

First Reading

motion by Swindig, 2nd by Butkowski to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion? I just might point out that this has to do with the allocation of our income tax funds. Normally we put 85 percent of that into the general fund and 15 percent into capital expenditures. Because of the economy and trying to keep our City physically sound, for this year, this year only, we are changing that split to 95, five which allows us to put more money into the general fund but, obviously we're going to have less for capital expenditures. Is there any other discussion? If not, please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Norris: T 28 is adopted by a vote of seven, zero and becomes permanent ordinance 3885-2003.

Permanent Ordinance No. 3885-2003

T 30-2003 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO
970-2003 DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE

**COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES
PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT
PROGRAM (CHIP) GRANT.**

First Reading

motion by Mayor Hill, 2nd by Swindig to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

motion to adopt by Swindig, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.

motion by Swindig to add the emergency due to the application deadline of April
the ninth, 2nd by Olesen

President Gillock: Is there any discussion on the emergency? If not, please call the roll.

Yes, 7 No, 0

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

President Gillock: Is there any further discussion on the adoption? I just point out that this is
funding to the City which allows us to use funds to benefit low and moderate income persons
meeting housing and community development needs. We've had this for the last couple years.
This worked very well and we'd like to keep that going. It's an excellent program.

Mayor Hill: Yes, Mr. President. It really is not just low and moderate income. It can be used for
senior projects that affect seniors. It also can be used for those with disabilities.

President Gillock: Thank you. Is there any other discussion? If not, please call roll on the
adoption.

Yes, 7 No, 0

Clerk of Council Norris: T 30 is adopted with the emergency by a vote of seven to zero. It
becomes permanent resolution 970-2003 with the emergency.

Permanent Resolution No. 970-2003

T 31-2003 AN ORDINANCE AUTHORIZING THE OHIO DEPARTMENT OF
3886-2003 TRANSPORTATION TO PAVE I 480 AS DESCRIBED AT NO COST TO THE
CITY OF NORTH RIDGEVILLE, OHIO.

First Reading

motion by Swindig, 2nd by Olesen to dispense with second and third readings

President Gillock: Is there any discussion? Mr. Swindig?

Council Member Swindig: This is a boiler plate ordinance that I have seen since I've been on
Council when the State comes in and wants to pave a road. There's no sense in putting it into
committee so, we just pass it with the emergency and let them pave our road.

President Gillock: At no cost to us.

Council Member Swindig: At no cost to us.

President Gillock: Is there any further discussion on the suspension? If not, please call the roll.

Yes, 7 No, 0

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

motion by Swindig, 2nd by Olesen to adopt

President Gillock: Is there any discussion?

Council Member Swindig: Yes, to add the emergency.

President Gillock: The emergency is already included. Any other discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero and becomes permanent ordinance 3886-2003 with the emergency.

Permanent Ordinance No. 3886-2003

T 32-2003 A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION
971-2003 MADE BY JOSEPH J. SIMMONS TO HAVE CERTAIN LAND OWNED BY
HIM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL
DISTRICT.

First Reading

motion by Pagel, 2nd by Butkowski to dispense with second and third readings

President Gillock: Is there any discussion? Mayor Hill?

Mayor Hill: Does there have to be a public hearing which is scheduled for March 17 prior to passage.

Council Member Swindig: That's today.

President Gillock: We had the hearing earlier.

Mayor Hill: Oh, that's right. Today is the seventeenth. Never mind.

President Gillock: What is the date of the next Council meeting?

Council Member Pagel: April 7, sir.

President Gillock: I'm reluctant to adopt it without it being in resolution form.

Council Member Swindig: It was attached to your committee report.

President Gillock: Oh, okay, fine. I'm happy then. Any further discussion on dispensing second and third. If not, please call the roll.

Yes, 7 No, 0

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

motion by Swindig, 2nd by Butkowski to adopt

motion by Swindig to add the emergency due to the April 7 deadline that it has to be into the County, 2nd by Butkowski

President Gillock: Is there any discussion on the emergency? If not, please call the roll.

Yes, 7 No, 0

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

President Gillock: Is there any further discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt T 32 is approved by a vote of seven to zero and becomes permanent resolution 971-2003.

Permanent Resolution No. 971-2003

SECOND READINGS:

T 21-2003 AN ORDINANCE ACCEPTING THE FINAL PLAT OF SANDLEWOOD
ACRES SUBDIVISION NO. 5 FOR APPROVAL AND FOR RECORDING
PURPOSES.

Second Reading

T 22-2003 AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONE CREEK
ESTATES SUBDIVISION NO. 1 AND VILLAS AT STONE CREEK
SUBDIVISION NO. 1 FOR APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

THIRD READINGS:

T 4-2003 AN ORDINANCE AUTHORIZING THE SIMULTANEOUS SALE OF
3887-2003 OBSOLETE TRAFFIC CONTROLLERS WITH THE RECEIPT OF SAME
AND APPLYING THE SELLING PRICE TO THE PURCHASE.

Third Reading

motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 4 is approved by a vote of seven, zero and becomes permanent ordinance 3887-2003.

Permanent Ordinance No. 3887-2003

UNFINISHED BUSINESS:

President Gillock: Is there any unfinished business? Mr. Costin?

Auditor Costin: I would just like to take a minute for a couple of comments related to finances.

For the record, first of all, Finance Committee Report 7233 was passed earlier this evening

Doesn't require further legislation. The formality of passing it is policy which is sufficient. I

need to draw Council's attention to the cover sheet that went out with the work sheet that we

passed in regard to appropriations. What's significant to be aware of is the fact that for 2003, as

indicated in paragraph three, what we did was, amounts to a temporary fix. We resolved finances

for 2003 by the action that Council took without requiring any layoffs. However, and I bring this

up now because we're already nearing a third of the way through the year, the City's facing a

potential 1.1 million dollar deficit for 2004 just to maintain status quo and accordingly it's going

to be necessary as was brought out in my paragraph four in your letter, that the City Council

search for new revenue sources for 2004. Now, I have grave concern for 2003, this will become

critical in 2004 if we don't take action so, part of my concern is the fact that, although we've

passed appropriations, historically two weeks after the appropriations we come up with new

expenditures, new things that perhaps you want to consider we've overlooked. We're not going

to have that luxury in 2003. We're going to have to tighten the belts and we're going to have to live by the appropriations that we passed. Mr. Gillock, as you indicated, we've actually, whatever resources we had in capital projects and had them moved over to the general fund so we can survive 2003. But, I think it will be necessary for Finance Committee, and there are resolutions to these problems, but we have to address them and I think it's going to be necessary for the Finance Committee and all of Council address these problems now for the fiscal year 2004 and that concludes my comments. Thank you.

President Gillock: Thank you. Anyone else have any comments or questions in regards? Mr. Johnson?

Safety-Service Director Johnson: I would just like to thank Council for last year in the early spring of passing by emergency a new snow plow truck. Mr. Krueger's here and just informed me that about a week and a half ago it came in. We'll be able to use it this year.

President Gillock: Any other comments to be brought up.

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Safety Committee will meet April 4, 2003 at 9:00 A.M. to consider an ordinance on viscous dogs.

Next Council Work Session Monday, April 7, 2003 at 7:30 P.M.

Next Regular Council Meeting Monday, April 7, 2003 at 8:00 P.M.

ADJOURNMENT:

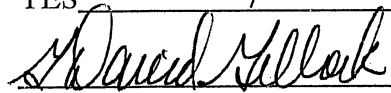
motion to adjourn by Swindig

President Gillock: Meeting adjourned.

Meeting adjourned at 9:15 P.M.

MOTION Butkowski 2ND Olesen DATE April 7, 2003

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL