

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 15, 2004**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: We'd like to call to order, the Monday, March 15, 2004 regular meeting of the North Ridgeville City Council. Please rise for our Invocation and our Pledge of Allegiance.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Allen Swindig, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President of Council Ronald Arndt.

Absent was Council Member Nancy Buescher.

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

Absent was Mayor David Gillock.

MINUTES - Corrections (if any) and Approval:

Council Minutes of regular meeting March 1, 2004

President Arndt: Are there any corrections or modifications? I'll entertain a motion.
 moved by Jaenke, seconded by Olesen to approve

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

Yes, 6 No, 0

Clerk of Council Norris: Please note:

Visitors Bureau Minutes of February 23, 2004

Planning Commission Minutes of regular meeting March 9, 2004

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Directors reports and the Chair has the opportunity to invite the Mayor and the Directors the opportunity to provide Council with an oral report and, under normal circumstances, we'd like to begin with the Mayor, however, unfortunately the Mayor is ill tonight and will not be present. We will then move to our Safety-Service Director, Mr. Johnson, and do you and a report for us tonight?

Safety-Service Director

Safety-Service Director Johnson: Thank you, Mr. President. As you mentioned, the Mayor is under the weather today. I talked to him about an hour ago. He feels better tonight than he did last night so, I'd expect him back very soon. Please note a change in the monthly Police Activity Reports starting with the month of February. I think Council got them recently. Per a request from Council Member Swindig, these reports now include fleet mileage information for all Police vehicles.

I'd like to commend the Police and Fire Departments for their swift and professional response to the unfortunate incident on Stoney Ridge Road.

I'd like Council to know that we avoided a sanitary sewer back up during the recent power outage because of innovated and quick action by our Service Department employees. We really do have good employees working for the City. I find out daily that people step forward and do the right thing.

I would like to thank the City of Westlake for the loan of their sewer vac. It's that sewer vac that helped us avoid the sewer back up during the power outage. Our sewer vac is still in for repairs, but it should be completed very soon. That completes my report.

President Arndt: Thank you, Mr. Johnson. We now move to the Engineering Department and Mr. Griffith, is there any report from your department.

Engineer

Engineer Griffith: No report.

Auditor

President Arndt: Mr. Costin, any report?

Auditor Costin: Yes, Mr. Chairman, I have a couple comments but first, we have the monthly report that Council should have received for the month of February.

Auditor's Written Financial Report for February 2004

 moved by Swindig, seconded by Butkowski to approve

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

 Yes, 6 No, 0

Auditor Costin: Mr. Chairman, I'd like to bring to everyone's attention, T 32, which is our annual appropriation ordinance. There was a printing glitch and apparently one of the pages had some numbers in an incorrect column. Accordingly since this is such an important document, I have substituted that this evening with a revised, properly printed ordinance. It's cosmetic only. There were no other substitute changes to the ordinance. Simply, trying to locate the right page, please replace what you previously receive with what you received tonight.

Second, I would call your attention to T 33-2004 which deals with the issuance of bond anticipation notes. You may recall at the last meeting, under discussion was T 18-2004 which

dealt with the construction of sanitary sewers on a portion of Center Ridge Road and I indicated that we couldn't pass that legislation because we didn't have financing in place. If Council chooses to pass T 33 tonight with the emergency, you can likewise proceed to pass T 18 which is the related construction ordinance. I will bring to your attention that I couldn't order purchase orders immediately, we will still need to receive a commitment for the issuance of BAN's but, I would anticipate that to be within five days after receiving that commitment within five days after passing this legislation and taking effect. I would suggest that if we want to move ahead, per the request of the Engineer, you would want to pass T 33 tonight with the emergency as well as T 18. I don't recall if I was remised or not but, we would need to pass the appropriation ordinance T 32 tonight with the emergency because it needs to take effect at the beginning of April, April 1, 2004. Thank you, that would conclude my comments and I'll be glad to answer any questions as the various legislation comes up tonight.

President Arndt: Thank you, Mr. Costin. Any other comments or questions of the Auditor? I would request that our Clerk read our other reports, please.

Other Reports

Clerk of Council Norris:

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for February 2004;
Service Department Activity Report for February 23 through March 7, 2004;
Fire Department Report for February 2004; and
Visitors Bureau Annual Report for 2003.

Planning Commission Report to Council of regular meeting March 9, 2004

APPLICANT: Rev. Michael A. Manosky, Sugar Ridge Baptist Church, 36600 Sugar Ridge Road
OWNER: Sugar Ridge Baptist Church, 36600 Sugar Ridge Road
REQUEST: Approval to construct additional educational space to existing building.
LOCATION: 36600 Sugar Ridge Road in an R-1 District
 Permanent Parcels No. 07-00-026-102-005
PC ACTION: Recommended approval

 moved by Jaenke, seconded by Olesen to approve

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

 Yes, 6 No, 0

Clerk of Council Norris:

APPLICANT: Jim W. Kilby, 35296 Chestnut Ridge
OWNER: Joseph Dietz, of Dietz Concrete, Inc. 36975 Julian Street, Avon, OH 44011
REQUEST: Approval to construct 120 foot by 300 foot gravel area for yard storage of

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concrete materials.
LOCATION: 7927 Maddock Road in an I-2 District
 Permanent Parcels No. 07-00-027-109-018
PC ACTION: Denied

 moved by Butkowski, seconded by Jaenke to approve

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, I might mention that the Planning Commission denied this request because the owner would not agree to provide a hard surface for this. Our ordinance calls for any future expansion that a hard surface be provided and he would not agree to do that. That's the reason it was denied.

President Arndt: Is there any further discussion? Yes, Mr. Olesen?

Council Member Olesen: Just one point. In light of the fact that Planning Commission denied this request, our approval tonight is approval of their recommendation to deny the request.

President Arndt: That is correct. Thank you for that clarification. So, to clarify, we have a motion by Mrs. Butkowski, a second by Mr. Jaenke to accept the Planning Commission's report to deny the application. Is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris:

APPLICANT: Joe Molnar, Ridgefield Homes, Inc., 8501 Woodbridge Court
OWNER: Same
REQUEST: Final Approval of Ridgefield Subdivision No. 9 with 20 detached clusters
 and 66 single family lots.
LOCATION: Ridgefield Subdivision, in an R-1 District
 Permanent Parcel No. 07-00-001-000-163
PC ACTION: Approved

 moved by Jaenke, seconded by Butkowski to approve

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

All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris:

APPLICANT: Vayda Architects, 1048 Literary, Cleveland, OH 44113
OWNER: Valore Builders, 23550 Center Ridge Road, #01, Westlake, OH 44135
REQUEST: Approval to construct a free standing Conrad's Tire Store; approximately
 6,000 square foot of building area
LOCATION: 34085 - 34139 Center Ridge Road, in a B-3 District
 Permanent Parcels No. 07-00-017-130-004
PC ACTION: Approved

 moved by Butkowski, seconded by Jaenke to approve

President Arndt: Is there any discussion? Yes, Mr. Olesen?

Council Member Olesen: Mr. President, I would just like to comment on this. I lived in the Pitts Blvd., Gina area for many years and I still remember the day that people were canoeing at the intersection of Pitts and Gina because of flooding problems. While we've addressed those problems in recent years, we don't have them right now. This is a sensitive area and I think we should be very, very sure that we don't have any drainage problems when this development is built.

Council Member Jaenke: Mr. President, I might share with the group, that subject did come up and Mr. Valore did say that he will be helping that flooding problem with the retention basin that he plans to build and to do some additional grading. So, that issue has been addressed. The audience at the Planning Commission meeting was well satisfied.

President Arndt: Is there any further discussion?

Safety-Service Director Johnson: Mr. President, I want to back up what Mr. Jaenke said. Valore Builders has a fabulous reputation. They addressed just about every concern thrown at them at the Planning Commission and then some. I think they are going to help the problem over there with flooding. They are not going to hurt it.

President Arndt: Thank you. Any other comments? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris:

APPLICANT: Valore Properties, Inc. 23550 Center Ridge Road, #101, Westlake, OH
 44145
OWNER: Same
REQUEST: Approval to construct parcel for Retail/Business Development consisting
 of a 22,750 square foot strip center with two outlets for retail business
 usage.
LOCATION: 34085 through 34139 Center Ridge Road, in a B-3 District
 Permanent Parcels No. 07-00-016-112-031, 07-00-016-112-029,
 07-00-016-112-032, 07-00-017-130-003, & 07-00-017-130-004
PC ACTION: Approved

 moved by Butkowski, seconded by Jaenke to approve

President Arndt: Is there any further discussion?

Council Member Jaenke: Mr. President, I might also comment that Mr. Valore indicated that the shopping center has already been filled to the tune of about 70 percent which, I think, is very positive for the community. In addition, the style of the building will be western reserve as well as Conrad's Tire will be western reserve. I think all of us are proud of our new bank which is the western reserve style. So, hopefully in the future we will have more developers who will appreciate the type of style that we're all interested in.

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

Yes, 6 No, 0

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris:

1) **FINANCE COMMITTEE REPORT #4229** Members of Council: We have considered the matter of the issuance of Bond Anticipation Notes for the acquisition of various capital expenditures in the amount of \$450,000 and recommend that this request be approved and proper legislation be drawn authorizing the issuance of BAN's.

Signed: Chairperson Butkowski, Members Jaenke and Swindig
 moved by Butkowski, seconded by Jaenke to accept

President Arndt: Is there any discussion? Mr. Costin?

Auditor Costin: Mr. Chairman, I would request that the word "approximately" be inserted between the dollar amount and the word preceding it so that it reads "of approximately". The reason for that is we're going to try and sharpen our pencil and look at some numbers. Sharpen the numbers that were the requests by the department heads for capital expenditures so, accordingly, that number may not be exactly 450,000 dollars. It may be a bit higher or a bit lower. I would request that I not be held to that number at this time.

President Arndt: Do I hear a motion to amend?

 moved by Swindig, seconded by Butkowski to amend Finance Committee Report #4429

President Arndt: Is there any further discussion? Yes, Mr. Costin?

Auditor Costin: I was just going to offer a word of explanation of what this is, for the benefit of any Council Person that wasn't at the appropriation meetings. In an attempt in the last two years to avoid layoffs, what we've done was change our income tax split. The effect of which is to take virtually all of our capital projects monies and move them to operations. Accordingly, we don't have money for capital projects. In order for us to acquire the assets, such as additional vehicles for the Police Department, radar and so forth that is necessary, it's necessary for us to issue bond anticipation notes which is our low interest credit card, in this case, and which will be necessary to pay off in future years. Because the department heads were adamant such as issues of safety and welfare, it appears it will be necessary to, in fact, acquire some capital projects and we'll be doing that through the issuance of these bond anticipation notes.

President Arndt: Thank you, Mr. Costin. Is there any comment or discussion on the amendment to report 4429? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: Now, on accepting Finance Committee Report #4429 as amended. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris:

2) **FINANCE COMMITTEE REPORT #4230** Members of Council: We have considered

the matter of the renewal of the 2 mill street levy and recommend that this request be approved and proper legislation be drawn authorizing the renewal levy.

Signed: Chairperson Butkowski, Members Jaenke and Swindig

 moved by Butkowski, seconded by Jaenke to accept

President Arndt: Is there any discussion? Mr. Costin?

Auditor Costin: Again, Mr. Chairman, as a quick note of explanation, our current two mill street levy expires, this being the last collection year, 2004. This committee report is for legislation to go to the voters and ask that they simply renew and extend the current operating levy. Thank you.

President Arndt: Thank you, Mr. Costin. Mr. Olesen?

Council Member Olesen: Yes, Mr. President. I'm sure the voters are aware that our street people do a wonderful job in repaving and repairing our streets and I think this is so important to our City at this point.

President Arndt: Thank you, Mr. Olesen. Any other conversation? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris:

3) **FINANCE COMMITTEE REPORT #4231** Members of Council: We have considered the matter of a replacement and a reduction to 1.9 mill for the permanent police operating levy and recommend that this request be approved and proper legislation be drawn authorizing this levy.

Signed: Chairperson Butkowski, Members Jaenke and Swindig

 moved by Swindig, seconded by Butkowski to accept

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

 Yes, 6 No, 0

Clerk of Council Norris:

4) **BUILDINGS AND LANDS COMMITTEE REPORT #4232** Members of Council: We have considered the matter of application for placement of land in an agricultural district by Patricia A. Arnold and recommend that this request be approved and proper legislation be drawn authorizing the approval of the agricultural district with modifications.

Signed: Chairperson Jaenke, Members Olesen and Young.

 moved by Jaenke, seconded by Butkowski to accept

President Arndt: Is there any discussion? Mr. Olesen?

Council Member Olesen: Very briefly, this land is leased to Mr. Sweet and he grows corn on it. There's a certain amount of tax incentive for claiming your agricultural use of land. This is why Buildings and Lands has to approve it.

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

Yes, 6 No, 0

Clerk of Council Norris:

5) BUILDINGS AND LANDS COMMITTEE REPORT #4233 Members of Council: We have considered the matter of T 31-2004, an ordinance to re-zone property east of 32991 Lorain Road From B-4 Commercial Parkway District to SDD Special Development District, and owned by Mould Development, LLC and recommend that this request be approved and T 31-2004 be adopted.

Signed: Chairperson Jaenke, Members Olesen and Young.

 moved by Young, seconded by Jaenke to accept

President Arndt: Is there any discussion? Yes, Mr. Olesen?

Council Member Olesen: This is legislation that was worked on very hard by Buildings and Lands Committee last year and with the support of Council it was passed and is now law. This is our first bite on this legislation and I'm very grateful for everybody who put this through.

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

Yes, 6 No, 0

Clerk of Council Norris:

6) BUILDINGS AND LANDS COMMITTEE REPORT #4234 Members of Council: We have considered the matter of increasing various fees to reflect the actual costs of services. Please note that fees have not been increased in ten years and recommend that this request be approved and proper legislation be drawn authorizing the above. Please see the attached for the various fees to be increased.

Signed: Chairperson Jaenke, Members Olesen and Young.

 moved by Young, seconded by Olesen to accept

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

Yes, 6 No, 0

CORRESPONDENCE:

Clerk of Council Norris: Correspondence before Council this evening, two items.

1) Received a letter from Comcast regarding their offer to merge with Disney.

2) Received a letter from Christopher Jones, Director of Ohio EPA regarding their review and approval of the detail plans of 300 feet of an eight inch pipe extending north/south in Windsor Drive; 612 feet of an eight inch pipe extending south in Ravenway Drive and 744 feet of eight inch pipe extending east/west of Windsor Drive in Kingston Drive for Windsor Point Subdivision No. 2.

NEW BUSINESS:

Rebecca Gray - Program Coordinator, Lorain County Community Alliance, Presentation of a "New Public Sector Human Resources Forum Program".

President Arndt: The Chair is postponing Rebecca Gray's visit to Council until our next regular meeting on April 5. Is there any other new business to present itself before Council tonight?

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We've now reached the audience participation section of our meeting. Any members of our audience tonight are invited to address your Council. We request that you fill out the lobby form that you can find in the back of the room because it enables us to contact you personally should there be a need for follow up. You're now welcomed and invited to approach the podium at this time. However, please state your name and address, clearly, and limit your comments to three minutes. The lobby is now open. We now move to recess.

 moved by Butkowski to dispense with recess, seconded by Young

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

 Yes, 6 No, 0

ORDINANCES AND RESOLUTIONS:

President Arndt: The Chair requests that the Clerk read our ordinances and resolutions submittals.

• **Ordinances & Resolution Submittals**

Clerk of Council Norris:

T 32-2004 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, 2004 AND ENDING DECEMBER 31, 2004.

 moved by Swindig, seconded by Butkowski to suspend By-Laws to give T 32 its first reading tonight

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

 Yes, 6 No, 0

T 34-2004 AN ORDINANCE AMENDING NRCO SECTION 436.01 DRIVER'S OR COMMERCIAL DRIVER'S LICENSE REQUIRED.

• **First Readings**

Clerk of Council Norris:

T 33-2004 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3999-2004 \$5,400,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,

FOR THE PURPOSE OF IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY CONSTRUCTING SANITARY SEWERS AND SANITARY SEWER SERVICE CONNECTIONS, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

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

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

Yes, 6 No, 0

moved by Butkowski, seconded by Swindig to adopt

moved by Butkowski, seconded by Young to add the emergency because this has to be settled by the end of the month

Safety-Service Director Johnson: Mr. President, it should be stated for the record that the reason for the emergency is the health, welfare of the Citizens of North Ridgeville.

President Arndt: Absolutely, thank you, Mr. Johnson. Is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We have a motion on the floor by Mrs. Butkowski, seconded by Mr. Swindig to adopt T 33 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris Ordinance Number 3999-2004.

Permanent Ordinance Number 3999-2004

T 35-2004 A RESOLUTION TERMINATING THE ENTERPRISE ZONE AND TAX
1002-2004 ABATEMENT AGREEMENT BETWEEN THE CITY OF NORTH
 RIDGEVILLE AND RELIANCE COMM/TEC CORPORATION.

First Reading

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

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

Yes, 6 No, 0

President Arndt: I do believe that it is important that we consider this T 35, correct me Mr. Young, on the tax abatement, is it critical that this be passed tonight with the emergency.

Council Member Young: No, it's not critical but, if we're dispensing with the second and third we can still adopt it. We may want to go ahead and seek action. This is part one of two ordinances. You may want to go ahead and institute the emergency so that we don't have to delay on obtaining these funds.

President Arndt: Correct, so that the City can move forward to collect those taxes that are due

and the penalties.

 moved by Young, seconded by Swindig to adopt T 35

 moved by Young, seconded by Olesen to add the emergency to T 35

Council Member Swindig: Mr. Chairman, the emergency would be to collect the money that is rightfully due our City.

President Arndt: Is there any discussion? All those in favor of adding the emergency to T 35, signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

President Arndt: We have a motion on the floor by Mr. Young and second by Mr. Swindig to adopt T 35 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris: That becomes permanent resolution number 1002-2004

 Permanent Resolution No. 1002-2004

T 36-2004 A RESOLUTION AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO
1003-2004 PREVIOUSLY ABATED TAXES FROM RELIANCE COMM/TEC
 CORPORATION DUE TO THE COMPANY'S BREACH OF THE
 ENTERPRISE ZONE AGREEMENT UNDER WHICH THE TAX
 ABATEMENTS WERE GRANTED.

 First Reading

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

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

 Yes, 6 No, 0

 moved by Young, seconded by Swindig to adopt

 moved by Young, seconded by Swindig to add the emergency to T 36 due to the reason of collecting the money that's rightfully due the City

President Arndt: Is there any discussion? All those in favor of adding the emergency to T 35, signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

President Arndt: We have a motion on the floor by Mr. Young and second by Mr. Swindig to adopt T 36 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris: T 36 is adopted and becomes permanent resolution number 1003-2004

 Permanent Resolution No. 1003-2004

T 32-2004 AN ORDINANCE PROVIDING FOR THE APPROPRIATIONS OF MONEY

4000-2004 FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2004 AND ENDING DECEMBER 31, 2004.

First Reading

moved by Swindig, seconded by Butkowski to dispense with second and third readings on T 32

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

Yes, 6 No, 0

moved by Swindig, seconded by Young to adopt

moved by Swindig, seconded by Young to add the emergency to T 32 due to getting our permanent appropriations in place by the end of the month

President Arndt: Is there any discussion on adding the emergency to T 32? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We have a motion on the floor by Mr. Swindig and second by Mr. Young to adopt T 32 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 32 is adopted and becomes permanent ordinance number 4000-2004
Permanent Ordinance No. 4000-2004

• **Second Readings**

T 15-2004 AN ORDINANCE AUTHORIZING PAYMENT TO LORAIN COUNTY TRANSIT FOR TRANSIT SERVICE.

Second Reading

T 133-2003 AN ORDINANCE REPEALING AND REPLACING CHAPTER
REVISED 1480, USE AND OCCUPANCY HOUSING CODE, WITH THE PROPERTY MAINTENANCE CODE.

Second Reading

Council Member Jaenke: Mr. President, I would like to make an amendment. For the record, this was a clerical error and this amendment was approved by the Buildings and Lands Committee and also the Law Director.

moved by Jaenke to amend the Property Maintenance Code, Section 106.4, second paragraph, first sentence by substituting the existing sentence with "Whoever violates any provisions of this property maintenance code is guilty of a minor misdemeanor and shall not be fined more than the maximum allowed under the Ohio Revised Code for each offense.", seconded by Olesen

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

Yes, 6 No, 0

T 18-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4001-2004 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE CONSTRUCTION OF THE
EAST CENTER RIDGE SANITARY SEWER IMPROVEMENT, AND ENTER
INTO CONTRACT(S) FOR EASEMENTS, REMOVAL/ RELOCATION OF
UTILITIES, AND VARIOUS OTHER EXPENSES, NOT TO EXCEED
\$5,400,000.00.

Second Reading

moved by Swindig, seconded by Butkowski to dispense with the third reading

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

Yes, 6 No, 0

moved by Butkowski, seconded by Swindig to adopt

moved by Butkowski, seconded by Swindig to add the emergency

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

Yes, 6 No, 0

President Arndt: We have a motion by Mrs. Butkowski, seconded by Mr. Swindig to adopt T 18 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 18 is adopted with the emergency and becomes permanent ordinance 4001-2004.

Permanent Ordinance No. 4001-2004

T 22-2004 AN ORDINANCE AMENDING ORDINANCE NO. 3708-2001, WHICH
COMBINED CERTAIN DIVISIONS OF THE SERVICE DEPARTMENT.

Second Reading

• **Third Readings**

T 11-2004 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1228.01,
DUTIES OF CITY ENGINEER; CONSTRUCTION SPECIFICATIONS AND
REGULATIONS.

President Arndt: The chair would like to move to postpone adoption until the Planning Commission reports.

Council Member Swindig: Mr. Chairman, being that the other two is also referred to the Planning Commission, instead of going ahead with the third readings, I'll make a motion that we postpone until we hear from the Planning Commission.

President Arndt: On T 11, T 12 and T 13. Great, I would accept that motion.

moved by Swindig, seconded by Butkowski to postpone third reading on T 11, T 12 and
 T 13 until the Planning Commission report is provided to us
President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?
 Yes, 6 No, 0

OLD BUSINESS:

President Arndt: Is there any old business to be brought before Council tonight? Will the Clerk
please read our upcoming meeting announcements.

UPCOMING COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Next Regular Council Meeting Monday, April 5, 2004 at 7:30 P.M. in
Council Chambers.

President Arndt: Two comments from the chair before we adjourn. Number one, we want to
wish everybody a safe and fund Saint Patrick's Day this week and, this is for our Mayor. We
want everybody to wish the Mayor. . .
All: Get well Dave!

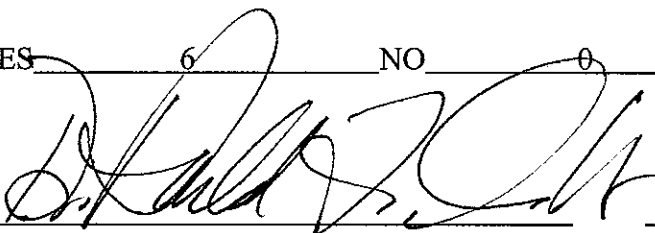
ADJOURNMENT:

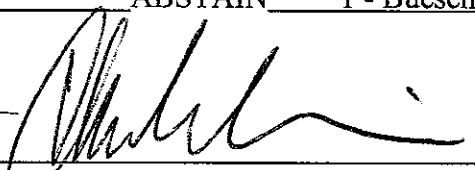
 motion to adjourn by Swindig
President Arndt: Meeting adjourned.

Meeting adjourned at 8:25 P.M.

MOTION Butkowski 2ND Olesen DATE April 5, 2004

YES 6 NO 0 ABSTAIN 1 - Buescher


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS