

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 6, 2000**

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

President Brown: Thank you. Just a friendly reminder that there are forms in the back that you must fill out if you are going to talk during Lobby or any other time at the podium. Thank you. I would like to have roll call please.

ROLL CALL

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

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

motion by Swindig to suspend By-Laws to reconvene into the Public Hearing for T 145-99, 2nd by Minnick

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

Yes, 7 No, 0

Council adjourned to Public Hearing for T 145-99 at 7:32 P.M.

Council reconvened from Public Hearing for T 145-99 at 8:18 P.M.

MINUTES

President Brown: We will continue on with our Council Meeting. I need a motion to approve the Minutes from February 22, 2000.

motion by Minnick to approve, 2nd by Swindig

President Brown: Any discussion? Mr. Gillock.

Council Member Gillock: We're on the Regular Minutes, right?

President Brown: Yes.

Council Clerk White: Special Minutes, okay.

President Brown: I know a lot of you will be leaving but you cannot disrupt the Council Meeting. Thank you. That's the Public Hearing that we had, February 22.

Council Member Minnick: That's February 16.

President Brown: February 16 is the Public Hearing that we had. We need those Minutes approved.

Special Council Minutes of February 16, 2000

motion by Butkowski for the Special Council Minutes of February 16, 2000, 2nd by Swindig

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING MARCH 6, 2000**

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President Brown: Any discussion? If not, please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

President Brown: Now the Regular Meeting.

Council Clerk White: Of February 22.

President Brown: Yes, of February 22. Mr. Gillock.

Council Member Gillock: We need a motion first.

Regular Council Minutes of February 22, 2000

motion by Gillock to approve the Minutes of February 22, 2000, 2nd by Johnson

President Brown: Any discussion?

Council Member Gillock: One correction. First, kind of just a question. All the pages are labeled February 24 and should be February 22.

Council Clerk White: Yes, we found that out today.

Council Member Gillock: On page 30, the last paragraph, Law Director Zagrans comments, the statement should be "that we adopt something that could have the effect of being inconsistent", not consistent.

Council Member Minnick: Which line was that?

Council Member Gillock: The fifth line from the end. Mr. Zagrans stated, "I don't know but I certainly wouldn't suggest that we adopt something that could have the effect of being inconsistent with existing legislation until the issue has been looked into."

Council Clerk White: Okay. So noted.

President Brown: Any other discussion?

Council Member Butkowski: Madam Chairman, on page 6, line 7, at the end the word "Newcomb". That's incorrect. It should be "Juchem".

President Brown: Make a note of that Clerk.

Council Clerk White: I'm so noting.

President Brown: Thank you very much.

Council Clerk White: So noted.

President Brown: Any more discussion? Mrs. Minnick.

Council Member Minnick: On page 4, line 10 from the bottom, where it says "(inaudible)", it was "require". "That won't require any additional funds."

Council Clerk White: So noted.

President Brown: So noted. Any more discussion? Take roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carried 7-0 with corrections.

Public Hearing Minutes of February 22, 2000, Agricultural District, Ternes

President Brown: We have the Public hearing Minutes of February 22, 2000 about the Rak Agricultural.

Council Clerk White: No, Ternes, please.

President Brown: Ternes is first? Yes, Ternes is first.

motion by Swindig to accept, 2nd by Johnson

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

Public Hearing Minutes of February 22, 2000, Agricultural District, Rak

motion by Swindig to accept, 2nd by Borocz

President Brown: Any discussion? Take roll call please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

Public Hearing Minutes of February 22, 2000, Agricultural District, Grosik

motion by Butkowski to accept, 2nd by Swindig

President Brown: Any discussion? Hearing none, seeing none, roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0

Public Hearing Minutes of February 22, 2000, T 137-99

motion by Johnson to accept, 2nd by Gillock

President Brown: Any discussion? Hearing none, the roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

Please note:

Board of Zoning & Buildings Appeals Minutes of February 24, 2000.

President Brown: Are there any Committee Reports?

COMMITTEE REPORTS

Council Clerk White: I have no Committee Reports.

President Brown: Mayor, your report.

MAYOR'S REPORT

Mayor Hill: Again a reminder that tomorrow is election day for primary contest. But please remember that there are also two issues on the ballot. The school renewal levy for funds to run our schools and the fire replacement levy. Voting is not only a privilege, it is your responsibility. In about a week you should receive a census form in the mail. The count is used to determine our fair share of government funds and representation. Please, to help the entire community, fill out your census form and return it. That concludes my report.

President Brown: Okay. Are there any questions of the Mayor? Moving on to the Safety-

Service Director's report.

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Zirzow: Thank you Madam President, Members of Council. The accomplishments for the two weeks ending March 6th:

PATCHING, PAVING & CRACK SEALING:

We are patching potholes city-wide and are still using winter mix until asphalt becomes available.

CONSTRUCTIONS & DITCHING:

We are continuing to clean Ridgeway Ditch near Center Ridge. Storm pipe was installed at 8739 Avon Belden Road and we are continuing to clean the Lee Street ditches. We have finished cleaning French Creek from Root Road to Route 10. We have added stone to several streets. They include: Handyside, Gloria, Lincoln for the second time and all lift station driveways. There was a cave-in at one of the drainage ditches off Lorain Road. This has been repaired. We have finished cleaning the ditch along Avon Belden from Ridge Lumber to Sugar Ridge. We are continuing cleaning the north end of Wallace Boulevard., east side ditch. The Service Department graded Barres Road and we have discovered sink holes by the storm sewers at 36360 Behm and 35134 Spruce. Both were repaired.

WATER BREAKS ANDS HYDRANT REPAIRS:

There was one water break that occurred in the last two weeks. This was on Highland. We also replaced and repaired the hydrant at 5759 Cornell.

CATCH BASINS:

Catch basins have been repaired and are still being repaired in the south Mills Creek area. A defective manhole was repaired at Harris and Harris Court. A catch basin is being repaired on Root Road across from Fields School.

MISCELLANEOUS:

The sewer jet was used in the following areas: for Sanitary Sewer Lines: Downing, Manchester, Dorchester, Westminster, Greenwich, north end of Avon Belden Road. For Storm Sewer Lines: Floraline, Avon Belden by Sugar Ridge, and 5222 Jaycox. It was noticed in certain developments, a large amount of road debris has come up during the winter season, some of it on the road and some on the tree lawns. The Service Department swept the following roads: Poplar, Rhonda, Mildred, Laurel, Ridge Plaza, Davis, Mills Industrial Parkway, Behm and the streets in the Emerald area, along with Ronald and Joseph. We would like to announce that in a few weeks we will contract out the sweeping of all curbed streets. This sweeper will do a more thorough job than the small sweeper we have. The Service Department has once again begun to clean up the back yard area of our lot in an effort to be a good neighbor to the adjoining residents. That concludes my report this evening.

President Brown: Thank you Mr. Zirzow. Are there any questions of the Safety-Service Director?
Moving on to the Engineer's Report.

ENGINEER'S REPORT

Engineer Lovece: Yes, Madam President. I would like to request that Council pass as an emergency T 29-2000 for the issuance and sale of \$300,000.00 in notes for the Wallace Boulevard water main. Right now I have an engineering company lined up and the sooner we get this passed we can get them going. March 23rd is the tentative date for the sale of bids for the new water tower. So that will be up for bid, and we anticipate opening the bids in April and starting construction in May of this year.

A little update on Bainbridge Road reconstruction project. The contractor, this is some old news, they have asked for actually 128 days time extension. Right now it looks like ODOT will approve approximately, I'll say until we get it in writing, it looks like they are going to approve a 37 days time extension. So it's far less than what the contractor requested. That's all I have this evening.

President Brown: Thank you Mr. Lovece. Is there any questions for the Engineer?

Council Clerk White: Yes. How many days extension did you think they would give them, did you say?

Engineer Lovece: 37 days.

Council Clerk White: Thank you.

Council Member Bukowski: Madam Chairman, I have a question.

President Brown: Yes Mrs. Bukowski.

Council Member Bukowski: Stewart what are they doing on Center Ridge and the beginning of Avon Belden out here, what are they ditching for?

Engineer Lovece: They are installing a sanitary sewer force main from the Savannah development to the lift station at 83 by Becker's Donut.

Council Member Bukowski: Will that allow the residents along Center Ridge to tap into that sewer?

Engineer Lovece: No.

Council Member Bukowski: What is the size of that sewer?

Engineer Lovece: Four inch.

Council Member Butkowski: Thank you.

President Brown: Any other questions of our Engineer? Okay. Auditor's report, Mr. Costin.

AUDITOR'S REPORT

Auditor Costin: Madam Chairman, there is no financial report scheduled for this meeting. I do have one comment. At the break I will pass around to Council Members Administration a

revised Appropriations Meeting schedule. I will pass that at the break. The Appropriations Meetings start tomorrow and continue through Wednesday through finality which will hopefully be by the end of the day on Wednesday. Other than that, no further comments.

President Brown: Any questions of our Auditor? Okay, moving on to the Law Director. Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Thank you very much. Members of Council, later this evening you will be considering the 3rd and final reading of T 137-99, which is a proposal to re-zone 200 acres of land from its current R-1 zoning to PCD zoning. As you consider that proposal, I wanted to make sure that each of you was reminded and had in mind one of the provisions of Ordinance 3491-99 which you passed last year. And that is, should Council vote to approve the change in zoning as requested from R-1 to PCD. The developer would have one year within which to complete and file a final plan for development of the PCD District. In the event that the developer failed to file a final development plan within a year of the effective date of the rezoning vote, then that rezoning would be automatically rescinded and the area would automatically revert to R-1 zoning by operation of the ordinance that was passed last year. So I simply wanted to make sure that everyone in Council had that provision in mind as you consider the proposed legislation later tonight. Thank you Madam President. That's all the report I have.

President Brown: Any questions of our Law Director?

Council Member Minnick: Madam President. Mr. Zagrans, how does that rezoning rule apply to the Cypress development because that has been over two years now.

Law Director Zagrans: Cypress is not a PCD.

Council Member Minnick: O.K.

Law Director Zagrans: That rule applies to the PCD change zoning we created last year, what is, in effect, a new zoning category called PCD.

Council Member Minnick: Right.

Law Director Zagrans: And that is what this pertains to.

Council Member Minnick: Is there any rule that applies to that rezoning?

Law Director Zagrans: No.

Council Member Minnick: Okay.

Law Director Zagrans: This is a specialized rule that was put into place only for PCD Districts.

Council Member Minnick: Okay. I have one other question. I called your office about a month ago and sent notes twice regarding, requesting correspondence. I was wondering when I might expect that?

Law Director Zagrans: If I remember the correspondence that you were talking about, that is still being utilized by my office. When that utilization is finished, you will get a copy of it.

Council Member Minnick: Can you make a copy of it and put it in my box?

Law Director Zagrans: Not until the use that I'm putting it to is concluded.

Council Member Minnick: All right. Thank you.

Law Director Zagrans: Sure.

President Brown: Any other questions of our Law Director? Seeing none. Moving on to the

Parks & Recreation Commission Liaison Report with Mrs. Minnick.

OTHER REPORTS

Parks & Recreation Commission Liaison Report:

Council Member Minnick: Yes, Shady Drive Master Plan Committee has been formed to provide input regarding future short and long term improvements to the complex. They will meet once a month and report to the Parks & and Recreation Commission at each regular meeting until the plans are completed. In order to ready the baseball complex for the summer season, Pride Day will be held on May 20th. Anyone who would like to volunteer can get more information by calling the Parks & Recreation Department. That concludes my report.

President Brown: Thank you Mrs. Minnick. Planning Commission Liaison, Mr. Johnson.

Planning Commission Liaison Report:

Council Member Johnson: Madam President, I have no report.

President Brown: No report. Okay.

Please Note:

Mayor's Court Operating Report/Mayor's Court Bail Trust Fund for February, 2000;
Police Department Support Car Report for December, 1999; and
Police Department Support Car Report for January, 2000.

President Brown: Now we're into Old Business.

OLD BUSINESS

Council Clerk White: I have none.

President Brown: You have no Old Business. Okay, New Business.

NEW BUSINESS

Council Clerk White: Those of you that have an agenda, New Business, flip over to page 4 where it says First Readings, write right above that New Business except for T 30-2000 down the page, that goes back over under New Business.

Law Director Zagrans: No, First Readings.

Council Clerk White: I mean First Readings, I'm sorry. First Readings. T 30-2000 is First Readings so we'll now go on Page 4 with New Business.

T 24-2000 A resolution to approve with modification the application made by William D. Schrauf to have certain land owned by him designated as being located within an Agricultural District.

motion by Johnson to suspend By-Laws to have the First Reading tonight, 2nd by Swindig.

President Brown: Any discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 24-2000 to get First Reading tonight.

T 25-2000 A resolution to approve with modification the application made by Benny R. Hamm to have certain land owned by him designated as being located within an Agricultural District.

motion by Johnson to suspend By-Laws for First Reading tonight, 2nd by Borocz.

President Brown: Discussion? Roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 25-2000 to have First Reading tonight.

T 26-2000 A resolution to approve with modification the application made by Michael J. Smith to have certain land owned by him designated as being located within an Agricultural District.

motion by Swindig to suspend By-Laws to allow T 26-2000 to have First Reading tonight, 2nd by Johnson.

President Brown: Did you get all that down?

Council Clerk White: I got it.

President Brown: Any discussions? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 26-2000 to have First Reading tonight.

T 27-2000 A resolution to approve with modification the application made by Frank J. And Dorothy M. Masny to have certain land owned by him designated as being located within an Agricultural District.

motion by Johnson to suspend By-Laws for a First Reading tonight, 2nd by Swindig.

President Brown: Any discussion? Please take the Roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 27-2000 to have First Reading tonight.

T 28-2000 A resolution to approve with modification the application made by John H. Smith to have certain land owned by him designated as being located within an Agricultural District.

motion by Johnson to suspend By-Laws for First Reading tonight, 2nd by Swindig.

President Brown: Any discussion? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 28-2000 to have First Reading tonight.

T 31-2000 An ordinance authorizing the Mayor to enter into a subdivider-developer

agreement with Highland Development Company and accepting for recording purposes only, the plat of the Deerfield Subdivision Phase IV and accepting the streets for public purposes.

President Brown: Motion to accept?

Council Clerk White: There's nothing to accept, except that I read it.

President Brown: Oh. Well I accept that then.

Council Clerk White: Okay.

President Brown: Next.

T 32-2000 An ordinance establishing minimum standards to ensure that public facilities and services needed to support a development are available concurrently with the impacts of such development.

motion by Swindig to suspend By-Laws to let T 32-2000 have a First Reading tonight, 2nd by Borocz.

President Brown: Any discussion? Roll, please.

Yes, 6 No, 1 (Butkowski)

Council Clerk White: Motion carries 6-1 for T 32-2000 to have First Reading tonight. That's all the New Business that I had in the wrong place.

Auditor Costin: Excuse me, Madam Chairman, I think there is actually one more under new business. T 29 on the BAN's.

Council Clerk White: We're doing that under First Readings. Okay?

Auditor Costin: Yes sir.

Council Clerk White: T 29-2000 and T 30-2000 should be First Readings. Okay? Like I said, that's all of the confused New Business I had.

President Brown: Okay.

Council Clerk White: It gets better.

President Brown: Okay, now we're going into First Readings.

Council Clerk White: No. We're going to Correspondence.

President Brown: Correspondence. All right, let me find it. Yes.

Council Clerk White: Okay.

President Brown: Okay.

CORRESPONDENCE

Council Clerk White: I have one piece of correspondence.

- 1) A letter from Renee L. Regula stating her objections to T 6-2000 and T 137-99, the rezoning and preliminary plans for the Kingston Place PCD and urging Members of Council to vote no.

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

LOBBY

President Brown: Okay. Now we'll have our Lobby. I have a timer here for two minutes and you can get up and speak on whatever you want to speak on but you will be limited to two minutes. Don't forget to give your name sir.

- 1) Walter Hofstetter, 7183 Case Road, stated he would like to see sewers come down Case Road and Center Ridge, that he was in favor of the PCD's, but that he wasn't in favor of growth and would like to see an open City.

President Brown: Thank you Mr. Hofstetter. Anyone else who would like to speak?

- 2) Joseph Antush, 38500 Otten Road, stated Mr. Swindig's and Mr. Gillock's letter had not addressed the condition of Case and Stoney Ridge Roads or the traffic congestion when the PCD will triple traffic.

President Brown: Your time is up. Sorry.

Mr. Antush: Already?

President Brown: Yes, two minutes, my little trusty timer. Anyone else?

- 3) Carol Shroyer, 6857 Stoney Ridge Road, stated concerns residents have regarding these PCD's are about roads and City services including increased traffic and roads already in need of repair, about school impact, about commercial development. Many are opposed but there are others among us who are not opposed to the general PCD concept but see a need for further study. Residents implore you to hold more meetings to listen, respond and research concerns before proceeding

President Brown: Thank you. Anyone else wishing to speak?

- 4) Amy Hansen, 5027 Stoney Ridge Road, urged Council to vote NO on the PCD because they moved here to live in the country. Keep business districts together, industrial districts together, the suburbs together, and let rural districts remain rural.

President Brown: Thank you. Anyone else wishing to speak?

- 5) Don VanDrasik, 34567 Lorain Road, stated he thinks the PCD's are neat with retention ponds like little lakes and bike/hiking trails which are open to the public instead of the gridwork type homes going in around him.

President Brown: Thank you Mr. VanDrasik. Anyone else wishing to speak?

6. Joseph Antush 38500 Otten Road, stated the PCD won't have sidewalks and should for safety of the kids, it will mean more teachers, bigger classes and more school buses and

drivers. Council isn't paying any attention to solving the problems before going ahead. This PCD is where an east/west road is supposed to go but no one pays attention to the Master Plan, any kind of plan, or even the City Planner.

President Brown: Your time is up again. Two minutes does buzz by pretty fast. Anyone else like to speak? Okay. We will have recess. At 9:00 we will proceed.

RECESS from 8:55 to 9:00 P.M.

President Brown: Continuing on now, we will have our First Readings. Clerk.
Council Clerk White: Yes ma'am.

FIRST READINGS

T 24-2000 A RESOLUTION TO APPROVE WITH MODIFICATION THE
889-2000 APPLICATION MADE BY WILLIAM D. SCHRAUF TO HAVE CERTAIN
 LAND OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
 AGRICULTURAL DISTRICT.

First Reading

motion by Swindig to suspend second and third readings, 2nd by Johnson.

President Brown: Any discussion? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-1 to suspend second and third readings.

motion by Swindig to adopt, 2nd by Johnson

President Brown: Any discussion?

motion by Swindig to add the emergency due to the County Auditor's deadline,
2nd by Borocz.

President Brown: Discussion?

Council Clerk White: Vote for the, roll call on the adoption with the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for T 24-2000 to become Resolution No. 889-2000 with the emergency.

Permanent Resolution No. 889-2000.

T 25-2000 A RESOLUTION TO APPROVE WITH MODIFICATION THE
890-2000 APPLICATION MADE BY BENNY R. HAMM TO HAVE CERTAIN LAND
 OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
 AGRICULTURAL DISTRICT.

First Reading

motion by Swindig to suspend second and third readings, 2nd by Johnson.

President Brown: Discussion? Roll on suspension.

Yes, 7 No, 0

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President Brown: Discussion? Roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0

motion by Swindig to addopt, 2nd by Johnson.

motion by Minnick to add the emergency, 2nd by Borocz.

Council Clerk White: Mrs. Minnick?

President Brown: Moved by Mrs. Minnick to add the emergency, 2nd by Mrs. Borocz.

Council Clerk White: On the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 on the emergency, now for the adoption with the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 27-2000 becomes 892 with the emergency.
Permanent Resolution No. 892-2000.

T 28-2000 A RESOLUTION TO APPROVE WITH MODIFICATION THE
893-2000 APPLICATION MADE BY JOHN H. SMITH TO HAVE CERTAIN LAND
OWNED BY HIM DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT.

First Reading.

motion by Swindig to suspend second and third readings, 2nd by Borocz.

President Brown: Any discussion. Roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0.

motion by Swindig to adopt, 2nd by Johnson.

motion by Swindig to add the emergency due to County Auditor's deadline, 2nd
by Johnson.

President Brown: Any discussion? Roll.

Council Clerk White: Vote on the emergency:

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to add the emergency, on the adoption
with emergency:

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 28-2000 becomes Resolution Number 893-2000.
Permanent Resolution No. 893-2000.

Law Director Zagrans: Madam President.

President Brown: Yes.

Law Director Zagrans: Before we move on to a First Reading for T 29-2000, I would like to
advise the members of Council that though this was an issue discussed at last Council meeting,
the actual physical text of the proposed ordinance T 29-2000 did not make it to the Council
Clerk's Office by cloture last week. I think, Mr. Costin, it was delivered today, is that correct?

Auditor Costin: That is correct.

Law Director Zagrans: And it has your Fiscal Officers' Certificate dated today as well as attached to the end. So there would need to be a motion to suspend By-Laws to give it a First Reading tonight.

motion by Swindig to suspend By-Laws to give T 29 and Mr. Costin's Certificate a First Reading tonight, 2nd by Butkowski.

President Brown: Mrs. Butkowski seconded. Is there any discussion? Hearing none, roll.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 but before we can have First Reading for T 29-2000 we need the Fiscal Officers Certificate read. Would you do that Mr. Costin, please?

Auditor Costin: Gladly. To the Council of the City of North Ridgeville, Ohio.

As Fiscal Officer of the City of North Ridgeville, I certify in connection with your proposed issue of \$300,000.00 notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds) for the purpose of improving the municipal water works system by replacing a water line on Wallace Boulevard together with necessary appurtenances and work incidental thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement described above is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is forty years. If notes in anticipation of the Bonds are outstanding for a period later than the last day of December of the fifth year following the year of issuance of the original issuance of the notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is twenty years from the date of issuance of the Notes.

Dated March 6, 2000. Auditor, Chris S. Costin, City of North Ridgeville.

Council Clerk White: Thank you. First Reading for T 29-2000.

T 29-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3542-2000 \$300,000.00 NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS
FOR THE PURPOSE OF IMPROVING THE MUNICIPAL WATERWORKS
SYSTEM BY REPLACING THE WATER LINE ON WALLACE
BOULEVARD TOGETHER WITH NECESSARY APPURTENANCES AND
WORK INCIDENTAL THERETO.

motion by Johnson to suspend second and third readings, 2nd by Swindig.

President Brown: Did you get that?

Council Clerk White: Yes Ma'am.

President Brown: Any discussion? Roll, please.

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 to suspend second and third readings.
motion by Johnson to adopt, 2nd by Swindig.

President Brown: Discussion?

motion by Swindig to add the emergency for the reason of getting an engineering
firm to get the water line replacement, 2nd by Johnson.

Council Member Gillock: Madam President.

President Brown: Yes Mr. Gillock.

Council Member Gillock: This is for the replacement of the water line on Wallace Boulevard and
with incidental work thereto. What does this entail in so far as the need for repaving or, you
know, that issue? Is that part of this, or are there other plans for paving Wallace?

Engineer Lovece: No, we are separately going to pave Wallace out of a different fund. There is
minimal repaving monies in that \$350,000.00. Just restoration.

President Brown: Mr. Costin.

Auditor Costin: Madam Chairman. So there's no confusion, T 29-2000 is for the issuance of the
Bond Anticipation Notes. T 30 will actually be for the authorization of the construction and
engineering work. However, assuming that T 29 is passed by emergency tonight, we will be
required to have passage of time of about ten days until we have a firm commitment on our notes
and accordingly I would request that T 30-2000 have its' First Reading and be passed by
emergency at the next meeting. Thank you.

President Brown: Thank you Mr. Costin.

Council Member Costin: To conclude, I would request the emergency for T 29 tonight for the
issuance of the BAN's. Thank you.

President Brown: Any other discussion? Okay, Roll.

Council Clerk White: Roll call on the emergency

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0 for the emergency. For the adoption with the
emergency

Yes, 7 No, 0

Council Clerk White: Motion carries 7-0. T 29-2000 becomes Ordinance Number 3542-2000
with emergency.

Permanent Ordinance No. 3542-2000.

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

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

President Brown: We need a motion.

Council Member Gillock: Point of Order, I think we had 31. Did we skip 31?

Council Clerk White: No, thirty-one stayed in New Business.

Council Member Gillock: That's what everybody is waiting on.

Council Clerk White: No, T 31 stayed in New Business.

Council Member Gillock: All right.

President Brown: T 32 is First Reading.

Council Clerk White: Pardon me. What is the problem sir?

Council Member Johnson: T 31

Council Clerk White: We'll get it solved.

Council Member Gillock: T 31 didn't stay in.

Council Member Johnson: It should, it was a Committee Report.

Council Clerk White: T 31 just had New Business. T 32, you suspended By-Laws to have First Reading.

Law Director Zagrans: That's right. There was no motion to suspend By-Laws with regard to T 31 to give it a First Reading for tonight.

Council Member Gillock: Okay.

Council Clerk White: So, that's where we are. We're through then with First Readings?

President Brown: Yes.

SECOND READINGS

T 22-2000 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
 RIDGEVILLE, OHIO, TO PURCHASE A KOBELCO 135SR TRACK
 EXCAVATOR FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS
 AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR
 ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR
 APPROXIMATELY \$55,000.00 PLUS THE TRADE-IN OF A 7-YEAR OLD
 TRACK EXCAVATOR.

 Second Reading

Council Clerk White: That constitutes Second Readings. That's the only Second Reading I have.

THIRD READINGS

T 6-2000 A RESOLUTION GRANTING PRELIMINARY APPROVAL FOR THE
894-2000 PROPOSED PLANNED COMMUNITY DEVELOPMENT SITUATED ON

**APPROXIMATELY 200 ACRES BETWEEN CASE ROAD AND STONEY
RIDGE ROAD BORDERING THE CITY OF AVON AND KNOWN AS
KINGSTON PLACE.**

Third Reading

motion by Johnson to adopt, 2nd by Gillock.

President Brown: Any discussion?

Council Member Minnick: Yes. Madam Chairman, I have quite a lengthy discussion on this if I may. In 1973 Lorain County Regional Planning Commission submitted the Major Thoroughfare Plan. In 1975 North Ridgeville adopted that Major Thoroughfare Plan by Resolution 346-75. Said plan has not been revised, nor approved, and we are therefore bound to adhere to it. In 1993 the Advisory Committee to the Buildings & Lands Committee of Council submitted the "Through Streets Plan" and was accepted by Planning Commission and Council. In December 1998, Council adopted the Master Plan. It states, "A series of new street extensions are also required to improve accessibility within and between different parts of the City." End of quote. Nine recommendations were made. Mills Road extension was No. 1. Stewart Lovece was Chairman of the Transportation Committee that made that decision to extend Mills Road to Case along with Members Jerry Kruger of our Service Department, of which he is the Head, Jean Brown, now President of Council, and Tom Sweeney, former Safety Service Director. All these reports recommend extending Mills Road to Abbe except the Master Plan which recommends extending Mills Road to Case. Recently we paid the City Planner, PKG, \$4,000.00 to review the Kingston PCD. PKG reported as follows:

1. The traffic generation calculations to be understated to a significant degree.
2. The Mills Road extension from Stoney Ridge to Case was a sound transportation engineering concept which has not been included in the Preliminary Plan for the Kingston Place. Eliminating the Mills Road connection to Case as envisioned in the Master Plan will cause significant amount of east-west traffic on the main interior road of the PCD not included in the Traffic Report. This will be particularly true at the completion of the commercial development and raises concerns about the advisability of direct access to the main spine road of the single family lots indicated in Phase II as well as the proposed offset streets access points for the future cluster areas.
3. No projections are made for the increase in regional traffic on key roads such as Case, Stoney Ridge, or Center Ridge. Traffic Impact Studies submitted with the application has already indicated the need to install a three phase traffic signal at Stoney Ridge and Center Ridge and install Stop sign controls at the internal road intersections.
4. The driveway access to the primary five-acre Neighborhood Business District is too close to Mills Road to meet the State of Ohio Access Management Standards.
5. This project is not in conformance with the recommended low density designation in the Master Plan for this area.
6. The key concern for North Ridgeville will be the cumulative effects of future development on roads such as Case Road.

PKG's concerns deal with the needs of this particular development only, yet there are over 1,000 additional acres that could be developed into PCD's in the northwest quadrant of our City. If the Kingston PCD is approved, we will lose the land for the east west extension to Mills Road.

Case Road and Stoney Ridge were not designed to carry heavy traffic. They are narrow, winding and dangerous country roads. Why did we hire a City Planner if we don't heed the advice given?

All four previous Thoroughfare Plans were sound reasonable plans for the future and written before this PCD was proposed. Extending Mills Road to Case Road just makes good sense for present and future development in the northwest quadrant of our City.

Even though the Mayor stated she is in the process of revising the Thoroughfare Plan, there is a procedure for considering the revision before a recommendation is made to Council where a vote is taken. That procedure has not yet begun. Further, key City people worked on the road recommendations of the Master Plan. The Master Plan is only one year old, yet we are told the Thoroughfare Plans are out-of-date. If and when the Thoroughfare Plan is revised and approved will it again be deemed out-of-date when a developer proposes another PCD in the path of that road?

Section 1226.01 of the Codified Ordinance states, "All proposed subdivisions shall conform to the Official Thoroughfare Plan and any subsequent revisions thereof. Therefore, Council must base their decision on the Thoroughfare Plan presently approved by Council by resolution and not on a plan the Mayor states is in the process of being revised by Mr. Lovece.

The Kingston PCD insists on 202 acres of land. If we follow the Thoroughfare Plans as set forth and if Mills Road were built between Stoney Ridge and Case Roads, approximately 10 acres would be required. This will take the total acreage of the Kingston PCD down to 192 acres, not enough to qualify it to be re-zoned to PCD classification.

Section 1240.02 and .03 of our Codified Ordinances regarding Purposes and Interpretation of the Zoning Code, was enacted to preserve and promote the public health, convenience, safety and general welfare of our residents and to avoid undue concentrations of population and congestion on the streets.

In December, 1999, we all took the Oath of Office and solemnly swore to uphold the Charter and Ordinances of this City. We may like this PCD, but we are bound by that oath to uphold the Ordinances we now have in place. We cannot adopt T 137-99 nor T 6-2000, in my opinion. Thank you. That concludes what I have to say.

President Brown: Anyone else have anything that they would like to speak to?
Council Member Butowski: Madam President.

President Brown: Yes.

Council Member Butkowski: We sat here this evening and listened to the people in the Lear Nagel area complain about the road over there which is very valid. That road is just full of cars constantly. Now we are talking about this PCD which is going to create this same problem on the other side of town with Stoney Ridge and Case Road. In ten years the Council will be sitting here listening to the same things and we have to get a road through Mills Road over to Case Road to alleviate that problem. There is no reason to continue to create another problem that we already have. Our forefathers let it go through and created those problems. Why don't we learn from their mistakes? Let's defeat this now and make them go back. Purchase a little more land if they need to. There's a lot of land over there. But put that road through before we put this thing in.

Council Member Borocz: Madam President:

President Brown: Yes.

Council Member Borocz: I'm, unfortunately like Mrs. Minnick, I'm sorry I have not gone through and taken the time to read the Codified Ordinances. I am going to speak with a little bit of common sense and a little bit of research I did on my own. Many years ago our forefathers came to this great country. Land was open and ready for building. Time progressed and more and more farmland was sold off for development of towns and cities. Excuse me my throat is going. In the late 1940's and the '50's, the building boom produced tract housing and houses that were being built with a maximum density of seven dwellings or more per acre. Developments that were one or two streets with no room for people to see the trees. In society today, there has been an increasing movement to move away from our big cities and into the surrounding suburbs. The more rural the better. Country in the city. Well that is all fine and good, cars are needed to get from one area to another. This equals a transportation nightmare. Roads become deteriorated and in need of constant repairs. I have been asking the same tough questions that each and every one of you has asked. I have listened to all of your concerns and then I went one step further. I asked for and received from the EPA their view of PCD's. I would like to share some of that with you now.

I'm going to ask some questions that preface the EPA booklet.

1. Do you spend too much time in stop and go traffic, not only on the highway but in your own community?
2. Does new development in your community cause flooding?
3. Are your local streams and lakes polluted from the storm water runoff?
4. Does your community struggle to pay for extending and maintaining roads, sewers and other public facilities to keep up with growth?
5. Can you and your family conveniently walk or bike to shopping centers, schools, work or parks?
6. Are properties in older areas becoming abandoned as people and business move to the suburbs?
7. Do you and your family have opportunities to enjoy nature in your community?

The consequences of sprawling developments can lead to air pollution from car exhaust. Though it's cleaner than ever before, there are more cars on the road. People are driving farther and more often. Water pollution and flooding; impermeable surfaces such as roadways and parking lots increase the volume of water running into streams and rivers. Loss of habitat; sprawling developments may destroy or degrade natural ecosystems. Loss of wetlands; as wetlands in forested areas are paved, flooding can become severe. Wetlands in forested areas provide much needed permeable surfaces for absorption of rainwater.

What can we do to help our community to grow smart? Residents can promote environmental quality and community growth by asking local officials for a copy of their comprehensive plans in promoting substantial land use alternatives at local hearings on specific development projects. Most of all, the lack of appropriate planning may result in sprawling development which leads to adverse effects such as flooding, higher taxes and strains on local police and fire departments. Many of you here this evening have made your preferences known. Your solution, as I see it, is to stop the building altogether. Unfortunately and realistically, that is not a good choice. With PCD's we stand a chance of providing good housing at a reasonable price and still maintain that country in the city atmosphere. We stand a chance of giving our residents the best of all worlds combined. Thank you.

President Brown: Thank you Mrs. Borocz. Mrs. Minnick.

Council Member Minnick: As I said in my report, we may like this PCD but there are too many Ordinances that are not being upheld with this particular PCD and we have an obligation, as I stated, to uphold the Ordinances as they are written. Thank you.

President Brown: Mr. Johnson.

Council Member Johnson: I also have taken that oath to uphold the Ordinances and we do have an Ordinance with a number on it for the PCD's. This before us, T 6-2000, meets all criteria or exceeds what we have asked for in our Ordinance. We're talking that traffic in the City. I moved here in 1966 with my wife and a son, and from 1966 to now, I have never paid a street levy to widen a street, to build a street, to do any of those. But I have impacted because now I have nine people living here in North Ridgeville which are from my wife and son and daughter. We haven't paid one of these things. We went from 1979 until 1991 without a street ordinance. That is a long time to go. The people who have lived here all this while need to look back and say, what impact did I do and what did I not pay for? The reason our streets are in this condition. Like I say, I'm guilty of it also and everybody who is sitting here that lives in this City is guilty of impacting our streets by adding family, cars. When I moved here, we had one car. We now have seven running on the streets and with four grandchildren coming up, there will be more. This we have to look at. Thank you.

President Brown: Thank you Mr. Johnson. Anyone else?

Council Member Minnick: Madam President. We have plans. We have all these plans that were for the future and they are not being held. When something comes up, Mr. Johnson, you say well it goes with the Master Plan. And when I say something doesn't go, you say, well, it's a living document. It's meant to be changed. Again, I state, we have plans, we are going against the oath

of office that we took if we vote for this PCD. Thank you.

Council Member Johnson: Madam Chairman, may I ask one question also?

President Brown: Yes, one question.

Council Member Johnson: In all of this what have you done in the form of a levy or any of these natures to alleviate the problems we have right now with our streets?

Council Member Minnick: Mr. Johnson, when the levies come on in the election, I do vote for them. And as for adding to the population, yes I had three children and my three children are moving out of North Ridgeville and into Cuyahoga County. Thank you.

Council Member Johnson: And all of mine want to stay here. Thank you.

President Brown: Okay.

Council Member Gillock: Madam President.

President Brown: Yes, Mr. Gillock.

Council Member Gillock: I also took the same oath and I don't believe I'm violating my oath. We have a new PCD Ordinance that is designed specifically for this situation. That Master Plan, and Gail, Mrs. Minnick, is right. It's often cited as, "we're violating the Master Plan", or, "it doesn't count", depending on the situation. The Master Plan is a plan, it is a guideline. That same Master Plan that says you must extend Mills Road, issue number 1, also promotes PCD's and you can't have it both ways. Master Plan says PCD's are good and Master Plan says extend Mills Road. In this situation you can't have them both. But I think the PCD's are a good way of avoiding tract style housing that Councilman Borocz was speaking about and eliminating some of the flooding and retaining some open space, reducing our streets that are needed, snowplowing that is needed, by planned growth. We can't tell the developer, no, you can't develop there. Leave that 200 acres open. Our choice is between 400 houses tract style or this type of housing in a PCD style. That's our choice.

President Brown: Thank you Mr. Gillock.

Council Member Butkowski: Madam President.

President Brown: Yes, Mrs. Butkowski.

Council Member Butkowski: You still have to remember we can still have that PCD and we could have Mills Road put through. He could buy a little more property and move it south a little bit and have the traffic flow very well through the City. He can still have his PCD and we can all move around a lot better than we are right now. We can just be bottlenecked on Lear Nagel. We don't have to be bottlenecked on Case Road and Stoney Ridge and Mills Road dead ending at Stoney Ridge. Thank you.

Council Member Minnick: One other comment, if I may Madam President.

President Brown: Yes, Mrs. Minnick.

Council Member Minnick: Lear Nagel is a nightmare. It's also a relatively straight road. Case Road, Stoney Ridge Road are narrow and winding and Case Road especially is in terrible disrepair. We have an obligation to the present and future residents of this City to give them access, easy access, to reasonably kept roads. Putting Mills Road through will give an alternative to using Case and Stoney Ridge Roads to get to the eastern part of the City. It calls for it in our plans. The City Planner stated that it should be done. Why did we even bother with the City

Planner's report? Why did we expend the \$4,000.00? That's what we paid her for. She gave that recommendation. Our Thoroughfare Plans give that recommendation. Common sense tells you we need another road in that area. This PCD is the beginning. There are over 1,000 acres, as I said previously, we must plan for the future and this PCD will take that future road away from us.

Council Member Borocz: Madam Chairman. One final comment. This is a preliminary step, this is not a final step. This is the beginning stage. This gives us the opportunity to watch everything that is put in front of us and keep an eye on the roads and all the other surveys that are being done. Thank you.

President Brown: Thank you Mrs. Borocz. Well Clerk, will you please take the Roll?

Council Clerk White: This is for the adoption of T 6-2000

Yes, 5 No, 2 (Minnick, Butkowski)

Council Clerk White: Motion carries 5-2 and T 6-2000 becomes Resolution 894-2000.
Permanent Resolution No. 894-2000.

T 137-99 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
3543-2000 ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN AS
 A ZONING CODE ORDINANCE TO REZONE THE FOLLOWING LAND,
 APPROXIMATELY 200 ACRES SITUATED BETWEEN CASE ROAD AND
 STONEY RIDGE ROAD BORDERING THE CITY OF AVON AND SHOWN
 BY LEGAL DESCRIPTION BELOW FROM R-1 RESIDENT DISTRICT TO
 PCD, PLANNED COMMUNITY DEVELOPMENT AS PETITIONED BY
 MATT ROSNER, PINE RIDGE ESTATES, LLC.

Third Reading

moved to adopt by Johnson, 2nd by Borocz

President Brown: 2nd Mrs. Borocz. Discussion?

Council Member Gillock: Madam President.

President Brown: Yes, Mr. Gillock.

Council Member Gillock: In this situation, we're not talking like in the last Resolution, going from residential to another residential classification. We are talking about going from residential to a business use. We are talking about rezoning from R-1 to B-3 for a B-1 usage. I have a lot of questions about the traffic as the residents do. On the south end of Lear Nagel we have a project
Law Director Zagrans: Dave, we're talking about the rezoning for the PCD now.

Council Member Gillock: Oh, I'm sorry.

Council Clerk White: We're in 37.

Council Member Gillock: I've got mine backwards.

Law Director Zagrans: Next one.

President Brown: You are ahead of yourself Mr. Gillock.

Council Clerk White: Do you rescind your comments?

Council Member Gillock: I rescind my comments and reserve them for the next one.

Council Clerk White: In the minutes please rescind the foregoing comments.

President Brown: Thank you.

Law Director Zagrans: Certainly.

President Brown: Any more discussion regarding T 137-99? Roll please.

Yes, 5 No, 2 (Minnick, Butkowski)

Council Clerk White: Motion carries 5-2. T 137-99 becomes Ordinance 3543-2000.
Permanent Ordinance No. 3543-2000.

Council Clerk White: Now, Dave.

T 145-99 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
3544-2000 ORDINANCES WITH THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN
AS THE ZONING CODE ORDINANCE TO REZONE THE FOLLOWING
LAND, 6200 LEAR NAGEL ROAD AS SHOWN BY LEGAL DESCRIPTION
BELOW FROM R-1 RESIDENT DISTRICT TO B-3 HIGHWAY
COMMERCIAL DISTRICT AND OWNED BY MAURICE F. SHAVE.

Third Reading.

motion to adopt by Johnson, 2nd by Swindig

.President Brown: Is there a second?

Council Member Swindig: I'll 2nd it.

President Brown: Mr. Swindig. Any discussion? Mr. Gillock.

Council Member Gillock: Too many motions tonight. As I started to say, this one is different than the PCD situation where you were talking about residential to residential. This one is residential to business. The area in question is R-1 on the south side and B-3 on the north side, so that the usage that is planned is a B-1 usage. That would be spot zoning which I believe is why they asked for B-3. B-3 though, however, leaves it open to a lot of commercial use, not necessarily just professional office buildings. If the project even went in as professional office buildings and I have no doubt that it would, down the road if it didn't come through as planned then it could be changed to any other B-3 use. My main concern is with the traffic on Lear Nagel. On the south end of Lear Nagel we have a project underway there now that is currently stalled, but obviously that's a large business area being developed. On the north end at Center Ridge, we have a bad intersection already. BW3 will be moving into that area which is going to make it worse so now you are going to have a severe traffic problem on the north end. In the middle now we're talking about putting in another business usage with a turn lane in the middle. I think we should wait until we can address Lear Nagel and fix Lear Nagel and widen it and perhaps hook it up with Lear Nagel north and do something with that road before we go ahead with the commercial development.

President Brown: Any other discussion?

Council Member Johnson: As Mr. Gillock said, that it was B-3 on the north and R-1 on the south but it is also B-3 on the west and I-2 on the east. So you have a section of property that is R here, and so when you put residential, you're going to have residential the way it is now with B-3 on the west side of it, B-3 on the north side of it, and I-2 on the east side of it, is how that property is set right now. If you take the zoning map as it is stated right now, that is a perfectly

straight line along the green belt to make that B-3. It actually takes the residential that goes up into the B-3 and I-2 and makes it straight with B-3. There already is B-3 abutting Washington Avenue from Center Ridge. Thank you.

President Brown: Any other comments?

Council Member Butkowski: Madam President.

President Brown: Yes.

Council Member Butkowski: While I would like to see this zoned B-1 to protect anything more going in there than what's been proposed, I do think it isn't, I don't have a problem with what's been proposed, except for the traffic on Lear Nagel. It just can't hold this. The people that move in there aren't even going to be too happy with all that traffic and I don't believe that it's going to be if they come down there and check out the traffic, I don't know why they would rent one of those because nobody can get there too easily. I drive a school bus and unfortunately I had to go down there around 7:00 A.M. I guess it wasn't my day to get that route. I feel sorry for anybody that has to go down there and I do not believe that it will be real easy for him to rent those things. I would like to see this defeated at this point until we can do something with Lear Nagel to alleviate that traffic for everybody.

Council Member Johnson: We also have to talk about Lear Nagel. There was approximately how many homes put in Presidential Estates and people who have moved, they did stress their concern with traffic and I hear people say they moved here 3 months ago. Traffic on Lear Nagel has been bad for ten years. Like I say, from 1979 to 1991 without a street levy. We are behind. I feel that we should look at ways of funding wider streets, funding three lanes on Lear Nagel, funding straightening Lear Nagel at Center Ridge with north, turning lanes at Chestnut and Lear Nagel, turning lanes on Lorain and also on Center Ridge. Adding this to B-3 zoning compared to residential, I really see that as fitting into the fact that it would be industrial on the east side of residential homes. And actually the traffic itself we should actually, the seven of us should look at ways to give the Administration the funds to widen Lear Nagel.

Council Member Gillock: Madam President.

President Brown: Mr. Gillock.

Council Member Gillock: I think Councilman Johnson has proven our point. Yes, we need to address traffic, we need to widen Lear Nagel. What we're saying is I think we need to do that before we allow any more development on that street. Take care of the street first.

Council Member Johnson: Are we talking any more home permits? I mean this is the thing. We've allowed several home permits to go in there in the last five to six years. We don't stop one. We didn't stop office building across the street in the industrial area. These are things we have to address, so where do you put the stop? How do you put a stop? Mainly, let's correct the problem. The problem is traffic and we should correct it.

Council Member Butkowski: Madam President.

President Brown: Yes, Mrs. Butkowski.

Council Member Butkowski: The buck can stop right now and then we can continue on and then we can start taking care of the traffic problems. We can put a moratorium on building on Lear Nagel of anything until we get that traffic problem taken care of. There is no reason to put one more thing on that road, it's got too much now. So, you want to stop it, let's stop it right now

and make the plans. You're not telling him he can't build it, he just can't build it now.

Council Member Johnson: We would also have to put a stop at the beginning of the Ridgeville City Line in Avon and tell them no more coming down our street because you are adding to the population in Avon and you're using our street and you're increasing our traffic. So we have to also extend that to Avon, go south, Westlake, anything that ties into and uses that street. So how do we stop all those? They are adding to our traffic going to 480.

President Brown: Mayor.

Mayor Hill: Yes, Madam President. As we all know, it is very important to every resident of this City that we increase our tax base to relieve the burden on the shoulders of our residents.

Without business development, the services that we need which are urgent and includes things like the fire levy, includes the schools, it includes all of the things that all of us pay for day by day, it is very important that we relieve some of that and the way you do that is by bringing businesses into town and being business friendly. I heard several people tonight speak about that and they are correct. And I am certainly happy that community members are thinking long term. I understand the concerns of the people along Lear Nagel and Boulder. I travel that area constantly. I know it's bad. What we're trying to do at this point is by adding the turning lanes. We are going to get traffic with residential, could be 24 hours a day but certainly will be seven days a week. I've heard all the talk about all the parking spaces. That's because our City Ordinances provide for an inordinate demand and inordinate number of parking spaces. That's not because that's how much parking there will be. Take a look at Rini's, take a look at Rite Aide, take a look at CVS or whatever the heck its called now, Revco. We are very stringent and require many more parking spaces than are necessary. But to come back to what I was talking about with the economic development, we have to think long term. I understand, I really do, and some people made some very good presentations tonight, very reasonable. But let me tell you, that the push across the State, and all you have to do is read the newspaper, every community in this state of Ohio, the State as a whole and many other states, are vying. They are in a contest with one another to attract businesses to relieve their tax burden for the residents and still provide services. In relation to that, I was approached last week and asked what's a big project in the City of North Ridgeville because Senator DeWine is considering different projects that could be funded across the State of Ohio. What I'm trying to say that it is, it all ties together with the push of the State to bring in economic development. And you know "Jobs Ohio" or some sort of slogan has been on the front burner since Voinovich was Governor. And it's right and it's good. With the economic development that is possible, we are going to ask Senator DeWine for approximately \$6,000,000.00. There is no chance that we will get any money to work out the problems on Lear Nagel Road, and they are many, nor to think even about diverting the traffic so that we can build a road so that we can match up one end of Lear Nagel to the other, helping immensely with the traffic problem. There is absolutely no chance of any such funds to do what we need to do on Lear Nagel without proving economic development and what it really means is jobs. Jobs in Ohio. Matched up with the fact that at Cypress Development, it is not stalled, they are reaching conclusions on some leases to go in there. We had word today, of course it's real estate dealings, by Law we are not allowed to discuss them publicly. But putting that together,

there is also another option and it's called a TIF and it's Tax Increment Financing. The only way, the only way we can get money through either avenue to address the problems on Lear Nagel is to prove that jobs are coming into the area, that there's economic development. And those are the two options. Can I tell you that they will happen? I will not tell you that because I cannot guarantee that and you need to hear the truth. But it's two options that we have open to us to address the problems that we face daily on Lear Nagel Road. Thank you.

President Brown: Thank you. Mrs. Minnick.

Council Member Minnick: Economic development sounds all well and good but when I think of my Ward, I think of empty stores and the Mills Creek Commons. I think of empty stores and that new white building that is sitting there on Center Ridge. I think of traffic on Lear Nagel. I think of the residents that don't want this but we have no guarantees of anything and we don't have any guarantees of any tenants in these buildings either. And I believe, even though this development looks really nice, I believe that we should at least postpone this until we get a traffic study report. We have plenty of open buildings right now to go for rent so postponing this won't hurt. We have a motion on the floor and I don't know if I could put a second motion on the floor to postpone this until we get a traffic study report.

Law Director Zagrans: Not unless the maker of the first motion is willing to withdraw it and also the seconder.

President Brown: Are you willing to withdraw?

Council Member Johnson: I call for a vote.

President Brown: Call for a vote, Okay. Clerk.

Council Clerk White: For T 145-99

Yes, 4 No, 3 (Minnick, Butkowski, Gillock)

Council Clerk White: 4-3 Adoption Ordinance 3544-2000.

Permanent Ordinance No. 3544-2000.

Council Clerk White: That's the end of the Third Readings I have. We now go into Unfinished Business.

UNFINISHED BUSINESS

Council Member: Madam Chairman.

President Brown: Please

Council Member: Madam Chairman

President Brown: Yes ma'am or sir.

Council Member: In our minutes of February 22, 2000, Building and Lands Committee Report #4104, we have considered the matter of Deerfield Subdivision Phase IV and recommend that this request be approved and proper emergency legislation be drawn authorizing. The plat was passed so T 31 should have a First Reading tonight.

Council Clerk White: T 31-2000 should have a First Reading. That's where it was listed and we moved it when we moved all the others. Okay, now before we go into that I think we need a motion to extend past 10:00 P.M.

motion by Swindig to extend the meeting past 10:00 P.M., 2nd by Borocz

President Brown: Got that? Roll please.

Yes, 7 No, 0

Council Clerk White: I knew you were voting, but I was reading fast. I'm sorry about that. I was trying to make it to 10:00 to make it a moot vote. Okay, now, T 31-2000 First Reading.

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

President Brown: Motion to accept?

Council Clerk White: We don't need it.

President Brown: We don't need it. Okay.

Council Clerk White: Thank you Jim.

President Brown: Yes, thank you Mr. Johnson.

Council Clerk White: That's all the Unfinished Business that I know of. Is there any others?

Council Member Butkowski: Yes, I have one.

Council Clerk White: Okay.

Council Member Butkowski: This T 32-2000, can that be put into a Committee to go over it?
motion by Butkowski to put T 32-2000 into a Committee, 2nd by Minnick

Council Member Butkowski: That was introduced tonight under New Business.

Council Clerk White: Do we need a motion for that?

Council Member Gillock: I don't think you need a motion for that..

President Brown: That goes into Buildings & Lands.

REFER T 32-2000 TO BUILDINGS & LANDS COMMITTEE.

Council Clerk White: You're going to put T 32-2000 into Buildings & Lands?

President Brown: Yes.

Council Clerk White: On 3/6/2000. Okay. Committee Reports.

COMMITTEE MEETING ANNOUNCEMENTS

President Brown: Any Committee Reports?

Council Clerk White: The only thing I have is the next Council Meeting.

Next Regular Council Meeting Monday, March 20, 2000 at 7:30 P.M.

Council Member Borocz: Madam President.

President Brown: Yes.

Council Member Borocz: I do have a Committee announcement. Streets, Sidewalks & Bridges Committee will meet on March 14th at 6:00 P.M. in the Conference Room.

Council Member Swindig: We do have Finance.

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REGULAR MEETING MARCH 6, 2000**

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President Brown: Finance tomorrow and Wednesday and perhaps Thursday if it goes over.

Council Clerk White: No it won't take more than two days.

President Brown: Okay, two days are going to do it. That's Appropriations Meetings, they will be held in the Conference Room. Any other Committee Reports? Announcements? Seeing none.

ADJOURNMENT

motion to adjourn by Swindig, 2nd by Johnson

President Brown: Roll, please

Yes, 7 No, 0

Council Clerk White: Motion carried 7-0 to adjourn at 9:58 P.M. Thanks, all of you, for your indulgence.

President Brown: Meeting adjourned.

Meeting adjourned at 9:58 P.M.

MOTION Butkowski 2ND Swindig DATE March 20, 2000

YES 6 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL