

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 1, 2010**

CALL TO ORDER: 7:30 P.M.

President Corcoran: I call to order the North Ridgeville City Council Meeting of Tuesday, February 1, 2010. Please stand for the invocation and pledge of allegiance.

INVOCATION: lead by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

Also, present were Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin and Assistant Clerk of Council Paula Cope.

MINUTES - Corrections (if any) and Approval:

President Corcoran:

Council Minutes of regular meeting held January 19, 2010. Are there any corrections or objections to approving the minutes? Hearing none, the minutes are approved.

President Corcoran: Please note:

Board of Drainage and Flood Control Minutes of regular meeting April 28, 2009;
Parks & Recreation Commission Minutes of regular meeting December 2, 2009; and
Civil Service Commission Minutes of regular meeting January 19, 2010.

LOBBY:

President Corcoran: We come to the lobby portion of the Council meeting. If anybody would like to address Council, please fill out the lobby form found in the back of the room, with your name and number because we can then contact you, if there is a need for followup. You have three minutes to tell us what is on your mind. The lobby session is open. Please join us.

- 1) Robert Gaydash of 9400 Avon Belden Road questioned Council regarding the rules of the lobby.

President Corcoran explained the procedures and rules of the lobby session during Council meetings and asked Mr. Gaydash to continue on the one topic he wished to speak about. Mr. Gaydash spoke regarding 35945 Center Ridge Road as it pertains to his concern of the safety of school children and cars that back out of the commercial parking lot onto school property. President Corcoran asked if there was anyone else that would like to address Council. Mayor Gillock explained the procedures that are defined in Council By-Laws which depict rules that Council follows for their lobby session in their meeting as he felt that there still may be a little bit of confusion. President Corcoran asked Mr. Gaydash if had another subject he would like to speak on. Mr. Gaydash stated that he was just deeply concerned about the safety factor. Mayor Gillock stated that he would be glad to talk to him about those issues in the meeting that is scheduled this week.

President Corcoran: Moving on to the Administrator's Reports, Mayor?

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you; good evening Mr. President and Council Members. I have just a couple quick things. The only ordinances that I need addressed this evening are T 20 and T 21. T 20 is an expenditure of funds to Patton's Towing, for which, we didn't have a purchase order in place; although, the money was appropriated when we incurred the invoices. I would like to get that one passed. We don't have to have the emergency, but it will delay the payment for thirty days. We do need it passed, because by State Law, we have to pay within thirty days.

I would like to have T 21 passed with the emergency. That is a contract with the State which has to do with the management of our CHIP grant and that, actually, should have already been in place. They just got it to us and we need to get that one passed as quickly as we could.

The only other thing I would mention is that I was privileged to attend President Obama's speech which he gave in Lorain County. I think it was an honor for the County and the Lorain Community College to have him here. Our Police Department was heavily involved. Although, we didn't incur any overtime, we had to man a lot of stations. We did have an EMS squad, also, at the College. So, we did participate in that, as it was quite a bit for the County. I actually had a really good seat. I think that's the first time we had a sitting President in Lorain County since before I was born; so, it is quite an honor. Thank you.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: No report this evening.
President Corcoran: Thank you. Engineer Griffith?

C. Engineer:

Engineer Griffith: One of the big pluses to having clean water in our ditches, streams, ponds and lakes is the improved wildlife habitat that is provided. Thanks to years of successful conservation effort, the Bald Eagle has recovered and was pulled off the endangered species list in 2007. If you have not had the privilege of seeing an Eagle either in flight or perched at the Sandy Ridge Metro Parks site, you have really missed a sight. You can see pictures of the Sandy Ridge Eagles on the wall in the Mayor's waiting room. Most anyone has seen one or more of the many Hawk varieties flying around or perched on a tree or any utility pole. The major part of that recovery of these birds is the result of the better habitat for both the birds themselves and what they feed on. Clean water is a major component of this improved habitat. That concludes my report this evening. Thank you.

President Corcoran: Thank you. Auditor Costin.

D. Auditor:

Auditor Costin: Thank you, Mr. Chairman. As promised, the Auditor's Written Report for year ended December 31, 2009 was presented to your mail boxes and I would request passage this evening.

Auditor's Written Financial Report for December (final):

 moved by Buescher, seconded by Boose to accept the Auditor's Written Financial Report for December 2009

President Corcoran: Is there any discussion? All those in favor say yes. All those opposed say no.

 Yes, 7 No, 0

President Corcoran: The vote is unanimous.

E. Other Reports:

President Corcoran: Please note:
Building Department Report for December 2009.

COUNCIL COMMITTEE REPORTS:

Assistant Clerk of Council Cope:

1) **BUILDINGS & LANDS COMMITTEE REPORT #6277** dated January 25, 2010

Members of Council: We have considered the matter of revising T 8-2010, an ordinance amending certain sections of Chapter 1442, Board of Drainage and Flood Control by replacing the last sentence in Section 1 with the following: "Thereafter, as vacancies occur, they shall be filled by the respective Ward Council Member accordingly." and recommend that this request be approved and T 8-2010, as revised, be adopted by Council.

Signed: Members Nancy J. Buescher and Richard W. Jaenke and Chair Robert W. Olesen.

 moved by Olesen, seconded by Buescher to accept the Building and Lands Committee Report #6277

President Corcoran: Is there any discussion? All those in favor say yes. Those opposed say no.

 Yes, 7 No, 0

President Corcoran: The vote is unanimous and the report is accepted.

2) **UTILITIES COMMITTEE REPORT #6270** dated January 25, 2010. Members of Council: We have considered the matter of T 12-2010, an ordinance increasing the wholesale rate of wastewater treatment services provided by the French Creek Waste Water Treatment Plant and recommend that this request be approved and T 12-2010 be adopted by Council.

Signed: Members Nancy J. Buescher and Bernadine Butkowski and Chair Dennis J. Boose.

 moved by Boose, seconded by Butkowski to approve the Utilities Committee Report #6270

President Corcoran: Is there any discussion?

Council Member Boose: Mr. President, yes, in 2008 CH2M Hill completed an in depth survey of the sewer rates for us a year ago so that in 2009, we had background information that talked about what our increases should be at the Waste Water Treatment Plant, which is shared by three different communities including North Ridgeville. At that time, they had initially suggested an increase that was double digits and our Administration, our Finance Committee and others worked diligently to move some projects back so that we could reduce that to seven percent last year. Understanding that when you move projects back, you will continue to have some increases going forward, because at the end of the day, expenses have to be paid. We contracted with them again at the end of 2009, again CH2M Hill, to complete an update on the rate model summary for 2009. Again, looking at all variables of not only the maintenance of the plant and new things that have to be done there, but generally, the cost of what has to be done, so that we can run the place efficiently and effectively and not have a deficit balance. Once again, we had to move some projects back, that though, you would love to have, but those cost money and when those cost money, it comes out of our pockets. So they, once again, have recommended with the concurrence of all three communities, a seven percent increase for 2010, which would

take that wholesale rate from a dollar seventy-eight to a dollar ninety. We then had a committee meeting last week that went over this in depth. We actually had CH2M Hill there to go over all of the findings that they had. All of the Council Members received a copy of it and I believe that all the questions were answered as to the reasons why. So, I don't believe there is a question as to are the costs being justified. I believe they are. I think all the questions were answered in Committee and the meetings that we had at French Creek at the end of December and that is the reason why the Committee recommended the wholesale rate increase. Thank you.

President Corcoran: Any further discussion? It was moved by Boose and seconded by Butkowski to approve the Committee Report. All those in favor say yes. All those opposed say no.

Yes, 7 No, 0

President Corcoran: The vote is unanimous and the report is approved.

 moved by Mayor Gillock, seconded by Boose to suspend By-Laws to give T 12 a first reading this evening

President Corcoran: Is there any discussion? All those in favor say yes. Opposed say no.

Yes, 7 No, 0

President Corcoran: Vote is unanimous and T 12 will have its first reading tonight.

3) UTILITIES COMMITTEE REPORT #6281 dated January 25, 2010. Members of Council: We have considered the matter of revising of T 9-2010, an ordinance amending NRCO Section 1040.11, Maintenance of Private Sewers, by adding enforcement reimbursement measures, by striking the words "or occupants" where they appear in Section 1 (b) and on page 2 in Section (b) and recommend that this request be approved and T 9-2010, as revised, be adopted by Council.

Signed: Members Nancy J. Buescher and Bernadine Butkowski and Chair Dennis J. Boose.

 moved by Boose, seconded by Butkowski to accept Utilities Committee Report #6281

President Corcoran: Is there any discussion?

Council Member Boose: Mr. President, just a comment. What this ordinance allows is that it allows the City the opportunity to get reimbursed for expenses incurred when the City works on private property. Right now, we have a similar ordinance in place for storm sewers, but not for sanitary sewers or private sewers and so, if in the event that the City had to move forward with some maintenance repair or other work on behalf of the City; for a private property, because they did not do the work themselves due to the health safety and welfare of the community, this now gives us an opportunity to eventually get paid back. Thank you.

President Corcoran: Is there any further discussion? Again, a motion was made by Boose and seconded by Butkowski to approve the Committee Report. All those in favor say yes. All those opposed say no.

Yes, 7 No, 0

President Corcoran: Vote is unanimous and the report is approved.

CORRESPONDENCE:

Assistant Clerk of Council Cope: There is no correspondence to be noted by the Clerk of Council.

OLD BUSINESS:

President Corcoran: We have no old business this evening. Moving on to new business.

NEW BUSINESS:

Assistant Clerk of Cope:

- T 13-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND/OR DELIVER CONCRETE TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 14-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF LIMESTONE AND SAND TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 15-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF ASPHALT AND RELATED MATERIALS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.
- T 16-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL FULL DEPTH CONCRETE PADS AND REPAIR SERVICES TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

T 17-2010 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.

T 18-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE RENTAL OF EQUIPMENT AND RELATED SERVICES FOR ROAD REPAIR AND MAINTENANCE TO BE USED BY THE SERVICE DEPARTMENT.

T 19-2010 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) AND BURGESS & NIPLE, INC. IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR THE PREPARATION OF A PLANNING STUDY FOR THE PROPOSED NORTH RIDGEVILLE TOWN CENTER.

T 20-2010 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO PATTON'S FIVE STAR TOWING FOR THE STORAGE AND DISPOSAL OF CONFISCATED AND/OR ABANDONED VEHICLES IN THE AMOUNT OF \$9,851.75.

moved by Olesen, seconded by Boose to suspend the By-Laws to give T 20 its first reading tonight

President Corcoran: Is there any discussion? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: Motion is approved and T 20 will have its first reading tonight.

T 21-2010 A RESOLUTION FOR THE PURPOSE OF ADOPTING THE HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT AND THE CITY OF NORTH RIDGEVILLE.

moved by Boose, seconded by Buescher to suspend the By-Laws to give T 21 its first reading tonight

President Corcoran: Is there any discussion? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: Motion is approved

RECESS:

 moved by Boose, seconded by Buescher to suspend the recess

President Corcoran: Is there any discussion? All those in favor say yes. All those opposed say no.

Yes, 7 No, 0

President Corcoran: Recess is dispensed with and moving on to first readings.

FIRST READINGS:

T 12-2010 AN ORDINANCE INCREASING THE WHOLESALE RATE OF
4718-2010 WASTEWATER TREATMENT SERVICES PROVIDED BY THE FRENCH
 CREEK WASTE WATER TREATMENT PLANT.

First Reading

 moved by Boose, seconded by Butkowski to dispense with the second and third readings

President Corcoran: Is there any discussion?

Council Member Boose: Mr. President, the effective date for the wholesale rate increase is per this ordinance, today. We have two other communities; plus ourselves, that are counting on this legislation so that the rates that we are hopefully going to approve, will actually be adequate enough to cover the expenses. If we delay this beyond this, that rate may have to change so, that is the reason for dispensing with the second and third reading and hopefully the adoption with the emergency later.

President Corcoran: Is there any other discussion? Once again, it was moved by Boose and seconded by Butkowski to dispense with the second and third readings on T 12. Those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: Motion is approved.

 moved by Boose, seconded by Butkowski to adopt T 12

 moved by Boose, seconded by Butkowski to add the emergency in order to meet the effective February 1, 2010 deadline

President Corcoran: Is there any discussion on the emergency? All those in favor say yes. All those opposed say no.

Yes, 7 No, 0

President Corcoran: The emergency has been added to T 12. The motion to adopt with the emergency was made by Boose and seconded by Butkowski. Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Assistant Clerk of Council Cope: T 12-2010 has been adopted with the emergency and becomes permanent ordinance number 4718-2010.

Permanent Ordinance No. 4718-2010

T 20-2010 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
1189-2010 PATTON'S FIVE STAR TOWING FOR THE STORAGE AND DISPOSAL OF
CONFISCATED AND/OR ABANDONED VEHICLES IN THE AMOUNT OF
\$9,851.75.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 20

President Corcoran: Is there any discussion about dispensing with the second and third readings? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: We are dispensing with the second and third readings
moved by Olesen, seconded by Butkowski to adopt T 20

President Corcoran: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Assistant Clerk of Council Cope: T 20-2010 has been adopted and becomes permanent resolution number 1189-2010.

Permanent Resolution No. 1189-2010

T 21-2010 A RESOLUTION FOR THE PURPOSE OF ADOPTING THE HOUSING
1190-2010 REVOLVING LOAN FUND ADMINISTRATION AGREEMENT BETWEEN
THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT AND THE
CITY OF NORTH RIDGEVILLE.

First Reading

moved by Boose, seconded by Buescher to dispense with the second and third readings for T 21

President Corcoran: Is there any discussion? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: Second and third readings are dispensed with.

moved by Boose, seconded by Buescher to adopt T 21

moved by Butkowski, seconded by Johnson to add the emergency in order to meet the deadline

President Corcoran: Is there any discussion on the emergency?

Mayor Gillock: Mr. President, I might just mention that we get this grant every other year. It is a 500,000 dollar grant, which we use for emergency repairs for seniors, low incomes, first time home buyers and other things we do to fix up their homes. The day of the contract is January 1, 2010 through December 31, 2012 so, we are already in this process and that is why we need to get this adopted this evening. We are already a month into it. That is the need for the emergency.

President Corcoran: Thank you, Mayor. It was moved by Butkowski and seconded by Johnson to add the emergency to T 21. Is there any further discussion? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: The emergency has been added to T 21. There was a motion by Boose and seconded by Buescher to adopt T 21 with the emergency. Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Assistant Clerk of Council Cope: T 21-2010 has been adopted with the emergency and becomes permanent resolution number 1190-2010.

Permanent Resolution No. 1190-2010

President Corcoran: Moving on to second readings.

SECOND READINGS:

Assistant Clerk of Council Cope:

T 11-2010 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH
RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION
FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14
CREATED BY CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94,
BY KLC PROPERTIES, LLC, A LIMITED LIABILITY COMPANY
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF
OHIO.

Second Reading

THIRD READINGS:

President Corcoran: There are no third readings this evening.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran:

Next Regular Council Meeting Tuesday, February 16, 2010 at 7:30 P.M. in Council Chambers.

Finance Committee meetings for appropriations will be held March 1, 2, and 4, 2010 beginning at 8:30 A.M. each day in Council Chambers.

ADJOURNMENT:

moved by to Jaenke adjourn

Meeting adjourned at 8:04 P.M.

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on February 16, 2010:



PRESIDENT OF COUNCIL KEVIN CORCORAN



CLERK OF COUNCIL GEORGE SMITH