

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 6, 2012**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, February 6, 2012 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, President Pro-Tem Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran. Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin, and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Council minutes of the regular meeting January 17, 2012. Are there any objections or corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Civil Service Commission minutes of 01/17/2012 and the Board of Zoning and Building Appeals minutes of 01/26/2012.

LOBBY:

President Corcoran: We have quickly arrived at the lobby session. This is your opportunity to address your concerns to Council. You have three minutes to speak. When you approach the podium, please state your name and address for the record. The lobby session is open. Who would like to go first?

1. Rosemary Berg of 37953 Center Ridge Road spoke regarding the ordinance prohibiting the feeding of deer. She believes that we have destroyed their natural habitat by building homes. She explained that the deer stay in their habitat and unfortunately they are eating some of the people's landscaping. She admitted to feeding the deer. She stated that farmers are growing soybean and corn and asked if the city was going to tell them that they can't grow these crops, since the deer feed on the crop. She stated that if there is some sort of birth control for deer, she would be willing to put it in the feed that she feeds them. She believes that there are more problems with raccoons

and woodchucks then there are with deer. She concluded by stating that the deer do not eat her trees. They do like some of her shrubs, but she figures that she doesn't have to pay a landscaper to trim those shrubs in the spring.

2. Ron Windt of 5096 Meadow Moss Road spoke for the ordinance to prohibit feeding the deer and explained that they don't only mess up the habitat, but they spread deer ticks.

3. Gene Kleinholz of 7324 Dyke Avenue spoke regarding a meeting that was held at the Lorain Community College on January 24 about the proposal he believes is giving away French Creek. He explained that he has asked this Administration about the status of our 208. He stated that when LORCO came in to North Ridgeville through the right-of-way, we were told that they are a utility and we could not stop them. However, he believes that they pillaged our 208 by taking tap in fees that were sent to Avon Lake and that was in dispute with no resolve. He stated that the tax payers in this city have paid for French Creek. Also, in the Chronicle this past week it was discussed that there was a large disparity in rates. He concluded by stating that if this is going to be a Regional Sewer Authority, he believed that the rates should remain the same. He continued to state that the other cities are saving a lot of money by us being part of their regional proposal. He believes that there is a big disparity in rates and he believes that we have gone alone on this for a long time. He is opposed to becoming part of this unless there was a better deal for the tax payers in this city.

Mayor Gillock: Mr. President, I would like to make some comments in regards to Mr. Kleinholz presentation. I appreciate what Mr. Kleinholz is bringing forth. There are a lot of things in here that, that is the way they were put out to the public that just aren't factual. We will start with LORCO. LORCO does go through our facility planning area. They have no taps in our FPA. They are not allowed to have taps in our FPA. In fact it is a forced main as it goes through our FPA and it would be cost prohibitive, even if it was allowed to tap into it as a high pressure line. I can appreciate what he is saying about our tax payers. Not all tax payers paid for that plant. Avon and Sheffield Village did not help pay for it. North Ridgeville residents paid for it through a bond issue. North Ridgeville residents also received a tax credit, which wiped out basically what they paid. It was a trade off and in fact two years ago or in 2008 when the plant was paid off, our sewer rates actually went up when we paid off the plant because we lost the credit on our taxes. Thirdly, I will tell you that the rates are the same to all three cities. The firm doing the study didn't necessarily present it in the right way. Our plant charges Avon, Sheffield Village and North Ridgeville \$2.01 per 100 cubic feet by contract. All three cities are treated equally. All three cities tack on fees on top of that and they can tack on whatever they want; whether it is for administration, etc. The three cities all tack on fees above the \$2.01. Those rates are not the same, but what French Creek charges the cities, are all the same. I will say that study that was just complete and presentation was made, was simply a study that questions whether it is feasible to form a regional sewer district and if we did, would it save money or is it just a bad idea all the way around. At the end of the study, for the 13 municipalities that participated, to 11 it looks like it would be a good idea and they ought to investigate further to answer a lot of the questions the cities still have. Two cities, Elyria and Avon Lake, right now it doesn't look like it would be a cost

effective program for them; although, they have their own issues that might change that. Right now, all we are saying is that we need to work together and we need to collaborate today as our funding from various sources is reduced or has been eliminated from the state and everywhere else. We need to see if there are ways that we can work and collaborate together to keep our costs and our rates down. That is all we are looking at, at this point. We have completed a study. It looks good. There is a lot of work and a lot of questions that need to be answered before we go further. I needed to clear up those three main points that were presented because I wanted to make sure that we got the right information out there. Thank you.

President Corcoran: Thank you, Mayor. Is there anybody else that would like to address Council? Yes, Chris?

Auditor Costin: I just wanted to supplement what the Mayor was saying. When he was talking about the rates that French Creek charges, that is totally correct. French Creek charges rates, as the Mayor described, to the three communities including our own. When the Mayor said though that the three communities tack on fees, what he was really referring to is the fact that in addition to the plant and the trunk line system, the cities have their own collection systems as well. So, based on the newness of the system, improvements going in, repairs being done, that is where you are going to have your disproportionate relevance here. The fees being tacked on are to support the infrastructure of each of the communities in addition to the trunk lines and the plant itself. Thank you.

President Corcoran: Thank you, Mr. Costin. Sir, please.

4. George Yaumithis of 38572 Country Meadow Way in the Meadow Lakes development explained that he moved into Meadow Lakes development ten years ago. He stated that he moved out to this area from Cleveland for the natural environment and for Meadow Lakes having natural areas. He purchased his property with common land behind it where no one would build so that it would remain natural. He stated that he feeds the deer. He feeds the cardinals and in the summer, he feeds the hummingbirds. He stated that he gets a lot of pleasure out of it. He stated that he only feeds the deer in the winter. He stated that if he doesn't feed them, then someone else is going to and they will probably eat his shrubs. He stated that he gets a lot of pleasure out of it. His children do and his grandchildren also do. He stated that he believes that it encourages a lot of people to move into the development. He stated that there are many ponds and he doesn't hear anything about getting rid of all the geese and the ducks, which poop all over the place. He concluded by stating the next thing will be that he won't be able to feed the birds and he feels that there are too many controls and as he addressed his Councilwoman in an email, he believes that the city should be addressing the toxic things that we put on our lawns instead of feeding the deer.

5. Bonnie Pierson of 32998 Center Ridge Road explained that she has lived here for 40 years. She explained that her mother was an avid gardener who grew flowers that surrounding neighbors admired and who also had received many ribbons for her beautiful flowers. She spoke about the flowers that she grows. She explained that her mother, now living in Walton Hills, plants something, waters it, weeds it and mulches it, but is giving up because of the deer. She explained that her mother lives next to the City of Solon who spent \$750,000 in deer control three years ago.

She explained that this problem is all over. She has heard people say how much money they spent in landscaping and watched it disappear when the person next door to them fed the deer and drew the population into his area. She explained the type of flowers and plants she has, which the deer are eating just before they begin to bud.

President Corcoran: Ms. Pierson.

It was moved by Boose and seconded by Buescher to allow Ms. Pierson up to an additional three minutes.

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

Yes, 7 No, 0

President Corcoran: Ms. Pierson, please continue.

Bonnie Pierson explained that the deer love the fruit trees and shrubs she has in her yard. She explained that she purchased 400 feet of the 7 foot deer fencing and more than 500 feet of wire fencing to go around the trees because they come out of the woods to her west, make deer trails across her property and she believes that there is someone that is feeding them five houses to her east. She explained the damage to her yard and landscaping that is caused by the deer. She concluded by stating that the deer population is a problem. The population doubles every year. She thanked Council for listening.

6. Linda Malicki of 5343 Barton Road explained that she enjoys living in North Ridgeville because of the green space and because of the critters. She stated that she feeds the birds, the squirrels and she explained that when you feed the birds and the squirrels, you are also feeding the deer. She stated that she sometimes feels that she has Walt Disney in her back yard and she likes that. She stated that she can appreciate that it is a problem for other people. She stated that she doesn't understand how the city can tell her that she can't feed the birds if the deer are going to eat the bird seed. She stated that she is not quite sure how enforceable this law would be. She stated that she has read that some states have had some good results with deer birth control. She explained that she is not a scientist, she just went on line and started looking and did see that some cities had some success with that. She concluded by stating that the one thing she did not want to see is the city pitting neighbors against neighbors and all the calls going into the police department saying that they just saw their neighbors feeding the animals. We know that will happen and asked Council to find a way not to make that happen.

President Corcoran: Is there anyone who would like to speak for the first time? Gene, please go ahead.

7. Gene Kleinholz of 7324 Dyke Road spoke regarding the deer. He explained that he had \$1600 worth of damage in shrubbery this past year. He stated that when he worked on the rescue squad there were fatalities because of deer. He explained that there was a motor vehicle accident up on Lorain Road where the motor vehicle hit the deer and the driver was killed. He explained that there is a big problem with that. He explained that his friend told him he had 50 deer in his soybean field just the other day. He explained that he had 20 wild turkey in his yard that just

destroyed his yard. He said that the problem is more than deer, but the deer is the major problem when it comes to destruction of shrubbery and they are a safety issue when it comes to the roads.

Council Member Olesen: Mr. President, if I might?

President Corcoran: Yes Mr. Olesen.

Council Member Olesen: If you look at my legislation tonight, I think we have everything on there but turtles. This legislation will probably go to Committee. I think our President will refer it to Committee where we will have further discussion and will probably include wildlife experts and everything else. I like deer too. They are beautiful animals and I heard people that are here like them too. But the fact is, we have too many and they are coming into residential areas and eating peoples plants and they can't keep up with their landscaping anymore. Now, if you go back to what Mr. Kleinholz was just up there talking about; last year, our Service Department picked up 60 dead deer on our roadways. That is horrendous because they are everywhere and that number is the only ones that they picked up. There are probably more that ran and hid in cover and died there, because that is what deer do. I am more interested in deer, and this issue, because of that and also interested in the problem that we have with feral cats. Feral cats are a tremendous problem and people feed those too. Feral cats can give a newborn mother an illness that is called toxoplasmosis for her unborn child, which can cause things like brain damage and it is from the feces of wild cats. This is another area that deserves our ultimate attention right now. I have had numerous calls on people feeding wild cats. I had numerous complaints because people's yards are being devastated from deer. It is not putting up a bird feeder and a deer tipping it over. It is people that are throwing out bags of corn in their side yards in heavily populated residential areas. This is not good. We cannot do this anymore, folks. There will be more discussion for those that are here as we progress. Thank you.

President Corcoran: Thank you, Bob.

8. Ann Rothel, a nonresident of North Ridgeville, stated that she was in attendance tonight to educate herself on other cities and how they handle situations. She addressed Council Member Olesen and stated that the statement he made regarding the disease from a feral cat has to be corrected and she explained that, that disease could be transmitted from a household cat. She stated that all you have to do is be pregnant and scoop your litter box. It doesn't have anything to do with just feral cats.

Council Member Olesen: Just wild animals.

Ann Rothel stated no, it is not. She explained that her house cat can give that disease to her if she was pregnant and she didn't want him to mislead the public. She stated that feral cats are just cats; their poop is the same as household cat's poop. That disease can happen if your wife is pregnant and you have cats and she is scooping the litter box.

Council Member Olesen: That is fine, but I don't think it is your cat that is digging up my flower bed.

Council Member Buescher: Mr. President, I have read the same thing. I agree with what she is saying, but the city still has a problem with feral cats.

President Corcoran: Thank you everybody for your comments and as Bob had mentioned, this will be referred to a committee and there will be more discussion on this. Moving on now to the Administrator's reports. Mr. Mayor you are up first.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. First, I want to draw your attention to the calendars that went out in the water bills that were provided by Allied Waste and Shamrock Printing. This was the second copy. I'll apologize, although the city didn't have a whole lot to do with it. The calendars came out earlier. The term North Ridgeville is on here three times and they misspelled North Ridgeville in the title. Shamrock is the printer that does all our water bills. You would think that they would know how to spell North Ridgeville, but it got through their system even though we proof read it. We had it right, they still screwed it up. So, they did send another one free of charge. It didn't cost us anything. It didn't cost us anything the first time because they worked with Allied Waste to provide this calendar. It is really neat, when you look at it. Of course we have trash pickup every week, but the week that is marked in green is the week you can put pretty much anything out. I won't say anything because there are certain restrictions, but this is when we allow for bulk pickup. There are four dates on there that are in dark blue, which are the holidays. They will be picking up one day later on those holidays. So, these will be real helpful because it is hard to keep track of throughout the year and their holidays don't always match up with our holidays and people are always calling to ask when their pickup is and this will help. Put that on your refrigerator and hopefully it will make that work a lot better for you. We are glad they paid for this and got it done right the second time.

Secondly, you will find at your desk this evening an ordinance regarding the purchase of a CAT 318 excavator.

It was moved by Mayor Gillock and seconded by Johnson to suspend By-Laws to introduce this legislation under first readings and ask the Clerk to assign a temporary number.

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

Yes, 7 No, 0

President Corcoran: Clerk, could you please give that a T number please.

Clerk of Council Smith: Number T 14.

Mayor Gillock: When that comes up, we will go into more detail as to exactly what this is about. Lastly, I would ask if at the recess or instead of having recess, that we adjourn into Executive Session to discuss the sale of City property.

It was moved by Mayor Gillock and seconded by Olesen to adjourn into Executive Session to discuss the sale of City property during recess.

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

Yes, 7 No, 0

Mayor Gillock: Thank you and that concludes my report.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Just a couple of comments. Over the last several weeks we have had some changing and studying of our traffic lights at Lear Nagle and Lorain and at I 480 and Lorain. What we have done is the traffic that is going toward Cleveland coming off Lear Nagle and making that left hand turn, we have adjusted it back to where it was so, those individuals that actually, last week, were sitting there waiting for that light to stay on longer. We've made those changes with that and brought Signal Service back in, so you should not have that 15 or 20 minute wait additional that you have had. It appears that ODOT was in trying to make some additional safety changes. We noticed them in there, but I didn't know that they were in there actually physically changing the light. Signal Services went back over there and changed them back. So, we are going to have to work with ODOT just to see how we are going to get it done because people were actually sitting at the light trying to get out and some individuals were maybe 15 minutes longer in their commute than normal coming off Lear Nagle Road because of the left turn signal up there.

We have also noticed that the Middle School has changed their drop off of their children now to be inside the school property. So you would come across State Route 83 and make a left and drop the kids off inside in the bus area, which has made some changes in how traffic is getting around at Center Ridge and 83 and Center Ridge and Stoney Ridge. We are not sure how we are going to fix that but we are working it and trying to figure out what we are going to do up there too because of the traffic change. There were times that parents would drop their kids off on Center Ridge Road where now you cannot do that. If you notice there are orange barrels indicating no drop off point there. That has kind of hampered the traffic at the corner there during early mornings and we are working through that. That concludes my report.

President Corcoran: Thank you, Jeff. Mr. Engineer.

C. Engineer:

Engineer Wangler: Thank you, Mr. President. We were held up at Ridgeview and Drake. I originally had a maintenance and traffic plan in place and that project was really supposed to be done by now. We had some utility interference where we were relying on the gas company to come and help correct that situation. We knew the gas line was there and we thought we could work around it and when it was actually located, it was off a little bit. I have a new schedule that will push us into the beginning of March. That is the end of my report.

President Corcoran: Thank you and Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you, two items of business. First of all, the year-end final December report has been timely sent to Council. You should have received that and secondly, just a reminder, under ordinances and resolutions. This is that time of year when those ordinances pop up for the bidding and acquiring of certain materials that the city does each year. I would remind Council that we really can't take action on these ordinances until we have our permanent appropriations in place. That would be T 6 through T 11. I would suggest either we have them read at the next three meetings or as an alternative you could refer them all to finance and then after appropriations, they will surface, read them once and then pass them all at that time.

President Corcoran: Thank you.

E. Other Reports:

President Corcoran: December 2011 Building Department Report.

COUNCIL COMMITTEE REPORTS:

President Corcoran: There are no Council Committee Reports. We do have correspondence.

CORRESPONDENCE:

Clerk of Council Smith:

A newspaper article forwarded to Council from Mayor Gillock from *Crain's Cleveland Business* entitled "Kasich team renews push to collect muni taxes" written by Jay Miller in the January 30 to February 5, 2012 issue.

OLD BUSINESS:

President Corcoran: There is no old business. Moving on to new business.

NEW BUSINESS:

Clerk of Council Smith:

Application for renewal of placement of farmland in an Agricultural District from Joseph & Joyce Solomon for a total of 18.14 acres located at 5150 Avon Belden Road.

Application for renewal of placement of farmland in an Agricultural District from Jayne and James Elliot for a total of 8.14 acres located at 5120 Avon Belden Road.

President Corcoran: Both of those applications are scheduled for Public Hearings on February 21 at 7:20 P.M. Moving on to T 5.

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 5-2012 AN ORDINANCE AMENDING CHAPTER 618, ANIMALS.

President Corcoran: The Chair will REFER THAT TO THE SAFETY COMMITTEE.

President Corcoran: T 6.

Clerk of Council Smith:

T 6-2012 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 WASTE WATER TREATMENT PLANT.

President Corcoran: T 7.

Clerk of Council Smith:

T 7-2012 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.

President Corcoran: T 8.

Clerk of Council Smith:

T 8-2012 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.

President Corcoran: T 9.

Clerk of Council Smith:

T 9-2012 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.**

President Corcoran: T 10.

Clerk of Council Smith:

T 10-2012 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.

President Corcoran: T 11.

Clerk of Council Smith:

T 11-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, 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.

President Corcoran: The Chair REFERS T 6 THROUGH T 11 TO THE FINANCE COMMITTEE.

President Corcoran: T 12.

Clerk of Council Smith:

T 12-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A LOAN IN THE AMOUNT OF \$667,300.00 FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE CHESTNUT RIDGE ROAD PHASE 2A ROADWAY RECONSTRUCTION PROJECT.

It was moved by Mayor Gillock and seconded by Olesen to suspend By-Laws and give T 12 its first reading this evening.

President Corcoran: Are there any questions?

Mayor Gillock: Mr. President, by way of explanation, this has been discussed with the Finance Committee. The Ohio Public Works Commission distributes state funding for infrastructure projects. I am on their board and I am also on their executive board. They obtain funds from various pots and we usually get about \$250,000 each year in grants, which we use for road projects and then they have certain amounts of loan monies. At the end of 2011, they had \$667,300 left in loan money. They contacted me and asked if we would like to use that funding. We planned on doing this paving project, which is about half of Chestnut Ridge Road from Lear Nagle going toward Cuyahoga County in 2013. This would allow us to move that project up a year and the funding is repayable over 20 years at no interest. It is the cheapest money you can

borrow. We felt that it is important to our residents that we go ahead and take this money and get that road fixed. That will let us move the 2014 project up a year. We will do the rest of Chestnut to get it to the Cuyahoga County line. So, it would be my desire to see this get passed tonight with the emergency. The State wants to know for sure if we are going to take this or not and if we are not, they will be giving it to somebody else. This is 2011 dollars and they need to get their books closed. It would be my hope that we adopt this, this evening with the emergency clause. Thank you.

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

Yes, 7 No, 0

President Corcoran: T 12 is now added to first readings.

President Corcoran: T 13.

Clerk of Council Smith:

T 13-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO PREPARE AND
EXECUTE AN APPLICATION FOR SRTS SCHOOL TRAVEL PLAN
DEVELOPMENT, AND IF AWARDED, TO ENTER INTO A CONTRACT
WITH ODOT TO COMPLETE THE PROJECT

It was moved by Mayor Gillock and seconded by Butkowski to suspend By-Laws and give T 13 its first reading this evening.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, this is the beginning steps in the process of an application for Safe Routes to Schools Project. Safe Routes to Schools is federal funding that came out originally around 2006. We worked with the schools at that time for two years to find a grant for sidewalks and not just infrastructure, but non-infrastructure in doing education, engineering, etc. At that time, I believe the State only had three million dollars total available and the number of applicants was overwhelming and they funded very few projects. They have since revamped the program and President, Mr. Corcoran, came across this and brought it to my attention. Kevin has always been very avid about doing something with the sidewalks. What they are doing with the program now, they changed it substantially and this goes through ODOT although it is federal funding. First, what they want you to do is fill out just the application for travel plan development. There is no cost involved in this. We have to fill out the application. We have to have this ordinance. We have to have a schedule of the students, a list of students with no names listed and their addresses, which we have. We will then provide that to ODOT, who will then assign a project manager to the project, who will work with us to develop into the next phase. If we get to the next phase; after they do their engineering, they will look at sidewalks, walking trails and bicycling within one to two mile radiuses of the elementary schools. At that point, you can then apply for funding for projects, which again is 100 percent federal dollars with no match. At this point; the way it is laid out, we are not committing to any funding. We are just basically getting the project started to see where it might go. I am not saying that at some point there might not be dollars involved, but that would be a whole different phase and we can address that when we get there. Thank you.

President Corcoran: Any other comments or questions? The Mayor moved and Butkowski seconded to add T 13 to first readings this evening. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 13 is now added to first readings.

President Corcoran: That brings us to the recess portion of our meeting and we are scheduled to go into Executive Session, which means we will step outside for a few minutes and we will return as soon as possible.

RECESS:

Council adjourned to Executive Session at 8:19 P.M. to discuss the sale of city property.
Council resumed the meeting at 8:52 P.M.

President Corcoran:

FIRST READING:

Clerk of Council Smith:

T 4-2012 AN ORDINANCE AMENDING ORDINANCE NO. 4870-2011 TITLED "WIND ENERGY SYSTEM REGULATIONS."

First Reading

T 14-2012 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4886-2012 RIDGEVILLE TO TRADE OR SELL A CAT 318 EXCAVATOR, AND TO
PURCHASE A CAT 308 MINI HYDRAULIC EXCAVATOR AND AUXILIARY
EQUIPMENT FOR THE SERVICE DEPARTMENT FROM THE STATE CO-OP
OR AT AN EQUIVALENT OR LESSER PRICE, OR TO ADVERTISE FOR
BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR
ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT
TO EXCEED \$104,000.00.

First Reading

It was moved by Mayor Gillock and seconded by Boose to dispense with the second and third reading for T 14.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, we currently have a CAT 318 excavator we bought in 2006, which has not really met the Service Department's needs. It's too big. When we use it on road projects and you put it on the shoulder, as you rotate the equipment, the counter weights swing out way past the track into the next lane. It takes up a lane and a half of traffic when you are trying to use it and that is not good on a two lane street. The CAT representative has approached us with a different model, a CAT 308, that has the same reach as the 318, but it operates within the footprint of the tracks. It does not extend out beyond the tracks. It only takes up one lane and the price that

he is giving us, which this dealer is an approved State bid vendor, is the price that is on the State bid list. He is the vendor in a three state area and this is the last one that he has left. He will take the 318 in trade, so our net expenditure; although we will have two separate transactions, which is why we have to come to Council, our net expenditure would be less than \$20,000 for the piece of equipment, plus the accessories and everything that goes with it. We would pay approximately \$104,000 for the new one and we would get approximately \$84,000 for the old one for a net expenditure of \$20,000, which we do have in the Miscellaneous Government account. We do have the money appropriated that will allow us to make the expenditure. This would give us an upgrade for a relatively small amount of money that really meets our need for a tractor that we really need. We would like to get this approved as soon as we could so we can get this ordered. Thank you.

President Corcoran: Thank you, Mayor. It was moved by Mayor and seconded by Boose to dispense with the second and third readings for T 14. Any other comments? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Boose and seconded by Butkowski to adopt T 14.

It was moved by Boose and seconded by Johnson to add the emergency as there is only one left and we need to move quickly in order to take advantage of the opportunity.

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

Yes, 7 No, 0

President Corcoran: It was moved by Boose and seconded by Butkowski to adopt T 14 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher(yes), Boose(yes), Jaenke(yes), Olesen(yes),
Butkowski(yes), Johnson(yes), Corcoran(yes)

Yes, 7 No, 0

Clerk of Council Smith: Unanimously adopted and becomes ordinance number 4886-2012.
Permanent Ordinance No. 4886-2012

President Corcoran: T 12.

Clerk of Council Smith:

T 12-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
4887-2012 AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO
OBTAIN A LOAN IN THE AMOUNT OF \$667,300.00 FOR FUNDING FOR
THE DESIGN AND CONSTRUCTION OF THE CHESTNUT RIDGE ROAD
PHASE 2A ROADWAY RECONSTRUCTION PROJECT.

First Reading

It was moved by Olesen and seconded by Johnson to dispense with the second and third reading for T 12.

President Corcoran: Are there any comments or questions? Yes, Mr. Costin?

Auditor Costin: Yes, Mr. Chairman, just to point out to Council, we still need to do the appropriation to spend this money. It was necessary to communicate with Public Works that the city would accept the loan and of course when we accept the loan, we have pretty much committed

to spend the monies. In fact, we would do the appropriations as we normally do in two weeks through the appropriation meetings and that is what the Mayor and I discussed but the Administration did want to provide this ordinance formally, so we would forward along to obtain the proceeds as he explained earlier, under the Mayor's report.

President Corcoran: Thank you, Mr. Costin. Are there any other comments? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

It was moved by Johnson and seconded by Butkowski to adopt.

It was moved by Olesen and seconded by Johnson to add the emergency.

Council Member Johnson: Do we need the emergency on this?

Auditor Costin: The appropriation ordinance will be the second meeting of March.

Mayor Gillock: We don't technically need the emergency because once we adopt it, we can legally advise that it has been adopted and instruct that it will not take effect for 30 days.

Council Member Olesen: I will withdraw my motion on the emergency.

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 12. Clerk, please call the roll.

Clerk of Council Smith: Buescher(yes), Boose(yes), Jaenke(yes), Olesen(yes),

Butkowski(yes), Johnson(yes), Corcoran(yes)

Yes, 7 No, 0

Clerk of Council Smith: Unanimously adopted and becomes ordinance number 4887-2012.

Permanent Ordinance No. 4887-2012

T 13-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO PREPARE AND
4888-2012 EXECUTE AN APPLICATION FOR SRTS SCHOOL TRAVEL PLAN
DEVELOPMENT, AND IF AWARDED, TO ENTER INTO A CONTRACT
WITH ODOT TO COMPLETE THE PROJECT.

First Reading

It was moved by Olesen and seconded by Johnson to dispense with the second and third reading for T 13.

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

Yes, 7 No, 0

It was moved by Boose and seconded by Johnson to adopt T 13.

It was moved by Boose and seconded by Johnson to add the emergency for timing issues, as we need to get the process in gear, because there are several steps to the process; you want to make sure that we do everything we can to get in line for funding as this relates to safety.

President Corcoran: Any comments or questions about the emergency clause? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: It was moved by Boose and seconded by Johnson to adopt T 13 with the emergency clause. Any comments or questions? Clerk, please call the roll.

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Clerk of Council Smith: Buescher(yes), Boose(yes), Jaenke(yes), Olesen(yes),
Butkowski(yes), Johnson(yes), Corcoran(yes)
Yes, 7 No, 0

Clerk of Council Smith: Measure passes unanimously and becomes ordinance number 4888-2012.
Permanent Ordinance No. 4888-2012

President Corcoran: That is the end of first readings. Moving on to the second readings. We have
T 3.

SECOND READINGS:

President Corcoran:

Clerk of Council Smith:

T 3-2012 AN ORDINANCE AMENDING ORDINANCE NO. 4778-2010 ENTITLED
LEGAL GAMING REGULATIONS.
Second Reading

THIRD READINGS:

President Corcoran: There are no third readings this evening.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Public Hearings regarding Agricultural Districts for Solomon & Elliot on
Tuesday, February 21, 2012 at 7:20 P.M. in Council Chambers.

Our next regular Council meeting will be held on Tuesday, February 21, 2012 at 7:30 P.M. here in
Council Chambers.

Public Hearing regarding T 4-2012 on Monday, March 5, 2012 at 7:20 P.M. here in Council
Chambers.

ADJOURNMENT:

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

Meeting adjourned at 9:03 P.M.

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Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on February 21, 2012.



PRESIDENT KEVIN CORCORAN



CLERK OF COUNCIL GEORGE E. SMITH