

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 7, 2011**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the regular Council meeting Monday, March 7, 2011. Please rise for the invocation and pledge of allegiance.

INVOCATION: lead by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

Absent was Council Member Robert Olesen.

Also, present were Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Deputy Auditor Teresa Machovina and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

Council Minutes of regular meeting February 22, 2011.

President Corcoran: Are there any comments, questions or corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note:

Civil Service Commission Minutes of regular meeting February 15, 2011;

Park and Recreation Commission Minutes of regular meeting January 25, 2011 and

Board of Zoning & Building Appeals Minutes of regular meeting February 25, 2011.

LOBBY:

President Corcoran: We are at the lobby session of the meeting. This is your opportunity to speak to us and bring your concerns to City Council and the Administration. The way this process works, is that you have to identify yourself, put it in writing on the forms that are in the back and hand that form to Mrs. Buescher, please. Come to the podium and state your name and address. You have three minutes to speak.

1) Andy Young of 35290 Elder Street spoke on behalf of his neighborhood and explained that they, once again, had raw sewage backup in their neighborhood. He showed the area on the smart board and stated that they are in the area north of Drake. He explained the flow direction of the sanitary sewers in that area. He stated that once the 300 homes were taken off the sewage route with the Schneider Lift Station being taken off line, they wouldn't have sewage backup in their neighborhood again. He stated that when the Schneider Lift Station was taken off line, the Y interceptor did not go into place. He thanked the Mayor, as he was very responsive to his inquiries and was in agreement that the Y interceptor did not get put in. He stated that the Mayor indicated that he is putting 50,000 dollars in the budget for two Y interceptors.

moved by Boose, seconded by Buescher to allow this gentleman up to an additional three minutes

President Corcoran: All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

Andy Young continued to speak regarding the need for two Y interceptors. He also provided an email address from a citizen who put the email together for residents to use for any inquiries or who may be having difficulties and noted that it was just another form and opportunity for people to address concerns they may have.

President Corcoran: Is there anyone else who would like to address Council this evening?

2) Larry Kane of 8044 Maddock Road spoke regarding a Board of Zoning meeting that was scheduled to hear an application regarding an asphalt plant and is now cancelled. He shared that while he was out talking with the residents regarding this application, he heard that the citizens were upset because they feel that the City should have a better way of letting residents know what is coming up and giving them a better chance to be informed in advance. He stated that they also conveyed that they felt they could do little to affect the outcome of decisions made by local government. He explained the importance of staying in touch with their representatives on Council, but they felt too small to make a difference. He suggested that a page to the City website, posting news about upcoming zoning or construction applications that might have had a farther reaching affect on neighbors than those applications that just affect the adjoining land owner. He believes that City Council needs to open up new ways of dialog.

Mayor Gillock: Mr. President, I would like to make a quick comment. Mr. Kane's remarks are very well taken. I do want to point out that this particular case, regarding the Zoning Board meeting, was the first notice that we heard of this particular application coming to this City. So, that is the first step in the process. He stated that when we do that, we not only notify the adjacent property owners, but they are all sent to the newspapers. The notices are posted in five different places in the City. They are also put on the web, so the information is out there. The most important reason I wanted to respond is that, we do appreciate hearing from you. If you go to the City's website, www.nridgeville.org, there is a link there that you can send an email. It comes to his office and he answers 99.9% of them. You can write an email or go to our website. Mr. Kane mentioned setting up a website, however, there is already one there with access to the

City. We do want to hear from you. We do have an open door policy and all your Council people are available. Their numbers are in the book. They are not unlisted. We try to be as accessible as we can. If we are not doing a good enough job, we will try harder, but the access is there and I want to make that clear that you can reach us through the website.

Council Member Boose: Mr. President, if I can just note that not only are the Mayor and the Administration's email on there, but also every member of City Council has their email on there. You can go right on there and many residents contact me through the email process. Our phone number is on there as well and you can always contact the Clerk of Council's office to get us. We try to be available as possible, but I do appreciate where you are coming from. It is difficult sometimes and I appreciate the comments of how to be more accessible.

Council President Corcoran: Mr. Kane, I would just like to note that I have a Facebook page and I did put this on my Facebook page, so there was an opportunity for people to give feedback before the meeting actually happened. Is there anybody else who would like to address Council tonight?

3) Amber Hudak of 37025 Sugar Ridge Road spoke on behalf of Roger Lemon regarding the flood that occurred at their home that contained five feet of water in the basement. She explained that he lost everything that he had including his furnace and hot water tank. She explained that because kerosene from a heater mixed in with all the water, he is not able to live in his home. She asked the City what they plan on doing to help these residents whose homes were flooded. She explained that there were homeowners on certain streets that were taken out by boats and these residents had to wade and push cars out to get out of their homes.

Roger Lemon of 37025 Sugar Ridge Road explained the reasons that he believes are causing these problems and asked if the City could put in more retention basins.

4) Daniel Gutia of 34152 Gina Drive spoke regarding the flooding on Gina Drive and was told that it was caused by the river or stream in that area and he does not know where this river or stream is located. He understood that water and snow isn't something the City has any control over. He explained that when the sewers were cleaned out the one time, it did control it for a while. He asked if that could be done again and if there is any kind of retention in that area that could catch that water.

Mayor Gillock: Mr. President, the only stream or ditch that is over there is over by Gail. I don't know where that comment came from, as I am not aware of a river or stream over there. We jetted that before and we plan on doing that again. We've already started looking at the catch basins as we found some, deep down in there, that had some branches. We've already started cleaning those. There are retention ponds at both above and below that area, but as Mr. Armbruster can give some information on the rain itself, as when you get five inches of rain in five hours, there aren't any retention basins out there big enough. We do plan on doing some work and cleaning over there. It is not something that is new to us, as we do that all the time, but it needs done again.

President Corcoran: Is there anybody else that would like to address Council this evening?

5) Paul Papes of 5240 Lear Nagle spoke regarding the sewage he had in his home noting the problem on May Street where Main dumps into. He does not believe any work is being done. He spoke regarding a ditch that was slated to be cleaned two years ago and was told that the City couldn't clean that out because they don't have a right-of-way to get in there. He explained that he had check valves put in and there was so much pressure that they popped off. He asked for something to be done.

President Corcoran: Is there anybody else that would like to address Council this evening?

6) Larry Zigmund of 37075 Sugar Ridge spoke regarding the flood that occurred in his home. He explained that the ditch behind him is about eight feet deep when it is dry. He stated that they have only flooded once in the last ten years, where the water came over that ditch about a foot or two. This time, the water level was so deep that it came up to his foundation and flooded his crawl space. He believes that the Waterbury Development drains into this ditch and asked if there was some way of having better control over all that water.

President Corcoran: Is there anybody else who would like to address Council this evening?

7) Paul Papes of 5240 Lear Nagle explained how he believes he has been treated here in North Ridgeville and provided an example of how he was treated by the Police Department.

President Corcoran: Is there anybody else who would like to address Council this evening?
Thank you, everybody. Moving on to the Administrators reports, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. I think Mr. Armbruster might have some comments regarding the flooding and we have already discussed the asphalt plant. So, I will move on to a couple other items I had to discuss this evening. One is that Jim Whitlock in our Water Department brought this to my attention regarding St. Peters Directory. With our new water system, we were able to detect a leak over there. It had gone on for some time and the bills mounted up, but because of the new system, we were able to track it. They got back to us and we were able to deduct from their bill, their sewer charges, because they had a leak and that water isn't going into our sewer system. Any time we waive a significant amount of money like that, we need to let Council know. In this situation, we were able to waive an amount of 2,066 dollars and ten cents from their sewer bill. It can be significant, so, if you get a leak, make sure you contact us and get it fixed quick, because it can add up. With our new water meter system, it

reads your meter four times a day and helps us to determine when you do have a leak. The second item I wanted to mention publically, is that a pat on the back goes to Mike Babet from Forever Green Lawn Care. I met with Mike a couple of weeks ago and he offered to apply some fertilization to our parks. Because of our budgeting, he met with Gary Teel from our Department and he understood that we would only internally be able to provide one treatment to our complexes. Forever Green Lawn Care, Mike Babet, President has agreed that they would do fertilizer and weed control to our parks and donate the fall fertilizer and weed control to City Hall complex. They have been helping us out now for almost 19 years, but this year they went even a little bit further with the budget and things we have going and we wanted to recognize Mr. Babet in what he is doing to make our parks and the City Hall grounds look as well as they can. We want to thank him for that. That concludes my report.

President Corcoran: Thank you, Mayor Gillock. Mr. Safety-Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: On the 27th, we can talk about the storm that started about 11:00 on Sunday evening when the rain started and this actually came from the Emergency Management Agency, which we received, I believe, today or yesterday. They did a complete report and this report goes back to the State EMA, which in turn goes to the FEMA, the Federal Emergency Management Agency. In their words, the rain started at 11:00 P.M. on Sunday and I will paraphrase it. It actually rained between 3:00 A.M. and 5:00 A.M. in the morning, which that storm event was at the EMA's rainfall gauge of 2.12 inches of rain; just pure water at that point in that period of time. Adding to that, they feel that the two to three inches of water that additionally came from the snow, and they called this, exactly from their wording, a flash flood situation. In other words the storm event was sitting over North Ridgeville and multiple rain events happened within that five-hour period. Based on what the weathermen have told us and EMA has told us, we were the hardest hit in Lorain County. Based on that, if you look at where we were on Monday morning; just in City Hall in itself, we had water down in our Engineering Department. We had some staff that did come into City Hall. We actually didn't have the ability to work that day, just based on the water and the events that were happening in the community, but we actually went out and took pictures of the retention basins in Waterbury and Ridgefield that are feeding the rest of the systems down our way to find where the water was coming from. Actually, in every case that we took pictures, which we have documented pictures. If you would like, we could actually put them up on the website as to where they were taken and what the storm event was. We actually put those pictures right on to the flood plain map that FEMA has given us as to where it documents to the pictures to have a benchmark within the community that we would know exactly what happened and if there was something that we did on our self; whether there were blockages of streams and whether there was anything that was happening out there. That event started about 10:00 in the morning when we started on Monday and took pictures all day long as well as the Fire Department. We were helped out by Sheffield and Avon

Fire. Elyria Township actually manned our Station Number One. All of the communities came in to help the City of North Ridgeville that was honestly hurt the worst out of all the cities in Lorain County. The Red Cross came in and set up at St. Peters. Most of the people that did arrive there got picked up and moved out. We were trying to figure out all day long, just exactly where it was coming, but when you have a flash flood event, which we did have, it is very hard to control and not only the fresh water, but let alone, some of the sewage back up that we did have that was out there. Regarding Elder, I know the Mayor and I have talked about that and I know we are going to move forward on that. There are some other Ts that we are going to look at. We are certainly looking and we had discussions with regards to Sugar Ridge and the area out there with Waterbury and what additional work could be done. But you have to recognize that there are flooding areas within the City of North Ridgeville and that is something that has been there for as long as I have lived in the community and it is because those are low lying areas.

Mr. Papes, we have 75 names here that include the names of people that have called us and we have communicated with. Unfortunately, your name is not on it. We had no idea that you had any flooding because there wasn't a phone call until you spoke this evening. I am not sure who you spoke to, but we will add your name onto this list, so that it will be memorialized here. If anybody out there that is listening to this that has not called City Hall, we would appreciate that you do so. As in this storm event, we will not only have pictures to see where we are, but the list will show where we should look at how to handle it in the future. I'm not sure in a flash flood situation that we are ever going to be able to handle it totally. Unfortunately, I would wish to say that we won't have any flooding in the City and we will address every issue, but I don't think we can in a flash flood situation

With that, on this past Friday morning, we were actually in French Creek with our track hoes, towards Muirwood and down on that end. One of the questions that was asked was are we going to be in those back yards and are we going to be tearing them up. This Mayor, myself and Bill Gluvna went in there and brought all that debris out of there with the thought that, if we had another rain event that possibly, it might back up on us again and we were down there all day on Friday and got it all cleared out. I'm assuming they went back in there today off Chesterfield, chopped it all up and brought it all out further. Every one of those back yards are completely torn up because we took a track hoe back in there as best as we can and cleaned that ditch out so that it wasn't going to stop and back up towards North Ridgeville going the other way.

With that, I commend everyone including the residents here. Number one, I can appreciate what you have gone through. I haven't flooded myself in North Ridgeville, but I can remember growing up in Pontiac, Illinois that I had water running in one side and water out the other and there wasn't any land any place because the Vermilion River was completely flooded everywhere. Of course, I didn't know it at that time, I was too young. I didn't know what a flood

event or flash flood was, but it is pretty disheartening to all of us on City Council and the Administration that anything like this would happen in this community.

However, there have been significant changes within the last ten years of what we've done in this community versus the number on the list of sewer back ups. There is probably about 15 on this list of 75 and I think in previous years, the Mayor suggested earlier in conversation, that there was probably 150 within those that were sewer back ups. So, we are making progress and I believe, it is just a matter that maybe, we are not progressing as fast as we should, but we are never going to get into a position when there is a flash flood or a storm event that cannot be controlled by anybody but a higher being than all of us sitting in this room. Unfortunately, those events do happen and this happened to be one, but we have progressed and we are going to continue to progress as long as Mayor Gillock, City Council and the next Mayors that come on in this community, look forward to making progress in the future.

President Corcoran: Thank you, Mr. Armbruster.

Council Member Butkowski: Mr. Chairman, can I ask Mr. Armbruster a question?

President Corcoran: Sure, go ahead.

Council Member Butkowski: Is it possible that we get a reverse 9-1-1 like they have at the schools? If we would have been able to notify people on Monday, those that weren't flooding and if they were home, they were probably washing clothes and sending a lot more water down the sewer than anybody wanted in their basement. If they could have been notified of that and other things that happen periodically. It is in other communities and it is in our schools. It could help everybody if we had it in our City too.

Safety-Service Director Armbruster: We had that conversation today at lunch. It is interesting that you would bring it up, because you weren't at our lunch meeting. We discussed and in fact the Mayor said that is like a reverse 9-1-1. That is something that we are discussing. The technology that we have within this community is not such that we could do it, but yet over a period of time and hopefully as we go into the rest of this year in those discussions, there is a lot of opportunity when it comes to available systems that we could purchase that actually; quite honestly, could save us money. Those that are out there are technologically advanced enough that we could possibly do the 9-1-1 reverse call.

Mayor Gillock: Mr. President, we looked at this a few years ago, but the cost at that time was quite substantial and I don't think our current phone system could readily do it, but we are looking at some new systems, as Jeff said, might in the long run save us some money. We know right now, if our voice mail goes down, we can't fix it. So, we are looking at things like that, that might enable us to do that if Council gives us the money to do it.

Council Member Butkowski: Mayor, I was talking to Craig Phillips from the school system and they do have a contract with a company. I don't know where the phones go out, if the calls go out from that company. He said he called somebody and they put it out on the line. I don't know if we need that system here or if we hire another company that does it.

Mayor Gillock: We'll get you some quotes.

Council Member Butkowski: Well, the school system has it.

Council Member Boose: Mr. Chairman, if I could ask Mr. Armbruster, could we have a copy of that report?

Safety-Service Director: I have the one copy that I used for this evening, but I will make sure you do get copies of it, Councilman Boose.

President Corcoran: Mr. Engineer.

C. Engineer:

Engineer Wangler: Yes, I was going to touch on the rain as well and we have thoroughly covered a lot of things on there. Unlike a lot of people in this room, I'm new to North Ridgeville. A lot of that, I have to work around, but the one thing provides me a lot of perspective that maybe long time residents here don't have and that is comparison to other communities. I worked in engineering departments in other cities. I worked in the private sector and worked in dozens of cities. I can tell you that North Ridgeville has a very proactive position on storm water management. They let me know that right up front, when I interviewed, that they take that very seriously and their actions back that up. That being said, I think that in an event like this, you have flooding problems that are created from a problem, a blockage or some sort of maintenance item and then unfortunately, you do have flooding items that occur when mother nature throws at it more than what it was designed to handle. There is no escaping that possibility from happening, no matter how you build it. You could build it perfectly, but if mother nature throws more at it than what you designed for, it is going to be overwhelmed for a period of time. That's the end of my report.

President Corcoran: Thank you, Mr. Wangler. Ms. Auditor.

D. Auditor:

Deputy Auditor Machovina: I have no report for you this evening, Mr. President.

President Corcoran: Thank you.

E. Other Reports:

President Corcoran: Other reports:

Mayor's Court Report for December 2010 and January 2011 and
North Ridgeville Visitors Bureau 2010 Annual Report.

COUNCIL COMMITTEE REPORTS:

President Corcoran: There are no Council Committee Reports. Correspondence, Mr. Clerk.

CORRESPONDENCE:

Clerk of Council Smith:

1) Received notification from the Government Finance Officers Association that our comprehensive annual financial report for the fiscal year ended December 31, 2009 qualifies for a Certificate of Achievement for Excellence in Financial Reporting which is the highest form of recognition in government accounting and financial reportings. The Certificate of Achievement plaque will be shipped to Chris S. Costin, CPA, CGFM, City Auditor.

2) Received a letter from Larry Kane of 8044 Maddock Road addressing the upcoming March 10, 2011 Board of Zoning and Building Appeals meeting regarding the request for a determination that the proposed placement of an asphalt plant is of a like use within an I-2 Light Industrial zoning classification and explaining his concerns over widespread fumes and toxic emissions and loss of property values associated with Asphalt Plants in general.

Council Member Buescher: Mr. President, just to mention again that, that meeting has been cancelled as has the Planning Commission meeting the following Monday. That is an issue that no longer exists in the City and both are cancelled.

President Corcoran: Thank you, Mrs. Buescher.

OLD BUSINESS:

President Corcoran: There is no old business to discuss.

 moved by Corcoran, seconded by Buescher to adjourn into Executive Session to discuss personnel

President Corcoran: Those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

Council adjourned into Executive Session at 8:17 P.M. to discuss personnel.

Council reconvened at 8:40 P.M.

NEW BUSINESS:

President Corcoran: Moving on to new business.

 moved by Corcoran, seconded by Butkowski to add the appointment of the Assistant Clerk of Council to the agenda

President Corcoran: All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

President Corcoran: Mr. Clerk, do you have a recommendation for this position?

Clerk of Council Smith: I do. I recommend to Council that we hire Miss Tara L. Maine.

President Corcoran: The Council Clerk has offered a recommendation for the position of Assistant Clerk of Council.

 moved by Corcoran, seconded by Butkowski to appoint Tara L. Maine to the position of Assistant Clerk of Council

President Corcoran: Is there any discussion?

Council Member Boose: Just a point of question. Effective what day?

President Corcoran: That would be, well, as soon as she can get here.

Council Member Boose: We can work this out and I will defer to the Chairman of the Finance Committee, but we will need to appropriate the funds to two Assistant Clerks for a time being.

Deputy Auditor Machovina: Well noted.

Council Member Boose: I'm sure that will work out.

Deputy Auditor Machovina: We can discuss that at the Finance Meeting on Friday. I will make a note.

President Corcoran: At this point, we would like to have as much overlap as possible, so, the starting date will depend upon Miss Maine's availability.

Council Member Boose: Thank you.

President Corcoran: Any other comments or questions? All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

President Corcoran: That does it. Alright, moving on. First up, Agricultural District.

Clerk of Council Smith:

Application for placement of farmland in an Agricultural District from Raymond W. and Sarah M. Wroblewski for 21.85 acres located at 5656 Avon Belden Road.

 moved by Buescher, seconded by Butkowski to accept the application

President Corcoran: I am going to amend your motion, because we are accepting the application with modifications and asking our Law Director to prepare legislation for the next Council meeting. Any comments or questions? All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

Application for placement of farmland in an Agricultural District from Robert Wensink, Etal for 170 acres located at Stoney Ridge and Otten Road.

 moved by Boose, seconded by Jaenke to accept the application and ask the Law Director to prepare legislation for our next meeting

President Corcoran: All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

President Corcoran: Application is accepted.

Request from the Parks & Recreation Commission for Council approval to expend \$45,000.00 from the Parks & Recreation Improvement Fund to renovate the community cabin with ADA accessible restrooms.

 moved by Butkowski, seconded by Boose to accept this request from the Parks and Rec Commission

President Corcoran: Any comments or questions?

Council Member Boose: Yes, Mr. President. As Liaison to the Park and Rec Commission, we have been discussing this for several months. The 45,000 allocated from the Improvement Fund is just a part of the monies expended here. We, also, are receiving monies from the CDBG Grant to renovate it. Major renovations would include new walls, insulation, leveling of the floor, new restrooms and an expansion of it, so it is something that is needed. That community cabin is being used more and more by the residents in the community for activities. I used it when I was a Scout Leader for Scout meetings. It is being used by the Park and Rec Department for training classes. So, it really needs to be upgraded and we were able to use some grants to help subsidize the cost. It is a very worthwhile cause.

President Corcoran: Thank you, Mr. Boose. All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

President Corcoran: The Park and Rec request is accepted. Moving on T 36.

Ordinance and Resolution Submittals:

Clerk of Council Smith:

T 36-2011 AN ORDINANCE AMENDING NRCO SECTION 1064.02 MULTI-SERVICE CENTER. (rental fees)

President Corcoran: T 37.

Clerk of Council Smith:

T 37-2011 AN ORDINANCE APPROVING THE FINAL PLAT OF HAMPTON PLACE SUBDIVISION PHASE 2 IN FOR RECORDING PURPOSES ONLY.

President Corcoran: T 38.

Clerk of Council Smith:

T 38-2011 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A GROUND LEASE AGREEMENT WITH FRENCH CREEK BIOENERGY, LLC.

Mayor Gillock: Mr. President, we have the other ordinance. It is working its way through to enter into an agreement for the management lease. We would like for them to go parallel, but I have to ask the Assistant Auditor if there is any reason we can not move forward with these, because we haven't passed the budget yet?

Deputy Auditor Machovina: These are not monetary things that need to be appropriated for. These are agreements to enter into, but we will be passing the budget at the next meeting. We do have the BANs in place for the Bioenergy building. They went in the last meeting. So, with the BANs in place and the appropriations going next meeting, you can defer them to one more meeting and then pass it all at the same time on March 21.

Mayor Gillock: Can I defer to the Safety-Service Director for his input?

President Corcoran: Sure.

Safety-Service Director Armbruster: Unless I have the vote wrong, we want to get this in place as quickly as possible. I mean there is no way we are going to expend the funds for the next two weeks, but we need to get the process moving so that we can sign the contracts and get that part of it, so that we can not hull sludge and not go into next winter without a facility that is over there. I would appreciate any support we can get. I know it is only two weeks, but if we can move forward, because that is going to set us another two weeks back. I would like to move forward as quickly as possible. If it is two weeks longer then, I guess I wait.

President Corcoran: If we pass it tonight without the emergency, that would give you plenty of time, correct?

Mayor Gillock: That was going to be my suggestion, that we go ahead and move forward with these and pass them without the emergency and they won't become effective until after the appropriations are adopted.

Law Director Crites: Mr. President, I see the mind of the Assistant Auditor working as to, "well, can we?" I think we can, because the only expenditure or related expenditures is our commitment in the management services agreement or contract that the City agrees that we are going to acquire a centrifuge. It is not an ordinance authorizing the Mayor to enter into a contract to buy anything. It is just an ordinance authorizing the contract that has the promise from us to the other side that says we are going to go out and acquire the machine. So, I think we are okay technically in terms of the contract.

moved by Buescher, seconded by Jaenke to give T 38 a first reading this evening this evening

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: That is the end of the new business.

RECESS:

moved by Butkowski, seconded by Buescher to suspend the recess

President Corcoran: All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: Moving on to first readings then, T 20 is first up.

FIRST READING:

Clerk of Council Smith:

T 20-2011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF
REVISED NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH
4822-2011 FRENCH CREEK BIOENERGY, LLC AND QUASAR ENERGY GROUP, LLC
 FOR THE MANAGEMENT, PROCESSING AND DISPOSAL OF
 WASTEWATER BIOSOLIDS PRODUCED BY THE FRENCH CREEK
 WASTEWATER TREATMENT PLANT.

First Reading

 moved by Mayor Gillock, seconded by Buescher to dispense with the second and third
 readings for T 20

President Corcoran: All those in favor say yes. Those opposed say yes.

 Yes, 6 No, 0

 moved by Mayor Gillock, seconded by Johnson to adopt T 20

President Corcoran: Any comments or questions?

Council Member Boose: Yes, Mr. President. The ordinance we have before us is actually titled T 20-2011 Revised. Could someone discuss what is revised from the one we had at our last meeting?

Clerk of Council Smith: I apologize for not saying that. I missed that.

Council Member Boose: Could someone explain the revisions?

Law Director Crites: That caught my eye as well, Mr. Boose. I don't know. The contract wasn't revised.

Council Member Boose: I can assume what has been revised, but I didn't want to make that assumption without hearing the real version.

Law Director Crites: Were there revisions recommended as a result of a Committee Meeting?

Council Member Boose: No, the only difference I saw in reading this, though I didn't go through it with a fine tooth comb. I didn't compare each word for word, but

Law Director Crites: That is very unlike you, Mr. Boose.

Council Member Boose: Yes, it is. But there was actually the addition of Exhibit C, which was missing from the previous ordinance and so Exhibit C is now attached, which is the protocol for third party biomass. That was missing and I had asked for that to be included and you told me I couldn't get it and now it's here.

Law Director Crites: Yes. Then, I think that has to be it, because I don't see where there would be any revision in the body of the ordinance.

Council Member Boose: You've also added an Appendix A, which is the Administrative Fine Enforcement Policy for program violations. Other than that, I did not see any revisions to the

actual verbiage in the ordinance. I wanted to make sure those were the only revisions in the ordinance and if no one is here to say that, I would have difficulty voting for this.

Safety-Service Director Armbruster: Not speaking for the Law Director, but I know that Councilman Boose had asked for Exhibit C and other addendums to be added. Those were added and they were not part of the original T 20 and there was no other changes made. We did talk about the height of the actual buildings, but I'm not sure if that height is in here or not.

Council Member Boose: I talked about many changes, Mr. President and I saw that none of them were included. So, I could not

Law Director Crites: No revisions were made to the contract nor to the ordinance that I was aware of and the height parameter is a term in the lease not the management service agreement. I'm unaware of any change that has been made to the body of the ordinance or the agreement.

Council Member Boose: Can I ask then, who made this document?

Law Director Crites: Unfortunately, Paula left or we would know the answer to this question.

Mayor Gillock: Mr. President, actually, the ordinance itself is only one page and one paragraph on the back and it has not been revised. The attachments have been changed, but I don't think the ordinance itself was revised. It doesn't really make any difference. This part has not changed.

Council Member Boose: Right, but it references this.

Mayor Gillock: That is what the revision relates to though. It says T 20-2011 Revised, but this has not been revised.

Council Member Boose: To the Mayor's question, if there are other things that I have mentioned that have been changed, that have not been mentioned, could I hear them today?

Mayor Gillock: I think the only changes are in the attachments, which are the things you asked for to be added. I am going to assume, which is not always the best thing to do, but I am going to assume that the Assistant Clerk, by making those additions and adding those Exhibits, just put it as revised, because of those additions. We didn't change anything since the last meeting and that I can assure you.

Council Member Boose: Thank you.

President Corcoran: Any other questions or comments?

Council Member Boose: Just one to the Assistant Auditor; just to make sure I understand this. By passing these, we are not committing ourselves to spending money?

Deputy Auditor Machovina: We are giving the Mayor authorization to enter into an agreement at this point. He can hold off until we have the appropriations in place. We have done the BANs ordinance for the biosludge building itself and to purchase the equipment that we need. For this agreement to be active, we can give him the authorization to enter into an agreement, but he doesn't have to proceed with it until after the appropriations are in place. They are in conjunction from that standpoint.

Mayor Gillock: If we don't add the emergency clause, the ordinance is not effective until April 7 and we will have appropriations before then. We will, also, still have to have another ordinance

President Corcoran: That is the end of first readings. Moving on to second readings. T 19.

SECOND READINGS:

Clerk of Council Smith:

T 19-2011 AN ORDINANCE ACCEPTING CERTAIN PROPERTY AND
DEDICATING IT FOR PUBLIC USE. (donated land along Breck Court
and Center Ridge Road to be used as a new right-of-way for the purpose of
widening)
Second Reading

President Corcoran: Third readings, T 12.

THIRD READINGS:

Clerk of Council Smith:

T 12-2011 AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS
4824-2011 INDEMNIFY OR REIMBURSE CITY COUNCIL MEMBERS FOR
COSTS INCURRED IN DEFENSE OF CLAIMS MADE WHICH ARISE
FROM OFFICIAL ACTIONS WHEN SUCH CLAIMS ARE FOUND TO
BE WITHOUT MERIT.
Third Reading

moved by Butkowski, seconded by Johnson to adopt T 12

President Corcoran: Any comments or questions? Clerk, please call the roll.

Yes, 4 No, 1 (Boose) Abstain, 1 (Jaenke)

Clerk of Council Smith: We have one no, one abstention and four for the measure.

President Corcoran: It becomes ordinance number?

Clerk of Council Smith: 4824-2011

Permanent Ordinance No. 4824-2011

President Corcoran: T 15.

Clerk of Council Smith:

T 15-2011 AN ORDINANCE ACCEPTING CERTAIN
4825-2011 STREETS/IMPROVEMENTS LOCATED IN WHEATON PLACE AT
WATERBURY AND DEDICATING THEM FOR PUBLIC PURPOSES.
Third Reading

moved by Boose, seconded by Butkowski to adopt T 15

President Corcoran: Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Measure passed with one absent and becomes 4825-2011.

Permanent Ordinance No. 4825-2011

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 7, 2011**

Page 17

President Corcoran: That is the end of the third readings.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran:

Finance Committee Meeting Friday, March 11, 2011 at 1:00 P.M. in Council Chambers

Council Member Johnson: 1:30 P.M.

President Corcoran: In Council Chambers still?

Council Member Johnson: Yes.

President Corcoran:

Public Hearing to be held Monday, March 21, 2011 beginning at 7:20 P.M. re: agricultural district application from Wensink, King and Slusher

Next Regular Council Meeting Monday, March 21, 2011 at 7:30 P.M. in Council Chambers

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned.

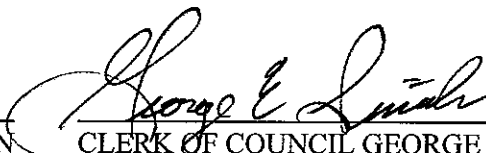
Meeting adjourned at 9:08 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on March 21, 2011.



PRESIDENT OF COUNCIL KEVIN CORCORAN



CLERK OF COUNCIL GEORGE E. SMITH