

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 22, 2005**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order tonight, the North Ridgeville Municipal City Council regular meeting dated Tuesday, February 22, 2005.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Allen Swindig, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President Ronald Arndt. Absent was Council Member Nancy Buescher. 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.

President Arndt: Two very brief announcements before we begin review of our minutes. Number one, Mrs. Buescher is unable to attend tonight because she is ill with the flu and we know she must be ill if she can't make a Council meeting. Nancy, if you are watching, we wish you well. Second of all, I would like to introduce tonight a new member in our audience, Mr. Chris Paul who is representing the Chronicle tonight. Chris if you stand so everybody will at least get to see who you are. He is the new guy on the beat, so welcome to our community. We will move on to the minutes. Dr. Norris if you will please read them for our corrections and approval.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris:

Public Hearing Minutes of February 7, 2005 regarding Subdivision 8, Phase 4 in Meadow Lakes PCD

moved by Jaenke, seconded by Swindig to approve the Public Hearing minutes of February 7, 2005

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those oppose by no. Any abstentions? Will the Clerk please take roll.

Yes, 5 No, 0 Abstain, 1 (Butkowski)

Clerk of Council Norris: Minutes are approved by a vote of five, zero and one abstention

Clerk of Council Norris: Also we have before us

Council Minutes of regular meeting held February 7, 2005

moved by Olesen, seconded by Jaenke to approve the Council minutes of the regular meeting dated February 7, 2005

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those oppose by no. Any abstentions? Will the Clerk please take roll.

Yes, 6 No, 0

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

Clerk of Council Norris: Council will also note before them are the:
Planning Commission Minutes of regular meeting February 8, 2004.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Directors reports and the Chair invites the Mayor and the Directors to provide your City Council with the opportunity to present their oral reports. We would like to begin with our Mayor, Mr. Gillock.

• **Mayor**

Mayor Gillock: Good evening and thank you Mr. President. First, residents will notice in the water bills mailed yesterday, that there is an increase. In accordance with ordinance 1046.05, we are required to pass through rate increases that we receive from our suppliers. We received a 9.65 percent rate increase from Elyria, an 8.37 percent increase from the Lorain Rural Water Authority and a 9.5 percent increase from Avon Lake. Therefore, our rate increase for 2005 will be 9.09 percent. For example, an average homeowner consuming 1,000 cubic feet of water per month will see an increase of a dollar ninety four. This is the first time we have increased rates since February of 2001. Don't shoot the messenger.

You find in front of you this evening, an ordinance to amend the cost of the construction of the west Center Ridge Road sewer line. Due to unknown soil conditions and unplanned utility work, we need to increase the amount from 2,565,000 to 2,865,000 to cover the additional costs. This will be paid out of sewer funds and will not impact the general fund.

 moved by Mayor Gillock, seconded by Olesen to suspend By-Laws to add this to the agenda under Ordinances and Resolutions

President Arndt: Is there any discussion?

Council Member Swindig: Can we give this a T number before we vote on this?

Clerk of Council Norris: The T number is T 31.

President Arndt: Is there any other discussion? All those in favor tonight of suspending our By-Laws to give T 31 a reading under ordinances and resolutions; all those in favor signify by yes.

All those oppose by no. Any abstentions?

 Yes, 6 No, 0

Mayor Gillock: Thank you. We are investigating the costs of a new sewer vacuum truck for a number of reasons. These include the fact that our current truck is getting old and has gone under considerable repairs and can't keep up with the current demand by itself. In addition, it cannot be used to clean filters at the French Creek Waste Water Treatment Plant, which a new truck would be able to do, and it cannot reach the depths needed to maintain the Westerly sewer interceptor. Chris Rangus, our Service Superintendent and Mike Diederich our Sewer Vac Operator will be attending the Pumper and Vacuum Show in Nashville, Tennessee to research different vac trucks. Approval from Council is needed for reimbursement of mileage if the distance traveled is over 500 miles. By Mapquest it is 519 miles.

moved by Mayor Gillock, seconded by Jaenke to approve travel expenses for Mr. Rangus and Mr. Deiderich to attend this show

Mayor Gillock: This is only for mileage.

Council Member Young: What is the possibility that they could drive the City's Envoy?

Mayor Gillock: They are using it. We still need reimbursement to pay them for the gas.

Council Member Young: Is it just the gas or is it mileage?

Mayor Gillock: It's just gas. That is all it is. The rooms and meals do not come under this. If they were driving their own vehicle, it would be mileage. Since they are taking the Envoy, it is strictly for the cost of gas.

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

Yes, 6 No, 0

Mayor Gillock: Mrs. Butkowski and I met with personnel from the United States Postal Service. By May, it is anticipated that they will be able to change their routing so that residents living in the Southwest portion of the City will officially be in the 44039 zip code area. Something that several residents in the area have been asking for, for some time. Thanks to Council Member Butkowski for initiating these talks in helping to improve the mail service in North Ridgeville.

Finally, if you were not aware, Community Health Partners announced that they will be building a community Health Campus in North Ridgeville. Hoping to break ground in October, they plan on investing approximately 15,000,000 dollars initially in building an 80,000 to 90,000 square foot facility. This is a 20 year plan beginning with Physicians Offices and Diagnostic services. We certainly welcome Community Health Partners and look forward to their becoming a member of our great business community here in North Ridgeville.

Thank you and that concludes my report.

- **Safety-Service Director**

Safety-Service Director Johnson: Thank you Mr. President. This is my second day back from my vacation and I apologize for the shortness in my report, but I can tell you that it's snowing outside again. However, it's sunny and warm in the Carribean and the water temperature is a little chilly at about 85 degrees. That concludes my report.

- **Engineer**

Engineer Griffith: Even though there is still snow on the ground, the Engineering and Service Departments are preparing for the spring rains. As a part of this preparation, we are looking at our streams and ditches and in many cases, we are not pleased with what we are finding. Many residents are using our streams and ditches as a dumping ground for yard debris. By yard debris, I mean branches trimmed from shrubs and trees, tree leaves that have been raked from the yard, grass clippings and in some cases excess excavated soil. Our streams and ditches are not refuse dump sites.

The refuse not only impedes the flow of water, it reduces the water quality for sustaining aquatic life. It also tends to destroy the aesthetic value of the area. The Engineering department has already started sending letters to residents in selected areas, asking them to remove offensive materials. City Code Section 1028.05(e) prohibits the discharge or deposit of these materials and Section 1028.99 describes the possible penalties. No one wants to go to the penalty stage but we will if required to do so.

This booklet, developed by the Cuyahoga River Remedial Action Plan, the Cuyahoga Soil and Conservation District and the Summit Soil and Conservation District called "Life Along the Water's Edge" is available in the lobby outside the Mayor's office or in the Engineering/Building Department lobby for anyone that is interested. We also have a number of other related booklets and pamphlets available.

For the good of your City and neighborhood, please recycle the debris materials if possible or package them for BFI pickup.

Thank you Mr. President. That concludes my report this evening.

• **Auditor**

President Arndt: Before I introduce the Auditor, please note the Auditor's preliminary written financial report for January 2005. Although, this report does not appear on your agenda, it did meet cloture and is being provided for review only. There is no approval necessary.

Auditor Costin: I want to thank you for taking half my report. It is a preliminary report only. There is some final information to be added to January and that will be available at the very next meeting for your approval. What you do have available for your approval tonight is the final December report and you should have received that as well in your boxes. That is the completed report. I would request your approval on that. That would complete my comments.

Auditor's Final Written Financial Report for December 2004
moved by Swindig, seconded by Jaenke to approve the Auditor's final written financial report for December 2004.

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

Yes, 6 No, 0

President Arndt: Thank you. Dr. Norris, will you read our other reports.

• **Other Reports**

Clerk of Council Norris: Other reports before Council this evening include:
Building Department Report for January 2005;
Mayor's Court Operating Trust Fund/Bail Trust Fund Report for January 2005;
Fire Department Report for January 2005;

APPLICANT: FJD Properties, LLC, 37000 Center Ridge Road
OWNER: Same
REQUEST: Final approval of Subdivision 9, Phase 4 within Meadow Lakes PCD
LOCATION: North of Center Ridge Road, South of Barres Road, West of Stoney Ridge Road
within Meadow Lakes PCD
Permanent Parcel No. 07-00-033-000-001, 07-00-033-000-002,

Yes, 6 No, 0

Permanent Parcel No. 07-00-033-000-014

moved by Jaenke, seconded by Olesen to approve Planning Commission action that denied the request for the change of zoning classification from B-5 to B-2 at 37082 Center Ridge Road

Council Member Olesen: If you look at this property on the zoning map, you will find that most of it is B-2 and there is this little jet of B-5 in the center of it. It's just not right. It's very difficult for anybody to do anything with this property. I'm not so sure that it would be an idea for Building and Lands to take a look at it and come up with a recommendation. Perhaps the answer is to make it all B-3. If that would be in line with the developer's thinking. I think that there is worry about multiple housing in that area and to go to B-3 would eliminate that worry. Perhaps, that would be an alternative for us to discuss and come up with a plan.

Council Member Jaenke: Mr. President. In addition, the Planning Commission felt that they really needed more information in terms of what would be built there. The developer really didn't have any information to provide the Planning Commission and I think that was the main reason that it was denied. I agree with Mr. Olesen that we really need to look at several of those parcels along Center Ridge in terms of setbacks and proper zoning.

Yes, 6 No, 0

Permanent Parcel No. 07-00-033-000-009, 07-00-033-000-010,
07-00-033-000-011

moved by Jaenke, seconded by Olesen to approve the Planning Commission action to

deny the request for change of zoning classification from B-5 and R-1 to B-2 at 37282 and 37302 Center Ridge Road

President Arndt: Is there any discussion?

Council Member Olesen: Mr. President, I jumped the gun. My comments were for this item and not the other one.

President Arndt: Is there additional comments to be shared? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: Dr. Norris, if you will read our Council Committee reports please.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris: Council Committee reports. There are three;

1) BUILDINGS & LANDS COMMITTEE REPORT #5538 We have considered the matter of T 22-2005, an ordinance for maintenance and costs associated with the construction of a utility crossing below the Ohio Turnpike north of Bagley Road and recommend that this request be approved.

Signed: Chairperson Richard W. Jaenke and Member Andy Young.

 moved by Jaenke, seconded by Young to approve the Building and Lands Committee Report #5538

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

Yes, 6 No, 0

2) BUILDINGS & LANDS COMMITTEE REPORT #5539 We have considered the matter of the petition requesting to rezone a portion of 100 Mills Road from R-1 Residence District to B-1 Neighborhood District and owned by Avenbury, LLC and recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Richard W. Jaenke and Member Andy Young.

 moved by Jaenke, seconded by Young to accept the Building and Lands Committee Report #5539

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

Yes, 6 No, 0

3) BUILDINGS & LANDS COMMITTEE REPORT #5540 We have considered the matter of the rezoning of a parcel of land north of Chestnut Ridge Road as it relates to the pending purchase of Community Health Partners and direct the Law Director to draft legislation narrowly tailoring the proposed rezoning contingent upon the approval of the project and recommend that this request be approved.

Signed: Chairperson Richard W. Jaenke and Member Andy Young.

 moved by Jaenke, seconded by Young to accept the Building and Lands Committee Report #5540

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President. The property in question is south of Chestnut Ridge Road.
moved by Mayor Gillock, seconded by Jaenke to amend the Building & Lands
Committee report #5540 to replace the word "north" of Chestnut Ridge Road to "south"
of Chestnut Ridge Road

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

Yes, 6 No, 0

President Arndt: We have a motion on the floor by Mr. Jaenke and a second by Mr. Young to
accept the Building & Lands Committee Report #5540 as amended. Is there any discussion?
There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: Dr. Norris, if you will read our Correspondence please.

CORRESPONDENCE:

Clerk of Council Norris:

- 1) Received a letter from Brad D. Reynolds, Director of Administration and Public Inquiries
confirming receipt by the Governor's Office of Resolution No. 1025-2005 regarding
support of the establishment of a main post office of the United States Postal Service in
the City of North Ridgeville.
- 2) Received a memo from Donna Tjotjos, Planning Commission Secretary, announcing the
election of officers as follows:
Chairman: Jim Hurst
Vice Chairman: Jim Rothgery
Secretary: Donna Tjotjos
Liaison to Board of Zoning & Building Appeals: Roger Galippo
Alternate Liaison to Board of Zoning and Building Appeals: Gayle Manning
- 3) Received a letter from Earl "Marty" Martin, State Representative, inviting Council
Members to a round-table discussion on the State Budget and its impact on Lorain
County beginning at 2:00 P.M. on February 18, 2005 at the Lorain Ridgeville Branch
Library.

President Arndt: Dr. Norris, will you read our New Business please.

NEW BUSINESS:

Clerk of Council Norris:

Renewal Application for Placement of Farmland in an Agricultural District by Lillian Rak,
Trustee for property located at 5660 Otten Road containing 55.62 acres of land

Renewal Application for Placement of Farmland in an Agricultural District by William Schrauf

for property located at 35592 Chestnut Ridge Road containing 32.97 acres of land

President Arndt: For the benefit of Council, requirements for an Agricultural District include a public hearing within thirty days of receipt of this application. We are required by law, to take action by Council within thirty days of that public hearing.

motion by Olesen, second by Swindig to approve the two previously read renewal applications with the modifications as in their previous approvals and to request legislation for the March 7, 2005 Council meeting

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

Yes, 6 No, 0

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any members of our audience tonight, has the opportunity and are invited to present your comments, suggestions, recommendations to your City Council. We request that you fill out the lobby form you can find in the back of the room. It permits us the opportunity to contact you personally should there be a need for followup. You are welcome and invited to approach the podium that is immediately to the right of Mr. Swindig. When you do approach that podium, please state your name and your address clearly and please limit your comments to three minutes. The lobby is now open.

moved by Arndt, seconded by Young to suspend our By-Laws to bypass our recess tonight

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

Yes, 6 No, 0

RECESS: dispensed with.

ORDINANCES AND RESOLUTIONS:

President Arndt: Will the Clerk please begin reading the ordinance and resolution submittals.

• **Ordinances & Resolution Submittals**

Clerk of Council Norris: Ordinance & Resolution Submittals include tonight:

T 24-2005 A FINAL RESOLUTION PROPOSING COOPERATION WITH THE
DIRECTOR OF TRANSPORTATION FOR THE HEREINAFTER DESCRIBED
IMPROVEMENTS TO U.S. 20 WITHIN THE CORPORATE LIMITS OF THE
CITY OF NORTH RIDGEVILLE, OHIO.

moved by Swindig, seconded by Jaenke to suspend By-Laws tonight on T 24 to give it its first reading.

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

Yes, 6 No, 0

T 25-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO 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.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 25 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, T 25 and T 29 we would ask that, if Council would accommodate, they be passed with the emergency this evening. Those are for the rental of equipment relating to road repair and the purchase of asphalt and we need those passed so that we can go out for bids, and start planning and make the repairs on Bender Road. We need those passed as soon as we can. Forest City is contributing eighty two thousand dollars toward the repair of that road. We feel that would benefit our citizens to get that done.

President Arndt: Just a question from the chair for clarification. On page two of Exhibit A, the first paragraph says the dates beginning April, 2004 and should be completed by November, 2004. Is that meant to be 2005 or am I misreading.

Mayor Gillock: That would be 2005.

President Arndt: Thank you. The chair simply enters in a modification to those dates of April 2004 and November 2004 changing them to 2005.

President Arndt: We do have a motion on the floor by Mr. Swindig and a second by Mr. Jaenke to suspend our By-Laws tonight to give T 25 its first reading. Is there any further discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

T 26-2005 AN ORDINANCE AMENDING ORDINANCE 3979-2004, REGULATING ADULT CABARETS.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 26 its first reading

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

Yes, 6 No, 0

T 27-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND DELIVER CONCRETE TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 27 its

first reading

President Arndt: Is there any discussion? Mr. Mayor, is there any need for adoption tonight or adoption tonight with the emergency. I know that Mr. Rangus had some concerns about making certain that we had the materials that we need. Is that a requirement?

Mayor Gillock: I think we can adopt these, but I don't necessary know that we need the emergency. These are our annual ordinances allowing us to purchase the raw materials we will need for street repair for limestone, asphalt, and concrete. If we adopt them tonight, they will be effective in thirty days and I think that is fine; other than the one I mentioned earlier.

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

Yes, 6 No, 0

T 28-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO 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.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 28 its first reading

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

Yes, 6 No, 0

T 29-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER INTO 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.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 29 its first reading

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

Yes, 6 No, 0

T 30-2005 AN ORDINANCE AMENDING NRCO 1462.04, CELLULAR COMMUNICATIONS SYSTEMS, LOCATION/SITING OF FACILITIES.

President Arndt: THE CHAIR REFERS THIS TO THE UTILITIES COMMITTEE

T 31-2005 AN ORDINANCE AMENDING ORDINANCE 3976-2003 REGARDING CONSTRUCTION OF THE WEST CENTER RIDGE SEWERS FROM RACE ROAD WEST TO THE CORPORATION LINE, BY INCREASING THE

AMOUNT FROM \$2,565,000.00 TO \$2,865,000.00.

moved by Swindig, seconded by Jaenke to suspend our By-Laws tonight to give T 29 its first reading

President Arndt: Is there any discussion?

Council Member Swindig: Mr. Auditor, can we pass that without an emergency tonight or should we wait until after appropriations?

Auditor Costin: We provided for additional money for contingencies in our improvement fund. So, you actually can pass this tonight. I would have to defer to the Mayor as to whether or not we need the emergency or not.

Mayor Gillock: I would defer to the engineer.

Engineer Griffith: Yes, I would prefer emergency.

Council Member Swindig: What would be the purpose of the emergency, Mr. Griffith?

Engineer Griffith: Health, safety and welfare.

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

Yes, 6 No, 0

• **First Readings**

Clerk of Council: The first readings before Council include:

T 24-2005 A FINAL RESOLUTION PROPOSING COOPERATION WITH THE
DIRECTOR OF TRANSPORTATION FOR THE HEREINAFTER DESCRIBED
IMPROVEMENTS TO U.S. 20 WITHIN THE CORPORATE LIMITS OF THE
CITY OF NORTH RIDGEVILLE, OHIO.

First Reading

moved by Swindig, seconded by Jaenke to dispense with our second and third readings tonight on T 24

President Arndt: Is there any discussion?

Council Member Swindig: I don't want to adopt it tonight.

President Arndt: Is there any other discussion?

Mayor Gillock: Mr. President, we could go ahead with the second and third, but we don't want to adopt this, this evening until we go through appropriations, which will be before the next meeting.

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

Yes, 6 No, 0

T 25-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4111-2005 RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER
 INTO 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.

First Reading

moved by Swindig, seconded by Jaenke to dispense with our second and third readings tonight on T 25

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

Yes, 6 No, 0

moved by Swindig, second by Jaenke to adopt tonight T 25

moved by Swindig, second by Jaenke to add the emergency in order that our Service Department can get started on the streets as soon as the weather breaks

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Swindig and a second by Mr. Jaenke to adopt tonight T 25 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 25 is adopted with the emergency and becomes permanent ordinance 4111-2005

Permanent Ordinance No. 4111-2005

T 26-2005 AN ORDINANCE AMENDING ORDINANCE 3979-2004, REGULATING
ADULT CABARETS.

First Reading

T 27-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4112-2005 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO
FURNISH AND DELIVER CONCRETE TO BE USED BY THE CITY OF
NORTH RIDGEVILLE, OHIO.

First Reading

moved by Swindig, seconded by Jaenke to dispense with our second and third readings tonight on T 27

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

Yes, 6 No, 0

moved by Arndt, seconded by Swindig to adopt

moved by Swindig, seconded by Jaenke to add the emergency in order to get started on the repair of the streets once the weather breaks.

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Arndt seconded by Swindig to

adopt T 27 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 27 is adopted with the emergency and becomes permanent ordinance 4112-2005

Permanent Ordinance No. 4112-2005

T 28-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4113-2005 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO 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.

First Reading

moved by Swindig, seconded by Jaenke to dispense with our second and third readings tonight on T 28

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

Yes, 6 No, 0

moved by Swindig, seconded by Jaenke to adopt

moved by Swindig, seconded by Jaenke to add the emergency in order that we provide equipment to our Service Department so that they can keep right on moving along with the good work they can do.

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Swindig seconded by Mr. Jaenke to adopt tonight T 28 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 28 is adopted with the emergency and becomes permanent ordinance 4113-2005

Permanent Ordinance No. 4113-2005

T 29-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4114-2005 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO 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.

First Reading

moved by Swindig, seconded by Jaenke to dispense with our second and third readings tonight on T 29

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

Yes, 6 No, 0

moved by Arndt, seconded by Swindig to adopt

moved by Swindig, seconded by Jaenke to add the emergency to T 29 to enable us to rapidly purchase our asphalt relating to Bender Road

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Arndt seconded by Swindig to adopt tonight T 29 with the emergency. Is there any discussion?

Auditor Costin: Just for the record, the bidding will be for the entire period, not just for Bender Road. That will be first project that they are intending on; but it will be for the entire season.

President Arndt: Thank you for that clarification. Is there any further discussion? For the adoption, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 29 is adopted with the emergency and becomes permanent ordinance 4114-2005

Permanent Ordinance No. 4114-2005

T 31-2005 AN ORDINANCE AMENDING ORDINANCE 3976-2003 REGARDING
4115-2005 CONSTRUCTION OF THE WEST CENTER RIDGE SEWERS FROM RACE
ROAD WEST TO THE CORPORATION LINE, BY INCREASING THE
AMOUNT FROM \$2,565,000.00 TO \$2,865,000.00.

First Reading

moved by Arndt, seconded by Swindig to dispense with our second and third readings tonight on T 31

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

Yes, 6 No, 0

moved by Arndt, seconded by Swindig to adopt

moved by Swindig, seconded by Jaenke to add the emergency tonight to T 31 for the health, safety and welfare of our community

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Arndt seconded by Swindig to adopt tonight T 31 with the emergency. Is there any discussion?

Council Member Butkowski: I have a question of the Engineer. When you are figuring these additional costs, did you figure in the cost of cleaning the sewer past the lift station on 83 that we had the conversation about for this project.

Engineer Griffith: You are talking about the east Center Ridge Road project. This is the west. This is the one going from Race Road to the Corporation line.

Council Member Butkowski: I thought we were finished with that one. Yes, I am talking about the east and there is no lift station and I'm sorry, there is no question about this one.

Engineer Griffith: I wish we were finished with this one.

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

Yes, 6 No, 0

Clerk of Council Norris: T 31 is adopted with the emergency and becomes permanent ordinance 4115-2005

Permanent Ordinance No. 4115-2005

• **Second Readings**

Clerk of Council Norris: Second readings before Council this evening include:

T 12-2005 AN ORDINANCE VACATING A PORTION OF FAIRWAY DRIVE.
Second Reading

T 13-2005 AN ORDINANCE VACATING A PORTION OF WEST BREEZEWAY
DRIVE.
Second Reading

T 19-2005 AN ORDINANCE ACCEPTING THE FINAL PLAT OF PHASE 2 OF
PIONEER RIDGE BY DEL-WEBB IN WATERBURY PCD.
Second Reading

T 21-2005 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 PURPOSE OF
CONSTRUCTING A SIDEWALK ON CHESTNUT RIDGE ROAD FROM
BAINBRIDGE ROAD TO LEAR NAGLE ROAD, AND TO NEGOTIATE AND
ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM
FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES
FOR SAME, NOT TO EXCEED \$105,000.00.
Second Reading

Council Member Young: Mr. President. Just a quick question for the Mayor that was actually brought up by one of the residents that was in the audience two weeks ago. This is for the complete construction of the sidewalk, not just the engineering studies. Is that correct?

Mayor Gillock: Yes, that is correct.

Council Member Young: Because the way the wording is of the actual preamble makes it a little bit confusing. Additionally, the old ordinance we had was for 120,000. Can we do it in the less amount?

Engineer Griffith: Mr. President, what has happened in the mean time is we did select an engineer to do the plans. We selected the same engineer who had done the sewer plans. Because he already had almost all the field work completed with those plans, the engineering costs went

down.

Mayor Gillock: Mr. President, we will still have to wait, through appropriations, to see if we can fund this or not.

Council Member Young: Mr. President, with appropriations coming up and the sidewalks being a hot topic in our community on a regular basis, I would like to ask the members of the Finance Committee to find a way to fund this project so that we don't lose the block grant of 55,000 dollars. Sidewalks will keep our streets safe.

President Arndt: Any other questions or comments that Council needs to address? Thank you.

T 23-2005 A RESOLUTION APPROVING AND ACCEPTING PORTIONS OF THE
SANITARY SEWER SYSTEM OF WILDFLOWER CONDOMINIUMS AND
ACQUIRING ACCOMPANYING EASEMENTS FOR PUBLIC USE AND AS
PART OF THE PUBLIC SANITARY SEWER SYSTEM.
Second Reading

Clerk of Council Norris: That concludes second readings.

• **Third Readings**

President Arndt: There are no third readings.

OLD BUSINESS:

T 5-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 8 IN
PHASE IV OF MEADOW LAKES PCD FOR RECORDING PURPOSES
ONLY

President Arndt: The Chair would like to comment. The revision to subdivision eight in phase four of Meadow Lakes PCD has been approved by Council this evening.

 moved by Arndt, second by Olesen to amend T 5-2005 to include the approved revision
to subdivision eight in phase four and be returned to Council for the March 7, 2005
Council Meeting.

President Arndt: It is important that Council recognizes that this legislation will go back to its first reading and will have a public hearing that is slated for April 4th and it will be read as T 5-2005 Revised.

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

 Yes, 6 No, 0

President Arndt: Will our Clerk please read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

Public Hearings Monday, March 7, 2005 to consider Applications for Placement of Farmland in

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING FEBRUARY 22, 2005**

PAGE 18

an Agricultural District for the following:

- 7:00 P.M. 1) Lillian Rak, Trustee, for property at 5660 Otten Road, 55.62 acres and
7:05 P.M. 2) William Schrauf, for property at 35592 Chestnut Ridge Road, 32.97 acres

Public Hearing Monday, March 7, 2005 at 7:10 P.M. to consider the final plat of Pioneer Ridge, Phase 2 by Del-Webb within Waterbury PCD

Public Hearings Monday, March 7, 2005 beginning at 7:15 P.M. to consider the following:

- 1) AN ORDINANCE VACATING A PORTION OF FAIRWAY DRIVE.
- 2) AN ORDINANCE VACATING A PORTION OF WEST BREEZEWAY DRIVE.

Next Regular Council Meeting Monday, March 7, 2005 at 7:30 P.M. in Council Chambers

President Arndt: Are there any other reports or comments by any Council Members before the Chair entertains a motion to adjourn

ADJOURN:

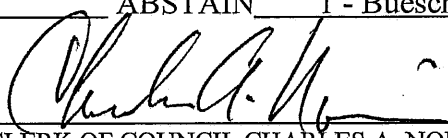
motion to adjourn by Swindig
President Arndt: Meeting adjourned.

Meeting adjourned at 8:37 P.M.

MOTION Olesen 2ND Butkowski DATE March 7, 2005

YES 5 NO 1 ABSTAIN 1 - Buescher


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS