

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 21, 2006**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order tonight, the Regular Municipal Council meeting for the North Ridgeville City Council dated February 21, 2006. If you will all rise for our invocation followed by our pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

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

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:

Public Hearing Minutes of February 6, 2006 re: T 7-2006

 moved by Jaenke, seconded by Manning to approve the Public Hearing Minutes held February 6, 2006 regarding T 7

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

Council Member Butkowski: Abstain.

President Arndt: Will the Clerk please take roll.

 Yes, 6 No, 0 Abstain, 1 (Butkowski)

Clerk of Council Norris: Approved by a vote of six, zero and one abstention.

Council Minutes of regular meeting held February 6, 2006

 moved by Jaenke, seconded by Olesen to approve the Council Minutes of our regular meeting held February 6, 2006

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 6 No, 0 Abstain, 1 (Butkowski)

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

Clerk of Council Norris: Council will please note:

Planning Commission Minutes of regular meeting February 14, 2006

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's report. The Chair invites the Mayor and the Department Directors the opportunity to provide Council with an oral report. We would like, tonight, to begin with our Mayor, Mr. Gillock.

- **Mayor:**

Mayor Gillock: Thank you, Mr. President. I may have mentioned this before, but I have been asked the question several times since and so, at the risk of repeating myself, I want to announce that NOPEC, the Northeast Ohio Public Energy Council, reached an agreement with the First Energy companies to ensure that discounts on electricity will continue through 2008. The old agreement, with Green Mountain, was set to expire at the end of 2006 with a 6 percent discount. However, Green Mountain served notice it intended to terminate its contract early and abandon the Ohio market. Under the new agreement, NOPEC residential customers, will receive a 5 percent discount in 2006, and similar discounts are expected in 2007 and 2008 from First Energy under the contract extension of two years.

I am very pleased to announce that last Friday, the City of North Ridgeville filed documents in Lorain County Court of Common Pleas to appropriate the property at the southwest corner of Route 83 and Center Ridge Road, also known as the old gas station. It is our hope and intent that this property be cleared before the end of 2006 and we no longer have to look at this eyesore at the center of our community. That concludes my report.

President Arndt: Thank you, Mr. Mayor. 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. T 11 is on the agenda tonight for it's second reading. I ask that Council consider suspending the third reading and passing this tonight without the emergency clause, so we can keep our cable franchise negotiation moving forward.

I'd also like to make another pitch for ProCure. A a web based economic development site that our city is participating in. If anyone has commercial or industrial property for sale, it should be listed on the ProCure site. Prospects will be referred to this site from the State and it could be used by other economic development interests. We would like to have every business and industrial property or building that is for sale in the city available on this site. Please contact us at City Hall if you have any property that should be listed here. That concludes my report.

President Arndt: Thank you, Mr. Johnson. Just for clarification regarding T 11, is it your request that we suspend our third reading tonight and adopt?

Safety-Service Director Johnson: Yes.

President Arndt: Not, with the emergency, however?

Safety-Service Director Johnson: Correct.

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

• **Engineer:**

Engineer Larry Griffith: Thank you, Mr. President. When you have students in school, regardless of what level, the need for school supplies goes on and on. Here are some tips that may save you money as well as reduce waste. Sort through your current materials in your house. Many supplies can be reused or recycled. Some examples are backpacks, notebooks, folders and binders. Use school supplies wrapped with minimal packaging, or buy products that come in bulk sizes. Waste from packaging accounts for more than 30 percent of all the waste generated each year. If you are buying a new computer, recycle your old one. This keeps dangerous materials such as lead, cadmium, mercury and chromium out of the environment and saves limited landfill space. Lorain County holds a computer collection every year and many of the collected computers are refurbished and given to nonprofit organizations. Cover your textbooks with cut up shopping bags. This helps reduce waste and keeps your books in good condition. Be creative by using markers or colored pencils to give your covers unique designs. Use nontoxic products, inks and art supplies, such as batteries with less mercury, vegetable-based inks, and water-based paints. If you bring your lunch to school, package it in reusable containers instead of disposable ones. Bring drinks in a thermos instead of disposable bottles or cartons. If you drive to school, try car pooling. You can prevent wasted fuel, reduce air pollution, and decrease traffic in North Ridgeville.

Choose your supplies from a wide assortment of products made from recycled materials. Products like pencils made from old blue jeans, binders made from old shipping boxes, and, of course, recycled paper products. You also can reuse items like refillable pens, rechargeable batteries and scrap paper for notes.

I have, with me tonight, a number of recycled items that are available to the public in the City's Utilities Department.

- 1) pencils made from old blue jeans;
- 2) rulers, or scales to engineers, made from telephone books; and
- 3) there is a very limited supply of computer mouse pads made from recycled rubber.

There is also one additional item available that is not school related.

- 1) A list of City Department phone numbers made from old cardboard. They are

magnetized on the back so they can stick to your refrigerator.

That concludes my report this evening.

President Arndt: Thank you, Mr. Griffith. Mr. Costin, welcome back.

- **Auditor**

Auditor Costin: Thank you, sir. I have to tell you, I'm really at a disadvantage following the Engineer. The only thing I have on my agenda for you was the month of January Financial Report, which Council should have already received and we request your approval.

Auditor's Written Financial Report for January 2006

moved by Butkowski seconded by Buescher to approve the Auditor's Written Financial Report dated January 2006

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

Yes, 7 No, 0

President Arndt: Thank you, Mr. Costin. Dr. Norris, will you read your other reports.

- **Other Reports**

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

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for January 2006;

Police Department Support Car Report for January 2006;

Fire Department Report for January 2006;

Tax Abatement Review Board Report of meeting held February 13, 2006.

President Arndt: THE CHAIR REFERS THE TAX ABATEMENT REVIEW BOARD REPORT TO THE FINANCE COMMITTEE.

Senior Citizens Advisory Board Report by Council Member Olesen:

Council Member Olesen: I would like to just remind folks that the Senior Center Spaghetti Dinner is this Friday. That is a nice event. If you have never gone, I would urge you to do so. There is also a Malley's Candy sale that is being sponsored by the Senior Center. When you visit the Senior Center, there will be a catalog that you can look through. All candy will be delivered by April 3, just in time for Easter. Super Thursday Luau is this Thursday. The hot lunch for Seniors on Wednesday is at a bargain price of three dollars and twenty-five cents. We also need volunteers at the Senior Center. Anyone out there who would like to work a couple hours a week to help out, it would really be appreciated. Please call Faye at the Senior Center.

Planning Commission Report of regular meeting February 14, 2006:

APPLICANT: Oster Construction, 6150 Park Square Drive, Lorain, OH 44053
OWNER: Same
REQUEST: Final plat approval for Cypress Station Subdivision; formerly known as Bagley Road Subdivision
LOCATION: Bagley Road in an R-1 District
Permanent Parcel No. 07-00-011-102-011
PC ACTION: Approved by a vote of five to zero with the following three conditions:
1) Five to six foot mounding along Bagley Road;
2) Turnaround on Pennsylvania Avenue be negotiated with the Engineer; and
3) Screening along adjacent property, near existing pond four noted, to be agreeable with the property owner.

moved by Jaenke, seconded by Olesen to approve the Planning Commission action for the final plat approval for Cypress Station subdivision

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, I would like to provide some additional information on that meeting. Item one deals with the mounding which we had considerable discussion on. The mounding will also include pine trees and other plants along Bagley. Hopefully, that will screen the houses that will be built where the rear yards will be facing Bagley. Lastly, the developer did provide a landscaping architect design, which was done by a professional. It appeared to be in proper form. The turnaround that deals with a safety issue of the safety vehicles, such as the paramedic squad and school busses, what that is, is a stub street that needs some type of turnaround at the end so that the vehicles can turnaround properly. The third item deals with screening. The property owner that was at the meeting was concerned that the pond, which will be a dry pond and not a wet pond, was visible from her property. The developer agreed to either put a row of pine trees or perhaps some type of fencing. That will be negotiated. Also, the Mayor did provide Planning Commission with a letter indicating that the developer will participate financially in a traffic light at the corner of Lorain and Bagley. That is all I have.

President Arndt: Thank you, Mr. Jaenke. Is there any other discussion?

Council Member Butkowski: Mr. Chairman, this is Oster Construction and this fall or late summer, we had some discussions with them about the flooding in their development on Case Road and I was just wondering if he had gotten those problems taken care of before he starts another development here in the City.

President Arndt: Mr. Engineer?

Engineer Griffith: We are working on those problems. We think we have identified where most of them came from and hopefully it won't be a problem. For the most part, what it boiled down to was that the subcontractors were not paying attention to what they are doing.

Council Member Buescher: Mr. President, does that mean Mr. Engineer, that the developer himself is not responsible for the problems?

Engineer Griffith: The home builder is the one that we have found to be responsible. In Oster's case, he also happens to be the home builder as well as the developer. The developer is in one pocket and the home builder is in another. They are the same company, but they are not the

same entity.

President Arndt: Yes, Mr. Mayor?

Mayor Gillock: Just to add a little clarity to that, Oster is the home builder, but in many of these cases, they are using another subcontractor. That doesn't relieve them of their responsibility and we have been working with Oster to make sure that he gets to his subcontractors to do the job right. We have also been in routine contact with him as far as keeping the streets clean and things like that. In regard to Stone Creek, we sent out eighty letters and received thirty-six letters back. Nineteen indicated that they had flooding on August 20 and no other date. Only three houses indicated that they had any other flooding problems. We haven't tabulated Avalon, but we have been working with them. In many cases, it was their subcontractor. We have also instituted an additional step in the inspection process. One of the questions we had is that it may have been the form-a-drain. We are watching that as we go. It is not a requirement that it be inspected, but it is something that a couple of times had some gravel in it and we are watching it. We are fairly confident that we have a handle on it with Oster.

President Arndt: Is it fair to presume that the City, the Administration, the Engineer is satisfied with the progress that Oster is making toward dealing with the grievances and so forth, that we have all heard in the past.

Mayor Gillock: I would say that is a true statement. We continue to work with them. We continue to do a lot of other things ourselves besides Oster in regards to these situations. We are looking at all the detention ponds out there and their relationship to each other. Are the inverts correct on the culverts? We have done a lot of ditch cleaning. As you heard from Mr. Rangus, we found a shed in one of the ditches. We have done a number of things like that and we continue to take effort. I think we are satisfied with the efforts that Oster has put forward. Do you agree with that Larry?

Engineer Griffith: Yes. If there was an engineering reason why I felt there might be a problem here, I would definitely bring it to your attention.

Council Member Jaenke: Mr. President. One other comment. During the Planning Commission meeting, there was some considerable discussion about mud on Bagley. I had thirty-seven complaints over the past several weeks about mud from the Ridgefield neighbors. There is no question that Oster is responsible even though the subcontractor, which was West End Construction, did the work. This was made very clear at the Planning Commission meeting that he is responsible even to the point where he hired a street sweeper to come out even after a tractor had cleaned the mud off. He has been responsive and at the Planning Commission meeting he continued to do so.

President Arndt: Thank you, Mr. Jaenke. Is there any other discussion?

Engineer Griffith: Not to counteract with what Councilman Jaenke said, but the majority of the problems that occurred were with King Paving. After West End Development was finished with their work, one of the problems we had was that early in the morning or late at night, materials would be delivered when there are no construction people on the site. Unfortunately, these people weren't too careful about how much mud they drug out on the road. Of course, it is the builder's responsibility regardless of who does it, they are responsible. If something like that happens at nine o'clock at night and they went home at five, why that is kind of hard to get out

there and get it cleaned up.

President Arndt: To restate, so that we are all clear of what we are voting on, we have a motion on the floor by Mr. Jaenke, a second by Mr. Olesen to approve the Planning Commission action for the final plat approval for Cypress Station subdivision. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

COUNCIL COMMITTEE REPORTS:

President Arndt: We have no Council Committee Reports

CORRESPONDENCE:

President Arndt: Much to our surprise, we have no correspondence. We will now move onto our New Business. However, prior to Dr. Norris reading our new business, the Chair needs to at least alert Council to the fact all three of the applications for the placement of farm land in the Agricultural District are all renewals and it's required that they be renewed every five years. After Dr. Norris reads each of the applications, the Chair will make a motion to authorize the draft of legislation to be brought before Council at our next meeting, where we will have a Public Hearing. Dr. Norris, if you will please.

NEW BUSINESS:

Clerk of Council Norris: Council has before it this evening:

Application for placement of farmland in an Agricultural District from Bernard W. & Nancy L. Fate for 28.260 acres located at 35541 Lorain Road

Application for placement of farmland in an Agricultural District from Robert Slusher for 9.310 acres located at 5189 Stoney Ridge Road

Application for placement of farmland in an Agricultural District from James W. & Loretta A. King for 8.270 acres located at 5201 Stoney Ridge Road

moved by Arndt, seconded by Buescher to direct the Clerk to draft legislation to bring this legislation before our Council at our next 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, 7 No, 0

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any member of our audience is invited to address your City Council. We request that you fill out the Lobby form that you can find in the back of the room, because it gives us the opportunity to contact you personally, should there be a need for personal follow up. You are now welcome and invited to approach the podium immediately to the right of Mrs.

Buescher. However, when you do approach the podium, please clearly state your name and address and please limit your comments to three minutes. The lobby is now open.

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

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

Yes, 7 No, 0

RECESS: dispensed with

President Arndt: Dr. Norris, if you will please read our Ordinance and Resolution Submittals.

ORDINANCES AND RESOLUTIONS:

- **Ordinances & Resolution Submittals**

Clerk of Council Norris: Ordinances and Resolution Submittals this evening include:

T 17-2006 AN ORDINANCE AMENDING ORDINANCES NO. 2752-93, NO. 1922-84, NO. 1559-79 AND NO. 1275-77 PROVIDING FOR SALARY AND BENEFIT CHANGES FOR COUNCIL MEMBERS EFFECTIVE JANUARY 1, 2008.

President Arndt: THE CHAIR REFERS T 17 TO FINANCE COMMITTEE.

- **First Readings**

President Arndt: We have no first readings. We move to our second readings of this evening.

- **Second Readings**

Clerk of Council Norris: Second readings this evening include:

T 168-2005 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND: VACANT PROPERTY KNOWN AS PERMANENT PARCEL NUMBER 07-00-016-112-027 AND PART OF PERMANENT PARCEL NO. 07-00-016-112-045 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT AND OWNED BY VALORE PROPERTIES, INC. AND RINI REALTY CO.
Second Reading

Council Member Jaenke: Mr. President, normally, the third reading would be at our next meeting, which would be on March 6. However, Mr. Valore will be out of town on that date.

Also, the Public Hearing, which is scheduled for this particular ordinance is scheduled for March 20. Obviously, Council should not take any action regarding the third reading until the Public Hearing.

 moved by Jaenke, seconded by Olesen to place t 168-2005 in its third reading on our March 20 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, 7 No, 0

Clerk of Council Norris: Motion is approved. Moving onto our second readings is:

T 11-2006 A RESOLUTION OF THE CITY OF NORTH RIDGEVILLE, OHIO
1073-2006 ACCEPTING AND ADOPTING THE REPORT SUBMITTED BY THE CABLE
TELEVISION TASK FORCE; DETERMINING THE COMMUNITY'S
FUTURE CABLE TELEVISION-RELATED NEEDS AND AUTHORIZING
THE MAYOR TO SUBMIT TO COMCAST OF GEORGIA, INC. A REQUEST
FOR PROPOSAL FOR A NON-EXCLUSIVE FRANCHISE AGREEMENT
BASED UPON THOSE NEEDS.

 Second Reading

 moved by Buescher, seconded by Jaenke to dispense with our third reading tonight on T 11

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

 Yes, 7 No, 0

 moved by Buescher, seconded by Jaenke to adopt tonight T 11

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, On page 18, item 10.1, payment to City, is still blank. It reads, Grantee shall pay to the City an annual amount equal to blank percent. Have we determined what that percent is going to be yet?

Safety-Service Director Johnson: Yes, in discussions with the law firm that is helping us negotiate, we have decided to leave that blank so that the City can adjust that as necessary and at will. Comcast is not involved in that decision. It would default to the 3 percent as it is right now.

Council Member Boose: First, I want to thank the Committee that worked on this because it is a lot of work that they put into it. A lot of legal issues that they had to go through and it is a plan that is for five years and renewable beyond that. I want to thank them for all of that. I also would like to just note a couple of the things where I made some request for some potential changes to the draft and wanted to alert Council Members to a couple of the important ones. That is, for example, in section 8.2, the City is now going to be asking for any copies of petitions, applications and communications affecting the cable system within the City as they are filed, which is a good thing. Also, in section 8.6, we can request a conference meeting with the representatives at any time we feel necessary. I think that is a nice change as well. Although, all the changes I requested were not made, I think this is an excellent document and again, I

commend the Committee on working on it and commend Mr. Johnson for all of his work on this too.

President Arndt: Any other discussion or comments? To clarify, we have a motion on the floor by Mrs. Buescher, a second by Mr. Jaenke to adopt tonight T 11. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 11 is adopted and becomes permanent resolution 1073-2006.
Permanent Resolution No. 1073-2006.

**T 16-2006 AN ORDINANCE AMENDING NRCO SECTION 1044.02 CONNECTION
CHARGES TO MODIFY THE METHOD OF CALCULATING SANITARY
SEWER CONNECTION FEES CHARGED TO ESTABLISHED BUSINESSES.
Second Reading**

Council Member Butkowski: Mr. Chairman. I have some questions on this ordinance as I was not here during the last meeting. I know this is a second reading but, the questions should be answered. A City cannot arbitrarily change tap in fees without cost justification. I wonder if this is a legal form of discrimination? It is discrimination. Does this open the City to potential law suits? This ordinance does not encourage new businesses to tap into the sewers because their cost of taps would be more than current businesses. This makes the City look like anti-new business. How will this ordinance affect the businesses in Avon and Sheffield when they tap into our sewer? This legislation gives a reduction to current business. New construction will have much more efficient use of water than existing buildings due to tighter EPA standards. When the Westerly project was started, the use benefits were established by a Board that included HB Engineering, Ike Habib, the City Engineers, Squire, Saunders attorney's including Mr. Larson, who is a sewer expert. They took into consideration the impact of business on the sewer system along with long range improvements. The experience of the group of people along with the EPA recommendation to determine what use benefits should be used. If you want to change any section of 1044, it would be in the best interest of the City and the future of French Creek Waste Water Treatment Plant, to consult with Mr. Larson to be sure that we do not come up short on financing the Plant and its future. I believe, the best thing to do with T 16 is, refer it to the Utilities Committee so that they can consult with Mr. Larson and protect the City. When T 16 has been reviewed, it can be returned to the floor.

President Arndt: Mr. Mayor?

Mayor Gillock: Mr. President, we have discussed this with Mr. Larson. It is Mr. Larson's opinion that we should take a look at the whole Chapter and redo the whole thing. It is very questionable that some of the multipliers that are in there now and we will be taking a look at that this year. We have had several cases, such as Quaker Steak and Lube, Center Ridge Nursing and others, both new and existing, where if we were not able to do something and make changes in there, we would have lost those businesses. Quaker Steak and Lube would not have come with a tap in connection fee of 160,000 dollars. Center Ridge Nursing Homes would have been above 200,000 dollars. We have compared these to other cities around here. In our schedule, there are a limited number of occupancies that actually have a multiplier. The ordinance itself

then says, that if you are not one of the listed occupancies above, your connection charge will be based on actual water usage and that is what this does. This allows us to use actual water usage where we have a history. We don't have a history for a new business, but if one of the new businesses is not listed as one of the occupancies, it is still going to be an estimate based on Larry's best estimate of water usage. That is part of the problem with the whole ordinance that we need to take a look at. However, in the interim, because we have so many businesses along Center Ridge Road that have to tap in, we have reached this problem more than once. All we are doing is, we are not changing the use benefit schedule at all, we're giving the Engineer the option to use either the use benefit or the actual water use charge where there is a history. Mr. Larson has been involved in this.

Council Member Buescher: Mr. President, I was just wondering if that couldn't cause some inconsistencies in the charges because Mr. Griffith won't always be our Engineer and we won't know who the next Engineer will be. I understand what the Mayor is saying, but that kind of leaves it open for maybe, some abuse.

Mayor Gillock: Number one, that is why we have to take a look at the whole schedule. The other point I would make is, when we do . . . (audio tape one, side one ends).

President Arndt: A question to follow up on what Mrs. Buescher had asked. These calculations done by the Engineer, would they be subject to different interpretations or are they calculations that would be consistent from one Engineer to the next based on some standard of performance?

Engineer Griffith: The only ones that would be open to judgement are the ones that would not be included in this ordinance or the ones that are listed in the table in the ordinance book. That is the case now, regardless of who might be occupying this chair.

Mayor Gillock: Mr. President, when you go by actual usage, we go by what the history is. This is the water you used and whoever the Engineer is, that is what they are going to work from. Here is the charge based on the historical usage of water. If you don't use that, you use the table where it says laundromat, restaurant, or whatever it might be. What Larry is talking about is, if it is not listed in that schedule and we have no history, those are the ones we are questioning where we get the fee from.

President Arndt: I guess then, maybe that is the question and I don't want to speak for Mrs. Buescher, that in those situations when there isn't a history, he has to do an estimate.

Mayor Gillock: That is the case now.

President Arndt: That process is rather uniform whether it's this Engineer, that Engineer or the next Engineer. Am I correct?

Engineer Griffith: I think that is what the Mayor is referring to when he stated that we need to look at the ordinance to see if we can't take that big open area and somehow confine it.

Council Member Jaenke: Mr. President, I agree that the entire ordinance, sometime this year, should be reviewed. However, in the interim, we are all working very hard to attract business and as in the case with Quaker Steak and Lube, we don't want to lose these kind of businesses to Avon, Avon Lake, which we have done in the past. In addition, the existing business, such as the Nursing Home, if they want to expand then we need to work them so that they stay in the community and not move out of our City. I am in favor of this particular ordinance.

President Arndt: Thank you, Mr. Jaenke. Is there any other discussion?

Council Member Butkowski: Mr. Chairman, my concern is that we should not pass anything until we get it all straightened out. This one directly says it only applies to existing businesses. You can't just say that we're just going to take care of existing businesses. We have existing residents that don't like the amount they're having to pay and don't think it's fair either. So, if we do it for the existing businesses, we have to take into consideration the existing residents that are here. We can't just pick out one group of people that we feel sorry for and help them and let everybody else pay what has been figured out in the past. We also have to remember that we have to protect the whole project and it has to be paid for eventually. That is where all this was figured out when they were redoing it. If we are going to overhaul it, we better do it all or nothing. Otherwise, we start discriminating against one group from another.

President Arndt: Any other discussion? No other discussion, that concludes our second readings.

• **Third Readings**

T 3-2006 AN ORDINANCE AMENDING SUBSECTION (A) OF NRCO SECTION
4226-2006 1444.22 "SUBDIVISION PLAN REVIEW AND INSPECTIONS; APPEAL OF
COST ESTIMATES."

Third Reading

moved by Olesen, seconded by Jaenke to approve T 3 tonight

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would like to ask the City Engineer to respond to number one, the issue of the adequacy of the amount and he also brought to my attention that this is a deposit and he can speak to that also.

Engineer Griffith: This is a plan review fee. Actually, a plan review deposit. Anything that is brought to the Engineering Department for review, the person submitting that set of plans or plan, has to put a deposit that we estimate. If it is a subdivision, there is an actual formula that we follow to determine what this deposit needs to be. There are a few items from time to time, that kind of fall out of those classifications too and it falls into this one that we're talking about tonight. Currently, we charge 65 dollars an hour for a plan review. The 50 dollar charge wouldn't even cover an hour worth of plan review. We try to charge something more than what we think we're going to need and then we end up refunding what's left. It is not very often that we run into a situation with any of our other plan reviews where we don't have money to refund. This one, which quite frankly doesn't occur very often, just often enough where I think we need to protect ourselves. We don't want to get into a situation where someone brings in a small plan that we have to review, then, they decide they're not going to follow through. They still owe us money and they say forget it. I'm not going to build it, so I'm not going to pay the plan review.

President Arndt: Thank you, Mr. Engineer. Are there any questions of our Engineer?

Council Member Butkowski: Are you stating that this 150 dollars will then cover that?

Engineer Griffith: The items that have been submitted in the last few years that fall into this category, yes.

President Arndt: Any other questions? We have a motion on the floor by Mr. Olesen, a second by Mr. Jaenke to adopt tonight T 3. Any further discussion? There being none, all those in favor

signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 3 is adopted and becomes permanent ordinance 4226-2006.
Permanent Ordinance No. 4226-2006

OLD BUSINESS:

President Arndt: Any other old business to be brought before City Council? Dr. Norris, if you will read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Next Regular Council Meeting Monday, March 6, 2006 at 7:30 P.M. in Council Chambers.

Finance Committee Meetings on February 23, 24 and 27, 2006 beginning at 8:00 A.M.
Council Member Manning: Correction, that is at 9:00 A.M.

Public Hearings March 6, 2006 on applications filed for agricultural districts. Individual Hearings beginning at 7:15 P.M. in the following order:

- 1) Bernard W. & Nancy L. Fate;
- 2) Robert Slusher; and
- 3) James W. & Loretta A. King.

Public Hearing March 20, 2006 at 7:20 P.M. re: T 168-2006.

President Arndt: Mr. Boose has an announcement as well.

Council Member Boose: Thank you, Mr. President. I just wanted to remind residents that registration for the 2006 North Ridgeville Amateur Soccer League season, that is sponsored by the City, will be held February 25 from 11:00 A.M. until 3:00 P.M. at the North Ridgeville Branch Library. Children age's five to 13 are eligible to enroll to play soccer. Registration will also be required for Children that previously played. The Tots Soccer Program for U4 will also be offered this year and at least one parent or legal guardian must be present with proof of residence and a copy of the child's birth certificate. These documents will be inspected and returned at the time you register. In addition the North Ridgeville Parks and Recreation Department will be holding registration for the City Baseball and Softball Program for boys and girls ages five to 18. The first two Fridays in March, March 3 and March 10 from 7:00 P.M. to 9:00 P.M. and the first two Saturdays in March, March 4 and 11 from 10:00 A.M. to 2:00 P.M. at the Senior Center in the City Hall complex. Cost for registration is 40 dollars per player and for more information, you can contact the Parks and Recreation Department.

President Arndt: Any other announcements? Mr. Jaenke?

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING FEBRUARY 21, 2006**

Page 14

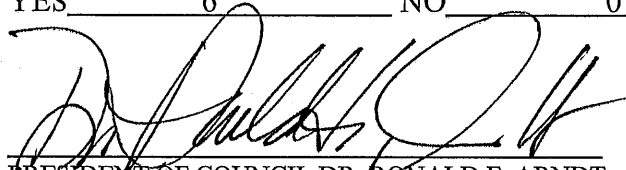
ADJOURN:

 moved by Jaenke to adjourn
President Arndt: Meeting adjourned.

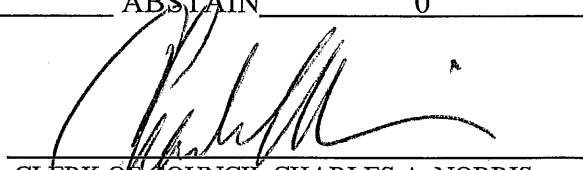
Meeting adjourned at P.M.

MOTION Butkowski 2ND Manning DATE March 6, 2006

YES 6 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS