

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING MARCH 5, 2007**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order tonight, the North Ridgeville City Council Regular meeting dated Monday, March 5, 2007. If you will please all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: Dr. Norris, will you please take our roll.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt.

Absent was Council Member Richard Jaenke.

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

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Minutes before Council this evening include:

Council Minutes of regular meeting held February 20, 2007

moved by Boose, seconded by Butkowski to approve the Council Minutes of the regular meeting dated February 20, 2007

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

All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: Council will also note, in their packets were:

Parks & Recreation Commission Minutes of regular meeting January 24, 2007;

Civil Service Commission Minutes of regular meeting February 20, 2007; and

Board of Zoning and Building Appeals Minutes of regular meeting February 22, 2007.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We will now move onto the Mayor and Directors report this evening. The

Chair invites the Mayor and Directors the opportunity to present an oral report to City Council. We would like to begin tonight with our Mayor, Mr. Gillock.

- **Mayor:**

Mayor Gillock: Thank you, Mr. President. On tonight's agenda, you will find several ordinances for the purchase of goods such as concrete pads, storm water pipe, concrete, limestone and sand, asphalt, and rental and road repair equipment. After consultation with our Auditor, I would ask that these be allowed to go to the next meeting for their first reading and passage. We are starting the appropriation process tomorrow and as such, these should not be passed until appropriations are in place. If we pass them during the next meeting scheduled for March 19 without the emergency, they would go into affect April 19. This will allow ample time to complete appropriations, have the financing in place and allow for us to receive bids. This will place us right into construction season.

I would ask that T 19 be passed this evening with the emergency. This simply gives us the authorization to apply to the Ohio Department of Development for funding for our CDBG Comprehensive Housing Improvement Program, CHIP. This program provides funding for low and moderate income persons for home improvements and repairs.

To make sure that I give our Engineer plenty of time to give his storm water report this evening, I'll conclude my report.

President Arndt: Mr. Mayor, just for clarification. On those pieces of legislation that you made reference to, I believe you referred to T 22 through T 27, if I'm not mistaken.

Mayor Gillock: Yes, correct, T 22 through T 27 along with T 14.

President Arndt: We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. We're wrapping up another round of contract renewals with City employees. T 28 on your agenda tonight is the renewal for our AFSCME employees. The changes were, unfortunately, applied to an outdated digital version instead of the version we are currently working under. I've supplied all Members with a correct copy and there are some spares on the press table. I ask that T 28 be amended by substitution using the correct copy. I also ask that Council consider suspending By-Laws and passing T 28 tonight without the emergency clause. There are changes in procedures we would like to get in place as soon as possible. That concludes my report.

President Arndt: Thank you, Mr. Johnson.

Council Member Boose: Mr. President, Could I ask when did we receive the updated copies? Was that something we received in our box this evening or would I have received it last Friday?

Safety-Service Director Johnson: It should have been communicated to you by the Assistant Council Clerk via email and there should have been one in your box last week sometime.

Council Member Boose: Thank you, then I should have a corrected copy.

President Arndt: Thank you, Mr. Johnson. We now have the opportunity to hear from our Engineer, Mr. Griffith.

- **Engineer:**

Engineer Griffith: Thank you, Mr. President. It's not very long. At almost every Planning Commission meeting and at many Council meetings, when a new housing subdivision is being proposed, people complain about all of the new subdivision developments removing open space. There is a method available for a property owner to solve this situation as well as promote storm water management.

Congress recently enacted legislation that provides significant tax saving for landowners who wish to protect their land with a conservation easement. Grantors of conservation easements may take a charitable deduction of up to 50 percent of their adjusted gross income. Qualified farmers may deduct up to 100 percent. If the appraised value of the conservation easement is greater than the adjusted gross income limit in the year the gift is made, the grantor may carry the unused balance for up to 15 years.

If anyone has any questions or would like to consider such an easement, please contact the Western Reserve Land Conservancy at 330-722-7313. That number again is, 330-722-7313.

The only two down side issues that I can think of are: number one, you need to actually own the land and most of the complaints come from people who live next to the newly proposed development and number two, if I owned a large track of vacant property and someone offered me several million dollars for it, I think I would find it difficult not to sell. Thank you, Mr. President, that concludes my report.

President Arndt: Thank you, Mr. Griffith. We have now the opportunity to hear from our Auditor, Mr. Costin.

- **Auditor:**

Auditor Costin: Thank you, Mr. Chairman. I have nothing on the agenda scheduled for today.

President Arndt: Thank you. Dr. Norris, could you move onto our other reports, please.

• **Other Reports:**

Clerk of Council Norris: Other reports before Council this evening include:

Engineer Department 2006 Bridge Report.

Senior Citizens Advisory Report by Council Member Olesen

Council Member Olesen: Thank you, Mr. President. Just three things to report for the Seniors Advisory Board. March 8 is the Women's Breakfast. It's free this time and is sponsored by Wesleyan Village. It's called Spring Fling and the highlight of this breakfast will be our North Ridgeville Story Teller, Barb Sutton, who will relay some stories for entertainment that morning.

I also wanted to let you know that the free blood pressure checks will take place, Wednesday, March 21 from 9:00 A.M. until 12:00. The lunch on that date is only three dollars and twenty-five cents.

Seniors also ask that you consider Thursday, March 22 for their Special St. Patrick's Day Super Thursday Luncheon. This is a man and woman luncheon. Lunch and entertainment on that date will be only five dollars. If you are interested in any of these programs, call 353-0828.

President Arndt: Thank you, Mr. Olesen. Since, there are no Council Committee Reports, we will move immediately to our correspondence.

CORRESPONDENCE:

Clerk of Council Norris: There are three items of correspondence:

1) Received a letter from Thomas Bellish, President of Buckeye Energy Brokers, Inc. explaining their energy aggregation program.

President Arndt: THE CHAIR REFERS THIS COMMUNICATION TO THE UTILITIES COMMITTEE.

2) Received a letter from Fred Wright, President/CEO of The Lorain County Urban League, Inc. announcing an Equal Opportunity Day Luncheon at the Spitzer Conference Center of LCCC on March 29, 2007 and asking for corporate sponsorship.

3) Received a memo from Law Director Andrew Crites submitting a revised copy of T 173-2006.

President Arndt: THE CHAIR REFERS THIS TO BUILDING AND LANDS.

President Arndt: We have no new business and that gives us the opportunity with dispatch to the Audience Participation section of our meeting.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We invite any member of our audience, if you choose to address your City Council, please feel free to do so. We ask that you fill out the lobby form that you can find in the back of the room. When you come forward to the podium immediately to the right of Mrs. Buescher, if you will provide us with your name and your address and please limit your comments to three minutes. The lobby is now open.

- 1) Ray McLaughlin of 7183 Kensington Drive explained his concern as it relates to the lack of attendance of the newly hired Economic Development Company to Council meetings. He also spoke his concerns relating to T 18 on the agenda this evening

President Arndt: Thank you, Mr. McLaughlin. Who else in our audience would like to address your City Council?

 moved by Arndt, seconded by Boose to suspend our By-Laws tonight to dispense with our recess

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

 Yes, 6 No, 0

RECESS: dispensed with

President Arndt: Dr. Norris if you would begin with our ordinance and resolution submittals beginning with T 19.

ORDINANCES AND RESOLUTIONS:

Clerk of Council Norris:

T 19-2007 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT PROGRAM (CHIP) GRANT.

 moved by Olesen, seconded by Butkowski to suspend our By-Laws tonight to give T 19 its first reading

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

 Yes, 6 No, 0

T 20-2007 A ORDINANCE TO APPROVE THE EXPENDITURE OF FUNDS.

 moved by Butkowski, seconded by Manning to suspend our By-Laws tonight to give T 20 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, if I might explain what this relates to. We had a problem with a blockage on one of the laterals on Center Ridge Road, which runs under the road. The warranty on the West Center Ridge Road Sewer Project had run out, but we felt that this should be something that the contractor should take care of. We called the contractor that put the sewer system in, Fabrizzi Construction. However, when they investigated it was found that what actually had happened really wasn't the fault of the contractor. It was basically what you would call a normal maintenance line. Anytime you have a problem, the City has to take care of it. In this case, where they had bored the lateral under the road; above that line, there was a huge boulder that settled and over time caused a buckle in that lateral. We went ahead and had Fabrizzi fix it and at that time, we were still thinking that it was their problem. We didn't have a purchase order and that is why we need this approval for the expenditure of funds. By law, once we have these expenditures and they are presented, they then can be passed. We ask that they be passed tonight. We don't need the emergency, but we have to pay it within 30 days and that is also why it is being put to first reading.

President Arndt: Is there any other discussion? We have a motion on the floor by Mrs.

Butkowski, a second by Mrs. Manning to suspend our By-Laws to give T 20 its first reading. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

T 21-2007 AN ORDINANCE AMENDING NRCO SECTION 1446.03 REGISTRATION APPLICATIONS; QUALIFICATIONS OF APPLICANTS; EXPIRATION AND RENEWAL OF REGISTRATION; BONDS; INSURANCE.

T 22-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL FULL DEPTH CONCRETE PADS AND REPAIR SERVICES TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

T 23-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF STORM WATER PIPE AND RELATED PARTS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

- T 24-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND/OR DELIVER CONCRETE TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 25-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF LIMESTONE AND SAND TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 26-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF ASPHALT AND RELATED MATERIALS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 27-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE RENTAL OF EQUIPMENT AND RELATED SERVICES FOR ROAD REPAIR AND MAINTENANCE TO BE USED BY THE SERVICE DEPARTMENT.
- T 28-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO.

moved by Arndt, seconded by Butkowski to amend T 28 by substitution with the revised copy

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

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to suspend our By-Laws tonight to give T 28, as amended by substitution, its first reading

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

Yes, 6 No, 0

President Arndt: That concludes our ordinance and resolution submittals. Dr. Norris, if you will begin our first readings with T 14.

• **First Readings**

Clerk of Council Norris:

T 14-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF CHEMICALS TO BE USED BY THE FRENCH CREEK WASTEWATER TREATMENT PLANT.

First Reading

T 16-2007 AN ORDINANCE REVISING THE FINAL PLATS OF WINDSOR POINT NO. 4 AND NO. 5 BY RENUMBERING/RENAMING THE SUBDIVISIONS FOR RECORDING PURPOSES.

First Reading

T 18-2007 A RESOLUTION IN SUPPORT OF THE CONCEPT OF "RENEWABLE SOURCE ENERGY PLAN" AS CREATED BY THE FRENCH CREEK WASTEWATER TREATMENT PLANT.

First Reading

Council Member Boose: Mr. President, just a question. We had passed the Committee Report during our last meeting regarding the concept of the renewable source energy plan. I am questioning the reasoning for the resolution. It seems to be redundant as we have already said that we have approved it. Can I have some clarification on that please?

Auditor Costin: I just happened to notice that at the bottom of the Committee Report it says that proper legislation be drawn. Proper legislation in that case would be a resolution.

Council Member Buescher: I have often been told that a resolution and an ordinance is the same. I don't agree with that, but it has been said that it is. We haven't even taken this to appropriations. This is a multimillion dollar project. I really don't think that this should appear as a resolution until we have more information and a definite plan. I noticed the same thing when I looked through my packet tonight.

Mayor Gillock: Mr. President, I think it does have applicability this evening. It is just a resolution and it is a formalization of Council's support of the concept. In this case, the concept is taking our sludge, drying it and pelletizing it. Once it is pelletized, it can be used with high sulfur Ohio coal to be burned. This will produce a savings on the coal side as well as providing it as a renewable source. As Councilperson Buescher stated, to do the whole process could cost us a lot of money. It is not unusual in documents that we review, to see resolutions of support in

order for bidders and others to realize that the Council Members know what we are talking about and that they support this. We still have to come back to Council for approval of any monies to be spent, but they often want to know whether Council is aware and is on board with the concept. This is just a formalization of basically a straw vote. It does not carry the weight of an ordinance. An ordinance is a law, this is just a formality providing Council's support.

Safety-Service Director Johnson: There is also an added role. The Mayor is right in how he explained this. However, French Creek Plant Management is going out to other cities and factories; working out deals to process their sludge at French Creek and paying them to do this. A resolution of support for the process here will help in that endeavor. This way the people will know that they have support to move in that direction. There is no financial commitment yet, but it sends the right message to other cities.

President Arndt: Thank you. I would like to check in with the Law Director so that we make certain that there is some clarification between resolutions and ordinances, so that we don't find ourselves confused.

Law Director Crites: Thanks. There is actually a difference. An ordinance is law. It is something that is usually required by statute or it is law in the books of the City. It has a much greater precedence setting binding effect as opposed to a resolution. Why I think it is appropriate for Council then to act on this resolution, even though the Committee has already spoken; other than the fact that Mr. Costin had appropriately indicated, the Committee Report did request appropriate legislation and the appropriate legislation under this circumstance would be a resolution, is the fact that the Committee is under the voice of three Members of Council. The resolution is the ratification of that action under the voice of all the Council. In that, it is appropriate for Council to speak through the resolution.

Council Member Buescher: Mr. President, that certainly makes sense to me and I accept that. I just want to be sure that this resolution is in no way binding where we would have to move forward with this concept.

Law Director Crites: That, in fact, is the point and it would not be. Whereas, if we were passing an ordinance, that ordinance would be there and have a binding affect until it was removed or superceded or amended.

Council Member Butkowski: Mr. Chairman, this budget has been talked about for a long time and I am happy to say that it is finally getting off the ground a little farther than what it has been over a number of years. It could be a great asset to us if we can really get going on this.

Council Member Boose: Mr. President, is it Council's intention on enacting this, this evening or will they allow it to go through the process of three readings? The reason I ask is because I have numerous questions about the plan and the documentation supporting the plan and if we are going to be doing that this evening, now would be the time for these questions to be asked.

President Arndt: From the Chair's perspective, it would be that it go through the normal readings. We will have plenty of opportunity for further investigation should you choose to do so. Dr. Norris, will you continue on with T 19?

T 19-2007 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO
1099-2007 DEPARTMENT OF DEVELOPMENT FOR FUNDING UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES
PROGRAM FOR A COMPREHENSIVE HOUSING IMPROVEMENT
PROGRAM (CHIP) GRANT.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings tonight on T 19

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

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to adopt T 19

moved by Olesen, seconded by Butkowski to add the emergency tonight to T 19 because of the necessity to get this funding to our City as soon as possible

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, just a question as to whether or not that there is a need for the thirty-day emergency because of a time limitation for the grant or what would be the reason for that?

Mayor Gillock: There is an application deadline of April 5, which is thirty days from today, so this would give us the opportunity to get it prepared and in on time.

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

Yes, 6 No, 0

President Arndt: In addition we have a motion on the floor by Mr. Olesen, a second by Mrs. Butkowski to adopt tonight T 19 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 19 is adopted with the emergency and becomes permanent resolution number 1099-2007.

Permanent Resolution No. 1099-2007

T 20-2007 A ORDINANCE TO APPROVE THE EXPENDITURE OF FUNDS.

4372-2007 First Reading

moved by Butkowski, seconded by Buescher to dispense with the second and third readings tonight on T 20

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

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt T 20

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, just a note that the reason this needs to be approved this evening is because by law, once you receive the notification, the payment is due and we must

pay it within thirty days.

President Arndt: Any other discussion?

Auditor Costin: Technically, it has to be approved by Council within the thirty days. That's the rules.

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

Yes, 6 No, 0

Clerk of Council Norris: T 20 is adopted becoming permanent ordinance number 4372-2007.

Permanent Ordinance No. 4372-2007

T 28-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4373-2007 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL
 EMPLOYEES, AFL-CIO.

First Reading

moved by Olesen, seconded by Manning to dispense with the second and third readings tonight on T 28 as amended by substitution

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, is there a reason this has to be passed this evening versus allowing it to go through its three readings? I am taking for granted that the verbiage in the bold print is the same, but is there a reason this can't go through the normal three readings? We have waited two and a half months. Is another month going to matter?

Safety-Service Director Johnson: It is retroactive from January 1 and the longer we go, the harder it gets to operate under the old contract when the terms we have worked out with the Union are effective whenever we sign the contract. There are terms in there that are beneficial to us and there are terms in there that we need to get in place, which will take us some time. We are already one third of the way through the year and will be beyond that once this becomes effective. The sooner the better. It is the right thing to pass it, if there are no objections to it.

President Arndt: Any other discussion? As a reminder, there is a motion on the floor by Mr. Olesen, a second by Mrs. Manning to dispense with the second and third readings tonight on T 28 as amended by substitution. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Arndt, seconded by Butkowski to adopt tonight T 28 as amended by substitution

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, I have just four areas of questions on this. First question is regarding 17.05. It talks about recording overtime. In case that the first and second time there is an error in the assignment of overtime, it will be corrected to the assigned employee that was in error to the next overtime. The third time there is an error, it will be corrected to the assigned employee within the next overtime call out and that person will be paid in an amount equal to the correct overtime rate, plus one half times and then finally, it says, any subsequent errors made

within the calendar year will be corrected by paying the affected employee the amount equal to wages he or she would have received had she been given the assignment. My point in this is that it doesn't address the issue of why the errors were made and so this could go on and on and on where people who were not working overtime are being paid overtime.

Mayor Gillock: Denny might clarify this as well, but this is a good example of why we would like to get this passed this evening. The issue isn't really the payment or anything with the mistakes and we can't always tell you why a mistake might be made. The contract says when a mistake is made, this is what is suppose to happen and we had a case this year where an individual was accidentally overlooked. There is a call out list and they go in order. There was a mistake that was made and the guy didn't get called out. It became an issue. This is just to clarify this. We will know the next time that there is a mistake and what the correct procedure will be, who will be called out and how they will be paid. It doesn't change the pay rate, correct?

Safety-Service Director Johnson: There is a penalty.

Mayor Gillock: There is a penalty but the one and a half time isn't being changed. We are just trying to clarify it so that in case we do have mistakes again, everyone knows what the procedures are going to be.

Safety-Service Director Johnson: I can expand on that a little bit. It is not going to happen. If we get to the first part, where there is a financial penalty, the Foreman will be in my office explaining what is going on. The Union insisted on a process with penalties in order to try and get a handle on calling out overtime. We are not going to get to the point where we are paying people for time not worked. I am dead set against it and it will not happen.

Council Member Boose: Thank you, very much. On 34.08 it says effective January 1, 2007 and for 2008 all City employees shall receive a clothing allowance of 100 dollars. Effective January 1, 2009, that increases to 125 dollars. I question that because in 34.01 it states that we already provide eleven full uniforms for each employee. Why would they need a uniform allowance if they are getting the uniforms?

Safety-Service Director Johnson: These are the boots and the heavy garments that they wear and other items like that. We supply the shirts and pants for normal duty. The rest of the items that they need to use is purchased by them and they are responsible for keeping them up to date. Boots worn outside for people who work in sub zero temperatures are expensive and so are the over clothing that they have to wear and that is what that is addressing.

Council Member Boose: That is addressed in 34.02 where it allows 150 dollars of cold weather gear and boot allowance.

Safety-Service Director Johnson: I must be looking at the wrong one, what is the section you have a question on?

Council Member Boose: 34.08

Safety-Service Director Johnson: That is for City Hall employees only. That is replacing a payment that did not work. A technology training fund where it put a heavy burden on our IT department. A lot of the training that was happening, wasn't working out right. The City was trying to get out from underneath that and came up with this as an alternative.

Council Member Boose: Thank you. The other two questions were clerical and have been corrected in the new copy. I would like to comment that I appreciate all the work that the Administration has done along with the bargaining unit. I know it is very difficult and there are

compromises that need to be made so I do appreciate that and all the hard work that went into it. Thank you for your explanations.

Safety-Service Director Johnson: If I could Mr. President, I would like to thank the Unions to. It was, as Mr. Boose mentioned, a hard process, but it was a cordial process and everyone showed up and acted professionally.

President Arndt: Thank you. Any other discussions? For the benefit of all of us on Council, we have a motion on the floor by Arndt; a second by Mrs. Butkowski to adopt tonight T 28 as amended by substitution. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 28 is adopted as amended by substitution becoming permanent ordinance number 4373-2007.

Permanent Ordinance No. 4373-2007

President Arndt: That concludes our first readings. We have a singular second reading, Dr. Norris if you will begin.

• **Second Readings**

Clerk of Council Norris: Second reading:

T 162-2006 AN ORDINANCE AMENDING NRCO SECTION 1046.22 BACKFLOW PREVENTION DEVICES, AND PROHIBITING WATER-ACTIVATED SUMP PUMPS, AND AMENDING NRCO SECTION 1480.26 PLUMBING SYSTEMS AND FIXTURES AND NRCO CHAPTER 1468 GENERAL BUILDING REGULATIONS.
Second Readings

President Arndt: That concludes our second readings. We have no third readings. We have no old business. That brings us now to our upcoming meeting announcements. Dr. Norris, if you will begin with the first of four.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

Finance Committee Meetings Tuesday, March 6, Thursday, March 8 and Friday, March 9, 2007 at 9:00 A.M. in Council Chambers.

Streets, Sidewalks & Bridges Committee Meeting Tuesday, March 6, 2007 at 4:30 P.M. in the Conference Room.

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Finance Committee Meeting Tuesday, March 13, 2007 at 4:15 P.M. in Council Chambers.

Next Regular Council Meeting Monday, March 19, 2007 at 7:30 P.M. in Council Chambers.

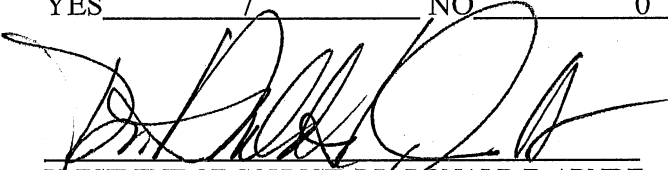
ADJOURN:

 moved by Butkowski to adjourn

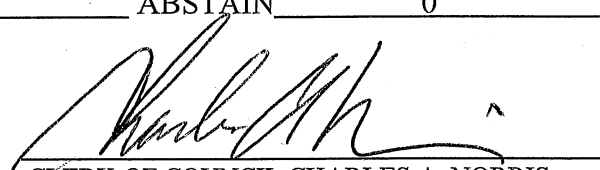
Meeting adjourned at 8:16 P.M.

MOTION Butkowski 2ND Manning DATE March 19, 2007

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS