

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 21, 2003**

CALL TO ORDER: 8:00 P.M.

President of Council David Gillock: I would like to call the Regular meeting of the North Ridgeville Municipal Council to order. Please stand for the Invocation and Pledge of Allegiance.

INVOCATION: lead by

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Bernadine Butkowski, Denny Johnson and President of Council David Gillock.

Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Auditor Chris Costin and Clerk of Council Chuck Norris.

MINUTES - Corrections and Approval:

President Gillock:

Regular Council Minutes of January 6, 2003

motion by Butkowski, 2nd by Olesen to approve the minutes

President Gillock: Are there any corrections or additions?

Yes, 7 No, 0

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

President Gillock: Please note

Tax Abatement Review Board minutes of meeting held January 7, 2003.

COMMITTEE REPORTS:

Clerk of Council Norris:

1) UTILITIES COMMITTEE REPORT #7217 Members of Council: We have considered the matter of attached Chapter 1462 Revised and recommend that this request be approved and legislation be presented to Council.

Signed: Chairperson Dennis L. Johnson, Members Bernadine Butkowski David Gillock and Nancy Buescher.

motion by Johnson, 2nd by Butkowski to accept

President Gillock: Is there any discussion? Mayor Hill?

Mayor Hill: It didn't occur to me until I was just sitting here looking at this but, the Utilities Committee is chaired by Mr. Dennis Johnson and this has to do with telecommunications and I wondered if, number one, I don't know if Mr. Johnson truly works for a telephone company but,

if he does, I'm wondering if there's a conflict of interest.

Council Member Johnson: Mr. Chairman, I'm employed by SBC, a very large corporation that does have cellular services. This ordinance does not involve telephone services per say, it involves cellular services. SBC is involved in cellular services. I don't know whether they are in North Ridgeville or not. I really have no information on that at all. I am not employed by that division. I'm employed with regular ground line wired telephone service and I don't believe there's any conflict at all.

Mayor Hill: Mr. President, I would ask that this be referred to the Law Director for clarification.

President Gillock: Mr. Zagrans, would you review Mr. Johnson's position for a conflict of interest.

Law Director Zagrans: Yes.

President Gillock: Is there any other discussion on the committee report? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is accepted by a vote of seven, zero.

motion by Pagel to suspend By-Laws to consider the Safety Committee reports passed out before everyone, 2nd by Butkowski

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

2) SAFETY COMMITTEE REPORT #7219 Members of Council: We have considered the matter of the traffic study for Dyke Road and Center Ridge traffic light and recommend that any decisions be postponed for two weeks pending an opinion from the Ohio Department of Transportation.

Signed: Chairperson Josanne Pagel, Members Robert Olesen and Allen Swindig.

President Gillock: This does not need any Council action as it's postponement has already taken place.

3) SAFETY COMMITTEE REPORT #7220 Members of Council: We have considered the matter of background checks for coaches and recommend that this request be denied and Parks and Recs will revise their policy to reflect the minimum risks from "Choice Point Best Practices of Volunteers".

motion by Pagel, 2nd by Olesen to accept

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Report is approved by a vote of seven, zero.

4) SAFETY COMMITTEE REPORT #7221 Members of Council: We have considered the matter of the Public Safety Building. Information only was presented by the Mayor. Cost analysis will be within 3 months.

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President Gillock: This is informational. No action needed.

President Gillock: We do not have any written reports from the administration this evening. Auditor's report.

Law Director: None

President Gillock: This is preliminary. We do not need a motion to accept.

Service Department Activity Report for December 31, 2002 through January 12, 2003

Council Member Butkowski: The Senior Citizens are going to be having a Spaghetti Dinner on January 31 from 5:00 P.M. to 7:00 P.M. and there are carry outs available and that will be at the Senior Center.

Yes, 7 No, 0

APPLICANT: Gary C. Case, 32360 Nottingham, Avon, 44012
OWNER: Latina & Latina Builders, Inc., Lois M. Latina, 25300 Lorain Road,
Suite 3A, North Olmsted 44070
REQUEST: Preliminary approval of 13 lot subdivision, the Woods of Stradford
LOCATION: Vacant land on Mills Road south, between Barton Road and the Cuyahoga
County line, Permanent Parcel No. 07-00-006-102-179, in R-1
PC ACTION: Approved and recommended to Council
motion by Olesen, 2nd by Swindig to approve

President Gillock: Is there any discussion? Mrs. Butkowski?

Council Member Butkowski: There was a lot of discussion at this meeting about the water that sits on this plot of property. Some of the people's concern, even from Center Ridge, that there might be septic water flowing down from Center Ridge because there's no sewers in that area, up Center Ridge. There hasn't been a wetlands study there and there is a lot, I have seen a lot of water sitting there. The neighbor was very concerned about it. I would like to see more preliminary plans on how much of that property is a wetland. I realize when they develop it they're suppose to be keeping their water on that land. There's so much water on the surrounding areas that we're going to have to make sure with our new Engineer that the water is taken care of in the entire area and not just on this land. I can't see why we should approve this without some kind of wetland study or something as a preliminary before we continue on with this.

Council Member Johnson: Mr. Chairman, notes from Mr. Beutler bring up the same point. He would like, it says verify approved wetland if not an issue. He'd like to see rear yard drainage. There's also a question from Mr. Fursdon about subplot three and subplot six not meeting the 90 foot minimum. I think there are a few too many questions on this to pass it tonight.

Council Member Olesen: Mr. Chairman, you have to keep in mind this is only preliminary approval. I too question the drainage of that property as a number of people came forward to express their belief that there is an absolute problem there. It's only preliminary and anything that we do to finalize this development will be done after we get final approval and it passes the engineer's scrutiny so, I don't think we have a real problem here in approving this tonight because it's not going anywhere until we get final information on this property.

President Gillock: Anyone else? I agree. This is a preliminary approval. This is why you have a preliminary approval to discover problems like this and point them out so that the administration and engineering department can make the studies to determine if there's wetland problems, if there's drainage problems and address those before they're given final approval. I think if we try and make those studies before the preliminary approval, we may be putting the horse before the cart. They're not going to do those studies unless they get the preliminary approval.

Council Member Butkowski: Mr. Chairman, I have a lot of problems putting my name on something that already we're very aware that there's flooding problems here. While you say preliminary approval, when they start going ahead with this, they're starting to put a lot more

money into it then what they will be for a preliminary approval and I can't see giving preliminary approval to something that we already know we have a major water problem there and they offered no land. It didn't even sound like they were thinking about solving the problem with water there and I think we have to be sure that they are interested in solving the water problem that exists in that entire area or at least working with the City to solve it.

Council Member Buescher: Mr. President, my concern is that we're between engineers right at this point and I think that it would be a better idea for the new engineer to look over this whole project before we give any approval because there apparently is a sever problem with flooding over there in the existing homes already.

Council Member Johnson: Mr. President, I agree with the Chair that preliminary approval is part of the process where problems are brought up but, when the problems are large enough I think it behooves us to turn down the project on preliminary approval to have it go back and have it redesigned. Thank you.

President Gillock: Anyone else? If not, please call the roll.

Yes, 3 No, 4 (Buescher, Pagel, Butkowski, Johnson)

Clerk of Council Norris: The report fails by a vote of four to three.

Law Director Zagrans: Mr. President, point of order.

President Gillock: Mr. Zagrans?

Law Director Zagrans: I didn't think to bring that particular section of the City Charter with me up here but, I believe disapproval of an approval by the Planning Commission requires a two-thirds vote of Council.

President Gillock: That's incorrect.

Law Director Zagrans: I didn't know if I was remembering it right or not.

President Gillock: If they decline it, it takes two-thirds vote to over turn their recommendation.

Law Director Zagrans: The opposite. Thank you. Withdraw the point of order.

APPLICANT: Sheetz, Inc., 520 S. Main St., Suite 2531, Akron 44311
OWNER: Rini Realty Company, 19050 Lorain Road, Fairview Park, 44126
REQUEST: Approval for construction of approximately 5000 square foot Sheetz gas station, convenience store and car wash
LOCATION: 32390 Lorain Road, northeast corner of Lorain and Lear Nagle Roads, in B-3, Permanent Parcel No. 07-00-004-108-048
PC ACTION: Approved and recommended to Council
 motion by Butkowski, 2nd by Olesen to approve

President Gillock: Is there any discussion? Mrs. Butkowski?

Council Member Butkowski: I'd like to welcome Sheetz Gas Station to North Ridgeville. It is a discount gas station. It has been servicing the far eastern side of this area very well and I think they'll be well received here in our community.

President Gillock: Anyone else? If not, please call the roll.

Yes, 7 No, 0

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Clerk of Council Norris: Report is approved by a vote of seven, zero.

APPLICANT: Michael Bramhall P.E., P.S.; Bramhall Engineering and Surveying; 37307 Harvest Drive; Avon 44011
OWNER: All Purpose Construction, Inc., 37000 Center Ridge
REQUEST: Re-subdivision of a portion of Meadow Lakes Subdivision No. 2 including 13.5539 acres of previous "remainder" land
LOCATION: North side of Barres Road, Meadow Lakes Subdivision No. 2, Volume 73, page 52, in PCD
PC ACTION: Approved and recommended to Council
motion by Olesen, 2nd by Swindig to approve
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0

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

OLD BUSINESS: None

NEW BUSINESS:

T 5-2003 A Resolution of the Council of the City of North Ridgeville consenting to an enterprise zone abatement agreement between the City of North Ridgeville, Ohio, and North Coast Holdings, Inc. dba Summit Tool Company, a corporation organized and existing under the laws of the State of Ohio; and authorizing and directing the Mayor of the City of North Ridgeville to execute the aforementioned agreement on behalf of the City of North Ridgeville; authorizing and directing the Clerk of this Council to transmit a certified copy of this resolution along with the enterprise zone agreement to the Board of Lorain County Commissioners for further consideration by the board.

motion by Mayor Hill, 2nd by Swindig to give this a first reading

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero by Council and T 5 will receive a first reading this evening.

T 6-2003 A resolution accepting Deerspring Court, located in Ridgefield Subdivision No. 3, from Bob Schmitt Homes, Inc. and dedicating it for public purposes.

T 7-2003 A resolution accepting Bridgestone Drive, Mallard Circle, Mosswood Circle, and Timber Edge Drive, located in Ridgefield Subdivision No. 4, from Bob Schmitt Homes, Inc. and dedicating said streets for public purposes.

T 8-2003 A resolution to adopt the Solid Waste Management Plan for the Lorain County

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Solid Waste Management District.

motion by Mayor Hill, 2nd by Butkowski to give T 8 a first reading this evening

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero and T 8 will receive a first reading this evening.

T 9-2003 An ordinance amending Ordinance No. 3575-2000, by increasing the amount paid to the Plans Examiner.

Council Member Butkowski: Mr. Chairman, could this be referred to Finance Committee.

President Gillock: REFER T 9-2003 TO FINANCE COMMITTEE.

Clerk of Council Norris:

T 10-2003 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and negotiate and enter into a contract, for a twelve-month period, according to law, and in a manner prescribed by law, to furnish and deliver concrete to be used by the City of North Ridgeville, Ohio.

motion by Swindig, 2nd by Olesen to suspend By-Laws to give this a first reading tonight

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero and T 10 will receive a first reading this evening.

T 11-2003 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and negotiate and enter into a contract, for a twelve-month period, according to law, and in a manner prescribed by law, for the purchase of limestone and sand to be used by the City of North Ridgeville, Ohio.

motion by Swindig, 2nd by Olesen to suspend By-Laws to give this a first reading tonight

Yes, 7 No, 0

President Gillock: Is there any discussion? If not, please call the roll.

Clerk of Council Norris: Motion is approve by a vote of seven, zero. T 11 will receive a first reading.

T 12-2003 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and negotiate and enter into a contract, for a twelve-month period, according to law, and in a manner prescribed by law, for the purchase of asphalt to be used by the City of North Ridgeville, Ohio.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give this a first reading tonight

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approve by a vote of seven, zero. T 12 will receive a first reading.

T 13-2003 An ordinance authorizing the Mayor of the City of North Ridgeville to advertise for bids and negotiate and enter into a contract according to law and in a manner prescribed by law for the rental of equipment and related services for road repair and maintenance to be used by the Service Department.

motion by Swindig, 2nd by Butkowski to suspend By-Laws to give this a first reading tonight

President Gillock: Is there any discussion? Mr. Swindig?

Council Member Swindig: The reason why I suspended By-Laws to give these ordinances a first reading is when the paving season starts I want everything in proper place so our Service Department can do the fabulous job that they have been at repairing our streets.

President Gillock: Any other discussion? If not, please call the roll on the suspension.

Yes, 7 No, 0

Clerk of Council Norris: T 13 is approved by a vote of seven, zero and will also receive a first reading.

CORRESPONDENCE:

Clerk of Council Norris:

- 1) Received a memo from Mayor Deanna L. Hill submitting an updated schedule for the railroad overpass.
- 2) Received a letter from Ronald F. Twining, Director, Lorain County Community Development Department in regard to the Lorain County Environmental Strategic Planning Effort and inviting the appropriate community leaders to participate in the effort.
- 3) Received a memo from Mayor Deanna L. Hill requesting emergency action on legislation in regard to a tax abatement request by Summit Tool Company.

LOBBY:

President Gillock: We now come to the lobby portion of our meeting. Anyone who wishes to do so can address Council. We ask that you sign in using the sign in sheets in the back. When you speak, give us your name and address and according to our By-Laws you will have three minutes. Anyone wishing to do so, please come forward.

- 1) Gerald W. Phillips of 35955 Detroit Road, Avon, Ohio spoke on behalf of a number of residents and petitioners who, over the last few years, have exercised their constitutional rights on PCD's. Spoke about efforts to stonewall residents efforts to exercise their referendum rights and hopes for a final resolution by the Supreme Court on the important issues of the PCD's. Spoke about term limits for the position of Mayor and the rejection to change the Charter

limitation. Spoke about the Law Director's position. Stated that the residents of North Ridgeville will be circulating a Charter amendment to make the position of Law Director elected.

2) Kevin Corcoran of 8845 Timber Edge Drive spoke on behalf of the Ridgefield Homeowner's Association. Asked when the streets will be dedicated by the City. Noted that the streets were not inspected when they were suppose to be and there has now been a delay in the City taking responsibility of the streets. Noted residents concerns on snow removal and urged Council to expedite the dedication of those streets.

motion by Pagel, 2nd by Butkowski to dispense with recess
President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

RECESS: dispensed with.

FIRST READINGS:

Clerk of Council Norris:

T 5-2003 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH
964-2003 RIDGEVILLE CONSENTING TO AN ENTERPRISE ZONE ABATEMENT
AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE, OHIO, AND
NORTH COAST HOLDINGS, INC. DBA SUMMIT TOOL COMPANY, A
CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF
THE STATE OF OHIO; AND AUTHORIZING AND DIRECTING THE
MAYOR OF THE CITY OF NORTH RIDGEVILLE TO EXECUTE THE
AFOREMENTIONED AGREEMENT ON BEHALF OF THE CITY OF NORTH
RIDGEVILLE; AUTHORIZING AND DIRECTING THE CLERK OF THIS
COUNCIL TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION
ALONG WITH THE ENTERPRISE ZONE AGREEMENT TO THE BOARD
OF LORAIN COUNTY COMMISSIONERS FOR FURTHER
CONSIDERATION BY THE BOARD.

First Reading

President Gillock: First, we need to make a note into the minutes. I did have a discussion with the Law Director and the Auditor in regards to the calculations found under two A. We believe it's a mathematical error and exactly what happened is the applicant in calculating the property tax revenue to be generated, forgot to multiply in the assessment value of point two five, which changes the numbers. Therefore, it was advised that we read into the minutes that the schedule should be recalculated, and this is an estimate, so we don't have to change it specifically and the agreement allows changes such as this. We want to make sure that we read into the minutes that the schedule should be recalculated to accurately reflect the correct tax assessment due after the abatement and that should be sufficient to correct the error on that schedule. Is there any other

discussion?

motion by Johnson, 2nd by Swindig to dispense with second and third readings

President Gillock: Is there any discussion on dispensing? If not, please call the roll.

Yes, 7 No, 0

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

Motion by Johnson, 2nd by Swindig to adopt

President Gillock: Is there any discussion?

Motion by Mayor Hill, 2nd by Swindig to add the emergency

President Gillock: For purpose please?

Mayor Hill: Because this has a another step to go forward with the County Commissioners. We have to schedule that. If it doesn't have the emergency it doesn't go in effect, legally, for 30 days and this company does have other options, I've got to inform you, that they are seriously taking a look at. They are anxious. They are ready to go. They don't have time to waste and we have spent many, many weeks and it has stretched into months negotiating and talking with them. They want to go. They've got their people ready. They've got a lot of their equipment ready to roll and they're not wasting any time and if it doesn't become our law for 30 days, I don't know what impact that might have on taking it forward to the County Commissioners because it has to be formally approved, which would be 30 days from now, by City Council before the Commissioners can act. So, I am requesting the emergency. I don't think that we can afford any delay.

President Gillock: I believe that if Council does approve this without the emergency it can still be submitted to the County Commissioners. We've ran into this before with Charter changes and so forth. If Council approves it, even though the 30 days is running, we can still submit items to the County for action so, I don't think the emergency clause would hold this up if we don't pass it.

Mayor Hill: I wish I could be sure of that and I wish I knew the schedule of the County Commissioners meetings, but I don't and as soon as I can take it forward to the Council Commissioners I wish to do so.

Council Member Johnson: Mr. Chairman, as I stated in the work session, emergency clause, we had sped this up by cancelling second and third readings. I think the City has moved quite well throughout the who process. Adding the emergency clause has legal ramifications that negates rights of voters. We should not use it without discretion.

Mayor Hill: I wish I could be very sure that the City has moved expeditiously but, I can't say that. In all honesty, because of a couple of delays that we have had, I am concerned about the possibility of more jobs. I'm concerned because I want that money that is setting out there that we will receive upon completion of the purchase of the empty building and I am concerned about the schools getting their money as soon as possible.

Council Member Olesen: Mr. Chairman, I just don't know if we can take a chance and delay this any amount of time. I'd like to see this go through. We can lose this as easily as we can gain it at this point and I think we should put it through as soon as possible so the Commissioners know it's finished, a done deal in this City and they act on it.

Mayor Hill: Mr. President, I wanted it to be noted that if Council has followed the newspaper reports, Summit Tool, and I've had talks with Mr. Pendleton, the Chairman about this, if you recall he said, even if the tax abatement goes through and is approved by Council, that doesn't mean we'll necessarily come. Upon reading those reports, I did call him and he said it's because I know there's still one more step to go, that's why I said that, it is not final with Council. I want to see some strong support from City Council so that I can move forward. In a day where, as I said in my state of the City, we see businesses failing, we see jobs being lost and we saw what happened in Lorain and I don't want to be one of them. This is a company that is guaranteeing 40 jobs and they have given me every indication, planning for the future and for great expansion beyond that. We've had that in other tax abatement negotiations and agreements that have been reached that companies will promise the minimum but, have far exceeded that minimum and have brought jobs and tax monies to the schools and the City and job opportunities far beyond what they even imagine.

Council Member Pagel: Mr. Chairman, I believe a vote of this Council is far more than enough for Summit Tool to understand that we really want them to come and I really don't believe that the emergency vote is needed at this time and with our caution there, there was no caution here with this Council but, I will reiterate there had been businesses here that we have given tax abatements to in the past and they have left, owing us debt. That is not the situation here. This whole Council, I understand, from what they've said in the work sessions, supports Summit Tool for coming here. Our vote tonight, if it's seven, zero should be strong enough to show them, yes, we do want you here.

Council Member Johnson: Mr. Chairman, if Summit Tool would not come to North Ridgeville, it would be a disappointment but, it's not an emergency. I think it would be a misuse of the term.

Mayor Hill: Mr. President, I just want to say, there have been companies that have left here and those were abatements that were provided long before I took office. However, with each and every one of them, their abatement was then halted and reimbursement was asked for and all of them responded to that except for this one where the property is vacant and we will get that tax money as soon as it's built.

Council Member Buescher: Mr. President, passing things on an emergency, which weren't emergencies in the past has gotten this City in big trouble and I would just assume not pass this on emergency.

President Gillock: Thank you. Anyone else? Please call the roll on the emergency.

Yes, 4 No, 3 (Buescher, Pagel, Johnson)

President Gillock: Emergency fails four to three. Now, on the adoption.

Yes, 7 No, 0

Clerk of Council Norris: T 5 is approved by a vote of seven to zero and becomes permanent resolution number 964.

Permanent Resolution No. 964-2003

T 8-2003 A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN
965-2003 FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT.

First Reading

motion by Butkowski, 2nd by Pagel to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

motion to adopt by Butkowski, 2nd by Olesen

President Gillock: Is there any discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 8 is approved by a vote of seven, zero and becomes permanent resolution number 965-2003.

Permanent Resolution No. 965-2003

T 10-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3872-2003 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, TO
FURNISH AND DELIVER CONCRETE TO BE USED BY THE CITY OF
NORTH RIDGEVILLE, OHIO.

First Reading

motion by Mayor Hill, 2nd by Swindig to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

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

motion to adopt by Mayor Hill, 2nd by Olesen

President Gillock: Is there any discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 10 is adopted by a vote of seven, zero and becomes permanent ordinance 3872-2003.

Permanent Ordinance No. 3872-2003

T 11-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3873-2003 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR
THE PURCHASE OF LIMESTONE AND SAND TO BE USED BY THE CITY
OF NORTH RIDGEVILLE, OHIO.

First Reading

motion by Swindig, 2nd by Butkowski to dispense with second and third readings

President Gillock: Is there any discussion? Mr. Johnson?

Council Member Johnson: These all deal with concrete, asphalt and equipment rentals. I assume that the motions on the other two ordinances, I wonder if we can group them together?

President Gillock: I don't believe we can group ordinances with different subject matters. Although these are all routine and we do this every year, we have to authorize the purchase of our basic materials which is what this is. We have to keep them separate. Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.
motion by Pagel, 2nd by Swindig to adopt

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 11 is adopted by Council by a vote of seven, zero and becomes permanent ordinance 3873-2003.

Permanent Ordinance No. 3873-2003

T 12-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3874-2003 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND NEGOTIATE AND
ENTER INTO A CONTRACT, FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR
THE PURCHASE OF ASPHALT TO BE USED BY THE CITY OF NORTH
RIDGEVILLE, OHIO.

First Reading

motion by Swindig, 2nd by Olesen to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.
motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion on the adoption? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 11 is adopted by Council by a vote of seven, zero and becomes permanent ordinance 3874-2003.

Permanent Ordinance No. 3874-2003

T 13-2003 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3875-2003 RIDGEVILLE TO ADVERTISE FOR BIDS AND NEGOTIATE AND ENTER
INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER
PRESCRIBED BY LAW FOR THE RENTAL OF EQUIPMENT AND
RELATED SERVICES FOR ROAD REPAIR AND MAINTENANCE TO BE
USED BY THE SERVICE DEPARTMENT.

First Readings

motion by Swindig, 2nd by Butkowski to dispense with second and third readings

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven, zero.

motion by Olesen, 2nd by Swindig to adopt

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 13 is adopted by a vote of seven, zero becoming permanent ordinance 3875-2003.

Permanent Ordinance No. 3875-2003

SECOND READINGS:

T 142-2002 AN ORDINANCE AUTHORIZING PAYMENT TO LORAIN COUNTY
TRANSIT FOR TRANSIT SERVICE.

Second Reading

THIRD READINGS:

T 124-2002 AN ORDINANCE PROVIDING FOR THE PAYMENT OF UNUSED
3876-2003 VACATION TIME TO ANDY WAGNER.

Third Reading

motion by Swindig, 2nd by Butkowski to adopt

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 124 passes by a vote of seven, zero and becomes permanent ordinance 3876-2003.

Permanent Ordinance No. 3876-2003

T 141-2002 AN ORDINANCE AUTHORIZING THE MAYOR OR TO ENTER INTO A
3877-2003 CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY
LAW WITH A CONSULTING ENGINEERING FIRM TO PREPARE PLANS,
PROFILES, SPECIFICATIONS AND ESTIMATE OF COST FOR THE
CONSTRUCTION OF A SANITARY SEWER, STORM SEWER, WATER
LINES AND A PAVED STREET TOGETHER WITH THE NECESSARY
APPURTENANCES AND WORK INCIDENTAL THERETO, ALONG BIRCH
STREET FROM THE EXISTING PAVEMENT SOUTH APPROXIMATELY
1,280 FEET, AND PAVED STREET ALONG BEECH STREET BETWEEN
CORNELL AVENUE AND BIRCH STREET, NOT EXCEED \$30,000.00.

Third Reading

motion by Swindig, 2nd by Olesen to adopt

President Gillock: Is there any discussion? Mr. Johnson?

Council Member Johnson: For public information, this is an assessment project and will be paid for by the property owners by volunteer.

President Gillock: By assessment. Is there any other discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 141 is adopted by a vote of seven, zero and becomes permanent

ordinance 3877-2003.

Permanent Ordinance No. 3877-2003

UNFINISHED BUSINESS: None

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Next Council Work Session Monday, February 3, 2003 at 7:30 P.M.

Next Regular Council Meeting follows on Monday, February 3, 2003 at 8:00 P.M.

Buildings and Lands Committee to meet Monday, January 27, 2003 at 7:30 P.M. in Council Chambers to discuss T 65-2002, establishing a Special Development District.

President Gillock: Are there any other committee meetings to be announced? Mr. Costin?

Auditor Costin: Mr. Chairman, if I can take a second. I would trust I'm not out of order if I can just discuss Summit Tool. I will tell you that I know nothing about that piece of legislation, a tax abatement. It's not been referred to us for review or otherwise and I would trust that the Council people have, in fact, read through the information. I am concerned about the City's finances.

We've had a significant drop in our balances between last year and this year. From a financial standpoint, what I would suggest that we think about is the fact that the Mayor does believe that there's a significant difference in waiting 30 days to bring that business in. I would like Council to think about the financial impact from the position of how it would affect the City's finances. I think we are going to have a tough year this year. Again, I would say if 30 days is critical, I believe we should really consider passing it by emergency.

President Gillock: Anyone who was in the majority of four can bring this up for reconsideration if they wish to do so.

Council Member Swindig: I move that we bring it up for consideration.

President Gillock: You were in the minority, you cannot make that motion.

Council Member Swindig: I was one of the four.

Council Member Johnson: Mr. Chairman, I believe it's not the majority, it's the presiding side.

President Gillock: Correct. One of the three that voted no can bring it up for reconsideration.

Council Member Pagel: Mr. Chairman, first I have to say I'd have to question why Mr. Costin did not say this when we were discussing it but, I also trust Mr. Costin as Auditor to Council and I would make a motion to reconsider the issue of the tax abatement.

President Gillock: Mr. Johnson or Mrs. Buescher can second that if they wish to bring it up for reconsideration. If not, then the matter stays the way it was. There be no other business to be brought before Council, do we have a motion to adjourn?

NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JANUARY 21, 2003

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ADJOURNMENT:

motion to adjourn by Swindig
President Gillock: Meeting adjourned.

Meeting adjourned at 9:00 P.M.

MOTION Butkowski 2ND Buescher DATE February 3, 2003

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL