

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 2, 2004**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order the February 2, 2004 regular meeting of the North Ridgeville City Council. If you all rise for our Invocation and Pledge of Allegiance.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President of Council 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 Chuck Norris.

MINUTES - Corrections (if any) and Approval:

President Arndt: You have before you, the minutes of the Public Hearings of January 20th regarding:

Council Public Hearing Minutes of January 20, 2004 re: T 115-2003;

Council Public Hearing Minutes of January 20, 2004 re: T 121-2003 REVISED;

Council Public Hearing Minutes of January 20, 2004 re: T 129-2003;

Council Public Hearing Minutes of January 20, 2004 re: T 130-2003;

Council Public Hearing Minutes of January 20, 2004 re: T 132-2003;

Council Public Hearing Minutes of January 20, 2004 re: T 152-2003; and

Council Public Hearing Minutes of January 20, 2004 re: T 153-2003.

If there are no objections, the chair would entertain a motion to approve all Public Hearing meetings of January 20, 2004 as a group.

 moved by Jaenke, seconded by Olesen to approve

President Arndt: There being no objection, all those in favor signify by yes, all oppose, no. Any abstentions.

 Yes, 7 No, 0

Regular Council Minutes of January 20, 2004

President Arndt: The chair indicates two corrections, the first is on page 16, on the bottom, the section of the last paragraph it says Council Member "Buescher", I believe that needs to be "Butkowski" otherwise, Buescher will be talking to Buescher. I would suggest the correction to change to "Butkowski". The second correction is on page 22, under adjournment, it says "President Gillock", wonderful fellow however, I would suggest that might be changed to

“President Arndt”. Having made those two minor modifications, I’ll entertain a motion to approve.

moved by Jaenke, seconded by Swindig to approve as corrected

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

Yes, 7 No, 0

President Arndt: Please note:

Parks & Recreation Commission Minutes of regular meeting December 3, 2004;

Visitor’s Bureau Minutes of September 24, 2003 and October 23, 2003; and

Planning Commission Minutes of regular meeting January 13, 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, the opportunity to provide Council with an oral report. I begin with our Mayor. Mr. Mayor, is there any report from your office?

Mayor

Mayor Gillock: Thank you, President Arndt. Two brief things. One, I’m here and in good health tonight. I appreciate all the calls, letters and emails I received due to some minor emergency surgery, if you want to call it that. I had my appendix removed and it laid me up for a couple of days and we’re doing fine. I really appreciated the support. Secondly, this is not uncommon at all but, I think once in a while we need to bring attention to our forces and what a good job they do in the City as well as our Service Department. I received a letter I want to read real quick: Attention Mayor Gillock. January 23, 2004. We’ve been residents of the City of North Ridgeville since 99 and we’ve been fortunate during that time we have not needed the services of the Fire Department or rescue squad, that is until recently. I’m a Captain with the Beachwood Fire Department and was working on the night of January 19, and he lives in North Ridgeville. My wife who has an incredible fear of rescue squads, starting having complications from her pregnancy and called 911. My wife was extremely impressed with how professional, caring and understanding the paramedics were. They were able to take a very stressful situation from my wife and make it a little easier. I feel these gentlemen should be commended on their professionalism and the level of care they provide to the residents of the City of North Ridgeville. I would like to thank Firefighters Tony Carrozzino, Greg Laborie and Terry Green for all that they have done. It is comforting to me to know that my family is in such good hands if an emergency would arise.

So, when you see your Firemen, thank them. They do an excellent job. We do get letters like this, fairly often, and they don’t always get the attention they should so, this one was in my office today. Denny hasn’t even seen it, I just wanted to share it. Thank you very much.

President Arndt: Thank you, Mr. Mayor. It is awfully gratifying to here positive comments like

that about the kinds of services that are employees provide for us. Now, we turn to our Safety-Service Director. Mr. Johnson, any report from your office?

Safety-Service Director

Safety-Service Director Johnson: Yes, Mr. President. It's kind of proof that I hadn't seen that glowing letter. I've got a few others I'd like to point out. I have a letter of thanks here from the Gunther family regarding work with the North Ridgeville Fire Department with the recent Kentron fire in Avon. The letter states, in part, your men are professional beyond expectations. It goes on to say, please extend our heartfelt gratitude to those men for their dedication to their profession. It's obvious you are among the elite. I would like to add men and women. I'm sure they didn't mean to single anybody out there. Shortly before I received that letter, I was visited by a Mr. John Buckey. Mr. Buckey stopped by for no other reason to say thank you for our safety forces for caring for him in a recent time of need. Like the Mayor said, we get letters like this often enough to really impress me. We have some great workers that assist us in the City of North Ridgeville. Lastly, I'd like to introduce Ben Makowski, one of our outstanding snow plow drivers. He'd like a moment of our time to explain how our residents can help make snow removal safer for all of us. Ben, if you would step up to the microphone.

Ben Makowski: Thank you Mr. Johnson, President. We, as snow plow drivers in North Ridgeville, take pride in the work we do. What we're asking is for help from Council in anyway possible and possibly the Police Department to have the Citizens follow a few simple rules. All we're asking is that they be more courtesy of the snow plows and the drivers. We ask that they stay back 50 to 100 feet so that when we come to an intersection, we can plow back. We had an incident last week where we had an accident because a Citizen was too close to the truck. I think we've had five of them, if I remember correctly, in the past year. We also ask that they do not pass the trucks when we're double or triple plowing such as on Center Ridge. When we triple plow we have three trucks going down at one time on one side. I happen to be doing Center Ridge one night and three cars cut in front of me. I was the last truck to get in between the second truck and that's a pretty dangerous situation to be in because, with our trucks, we're hauling about eight tons of salt in the back. You can't stop on a dime and with that plow in the front, that's a lot of weight to try and stop and control. To try and combat some of this, we are adding signs to the backs of the truck which will be five inch reflective light letters saying, stay back 100 feet. I've checked with other cities and they have them on their trucks as a warning sign. We're also adding back up lights to the trucks that do not have them at this time. We're asking Council to look into any type of legislation that may be of help to us because that also helps cut costs on truck repairs and insurance claims if an accident should happen. We're asking that the Citizens also obey the snow ban when the snow reaches the required depth, that they stay off the streets, the parking. Especially in the cul-de-sacs because when we try to swing those big trucks around in the cul-de-sacs, with two and three cars parked there, we can't get around and it's hard to push the snow off to get them out of their cul-de-sacs, to make a clear path for the

Citizens to get out. So, we're asking them to please, help us out there too. It's hard to maneuver one of the big trucks around there. I know a couple years ago, a couple Council people rode with us. If anybody would like to, you can talk to Jerry, and somebody can ride with us and see what it entails to go through this on a nightly or daily basis when we're out there. Lastly, I'm going to ask the Citizens, this has probably been put out before, please don't push the snow out into the street. When we come down, it's going to end up in your neighbors' yard and it's going to make a bigger mess for them. Also, throwing shovels and gesturing at the truck drivers won't make the trucks or the snow go away. I would just like to try and ask the Citizens to be a little bit more courteous and help us out so we can continue doing the job that we do that I think, for the time I've been associated with the City, probably the best because we get a lot of praise from the people that we hear out there that we are one of the best cities around for snow plowing and we want to keep it that way. Thank you for your time.

President Arndt: Mr. Makowski, thank you and would a wave and a thank you be more appropriate?

Mr. Makowski: That would probably be better.

President Arndt: Because, we certainly appreciate that. Thank you, sir.

Safety-Service Director Johnson: That concludes my report and I would like to ask the people just to think about the snow plows when they see them.

President Arndt: Thank you, Mr. Johnson.

Council Member Jaenke: Mr. President, I'm wondering if maybe the newspapers could help us out and maybe report some of the comments that were made tonight so the readers can understand why the City employees are so frustrated. Maybe some support from the newspapers would be helpful.

Council Member Buescher: Mr. President, perhaps we can also put something on the water bill. I know we all want to put something on that water bill but, it really helps because everyone gets one of those.

Mayor Gillock: We'll try and get something put on cable also.

Council Member Butkowski: I was a rider in one of those snow plows and it is commendable for the job that they do. It is very difficult to see a car, especially the small cars and anyone that would even think of passing one of those snow plows should think about the cost of their insurance and how it would go up if they had an accident. We all should be very careful. If you want your streets plow, take those few extra minutes and follow them so they can do a good job. Thank you very much for everyone that plows that snow. It's commendable.

President Arndt: Thank you, Mrs. Butkowski. I think Mr. Makowski can see that. Just his comments has generated some unanimous support. Thank you for taking the time to share that with us. We really appreciate it. Back to our Directors reports, is there a report from the Engineer?

Engineer

Engineer Griffith: No report.

Auditor

President Arndt: We move now to the Auditor and I ask Mr. Costin, should there be any report from your office.

Auditor Costin: Two items, Mr. Chairman. Council should have received a final December Year End Report, Cash basis report and also a letter, for the record, I'd like to read. It did not meet cloture with regard to our water rates, if I could?

President Arndt: Please, I'm glad you're doing that, thank you.

Auditor Costin: In accordance with requirements of the City of North Ridgeville Ordinance Number 2655-92, Codified Ordinance 1046.05(d), after review of water charges and or communications from the City's major water suppliers, in concurrence with the City Engineer's correspondence dated January 22, 2004, copy attached, no water rate increase is applicable for the year 2004. Thank you. That concludes my comments.

Auditor Costin: Thank you, Mr. Costin.

motion by Butkowski to accept the final Written Financial Report for December 2003,
second by Buescher

President Arndt: While I don't think it's really necessary, let's still take a vote. All those in favor signify by yes. All those oppose signify by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Will the Clerk please read the other reports.

Other Reports

Clerk of Council Norris:

Police Department Support Car Report for December 2003; and

Service Department Activity Report for December 29, 2003 through January 25, 2004.

President Arndt: Will the Clerk please read the Council committee reports.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris:

BUILDINGS & LANDS COMMITTEE REPORT #4220 Members of Council: We have considered the matter of T 133-2003, North Ridgeville Property Maintenance Code, be placed for a first reading February 2, 2004 City Council meeting.

Signed: Chairperson Richard W. Jaenke, Andy Young and Robert W. Olesen.

Council Member Jaenke: Mr. President, we had a very successful and positive meeting last week where the Council, the Law Director and Guy Fursdon reviewed many of the suggestions that were made and we concluded that we need to have some further study and also review some language changes. As a result, I would like to make a motion that we withdraw the request to place this ordinance on first reading this evening.

moved by Jaenke, seconded by Olesen to withdraw Building and Lands Committee

Report for a first reading until the next meeting

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

Yes, 7 No, 0

CORRESPONDENCE:

Clerk of Council Norris: Council has before it this evening, five items of correspondence.

- 1) Received a memo from Assistant Law Director/Prosecutor Toni Morgan submitting her review of the Property Maintenance Code.
- 2) Received a letter from Council Member Nancy Buescher in regard to the Property Maintenance Code.
- 3) Received a letter from Stephen J. Gauthier, Director of the Technical Services Center to the Government Finance Officers Association announcing the award of the Certificate of Achievement to Auditor Chris Costin for the comprehensive annual financial report.
- 4) Received a memo from Law Director Andrew Crites in regard to the enterprise zone agreement, personal property tax exemption with R. W. Beckett Corporation.
- 5) Received a letter from Comcast submitting the new channel line-up effective January 15, 2004 for the Comcast Cleveland System.

NEW BUSINESS:

Clerk of Council Norris:

Request for a new C1 and C2 liquor permit from Zip Thru beverage LLC, DBA Zip Thru, 6439 Jaycox Road.

President Arndt: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now have reached the audience participation of our meeting tonight. Any member of the audience is invited to address Council tonight. We do request that you fill out the lobby sign up sheet that you'll find in the back of the room that enables us to contact you personally should there be a need for any follow up. You're welcome to approach the podium at this time. What I would request, however, is that you clearly state your name and address and please limit your comments to three minutes. The lobby is now open.

- 1) David Schneider of 38915 Sugar Ridge Road spoke in regard to his brother, Eric Schneider, running for State House of Representatives in the 57th District and is registered as a democrat.

President Arndt: Thank you, Mr. Schneider. Any other comments from the lobby? There being none, I would entertain a motion that we dispense with our recess.

motion by Butkowski to dispense with recess, second by Jaenke

President Arndt: All those in favor signify by saying yes. All those oppose signify by no. Any abstentions?

Yes, 7 No, 0

RECESS: dispensed with.

ORDINANCES AND RESOLUTIONS:

President Arndt: We move onto our ordinances and resolutions and we find tonight there are indeed no submittals. There are indeed no first readings. There are no second readings and yes, there are no third readings. We have the opportunity, ladies and gentlemen, to move on tonight to old business.

OLD BUSINESS:

Clerk of Council Norris: Introduced by Mayor Gillock January 20, 2004.

T 10-2004 AN ORDINANCE CONFIRMING THE CONTINUANCE OF REAL AND
PERSONAL PROPERTY TAX EXEMPTIONS UNDER THE OHIO
ENTERPRISE ZONE AGREEMENT WITH BECKETT AIR,
INCORPORATED AND R.W. BECKETT CORPORATION, AND
DECLARING AN EMERGENCY.

moved by Young, seconded by Swindig

President Arndt: Is there any discussion?

Council Member Young: Mr. President, I talked several times with our new Law Director Andrew Crites about this ordinance and he has satisfied any and all questions and concerns that I had and in fact, he made a special point to meet with me on two separate occasions to discuss it and I feel confident in our Law Director's opinion with regard to this.

Council Member Olesen: Mr. President, I am more than happy with this resolution because, I think, the public should be aware that the Beckett company has been good Citizens in this community for more than 50 years and they contribute substantially to our financial matters in this City. This is a good deal.

Council Member Butkowski: This does have the emergency on it and I don't know that this meets the guidelines of an emergency and it's not a matter of health, safety and welfare of the community to have this as an emergency. I believe that should be struck.

President Arndt: According to our By-Laws, when it's indicated as such as an emergency, it does meet those requirements.

Council Member Butkowski: I thought we had to meet state requirements, regards of what we have in our By-Laws. I just didn't think it was necessary to have it on here.

Council Member Jaenke: Mr. President, I would like to get an opinion from our Law Director. I feel this is necessary legislation and we shouldn't be delaying Beckett Corporation, at all.

President Arndt: We have a motion on the floor to adopt.

Mayor Gillock: We have a motion on the floor, but we didn't say what the motion was.

President Arndt: It should be the second reading because. . .

Mayor Gillock: Can you clarify the motion to be to suspend By-Laws to give it its second reading?

Council Member Young: I don't know if that's correct, Mr. President. We postponed it before it was even put on as a first reading.

President Arndt: No.

Mayor Gillock: If you remember, we were talking about it, there was some confusion so we said we would go ahead and give it its' first reading last meeting and then we discussed it and postponed it. So, it did have its' first reading.

President Arndt: That is correct. There's a motion on the floor to suspend our By-Laws for our second reading. Is that correct?

Council Member Young: That's correct.

Council Member Swindig: My second stands.

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

President Arndt: That concludes our second reading.

Mayor Gillock: No, you now have to give it its second reading.

President Arndt: Will the Clerk please read our T 10-2004.

T 10-2004 AN ORDINANCE CONFIRMING THE CONTINUANCE OF REAL AND
PERSONAL PROPERTY TAX EXEMPTIONS UNDER THE OHIO
ENTERPRISE ZONE AGREEMENT WITH BECKETT AIR,
INCORPORATED AND R.W. BECKETT CORPORATION, AND
DECLARING AN EMERGENCY.

Second Reading

Mayor Gillock moved, seconded by Olesen to dispense with the third reading

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

moved by Swindig, seconded by Jaenke to adopt T 110-2004

President Arndt: Is there any further discussion? Mrs. Butkowski?

Council Member Butkowski: I would like to make a motion to remove the emergency from this because I do not believe it is an emergency. I think this can take the amount of time that's needed. It doesn't meet the guidelines of an emergency.

Council Member Swindig: Mr. Chairman, may I ask the Mayor a question on this. Was not our bond counsel the one that wrote the ordinance.

Mayor Gillock: Yes. Squire, Sanders & Dempsey, our attorneys, wrote the ordinance and included that.

Council Member Swindig: Thank you.

President Arndt: There's a motion on the floor by Mrs. Butkowski to remove the emergency. Is there a second? Dies for a lack of a second. We have a motion on the floor by Swindig.

Seconded by Jaenke to adopt T 110-2004. Is there any further discussion? There being none, will the Clerk please take the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven yes, no opposition and becomes permanent ordinance 3996-2004.

Permanent Ordinance No. 3996-2004.

President Arndt: Is there any additional business to be brought before Council this evening? There being none, I would request that the Clerk please read our upcoming meeting announcements.

UPCOMING COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Next Regular Council Meeting will be held in Council Chambers Tuesday, February 17, 2004 at 7:30 P.M.

ADJOURNMENT:

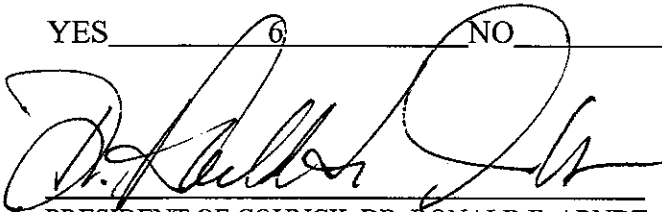
motion to adjourn by Swindig

President Arndt: Meeting adjourned.

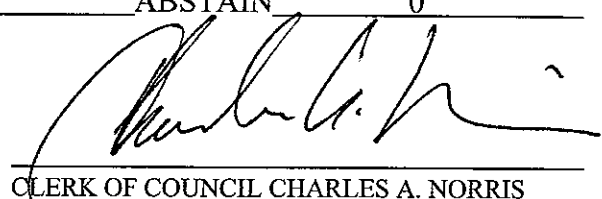
Meeting adjourned at 8:00 P.M.

MOTION _____ Olesen _____ 2ND _____ Swindig _____ DATE _____ February 17, 2004 _____

YES _____ 6 _____ NO _____ 0 _____ ABSTAIN _____ 0 _____



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS