

**NORTH RIDGEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
December 18, 2023**

CALL TO ORDER:

President Jacobs called the Monday, December 18, 2023, Council meeting to order at 7:00 p.m.

INVOCATION:

Led by President Jacobs.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Present were Council members President Jason Jacobs, Holly A. Swenk, Frank Toth, President Pro-Tem Bruce Abens, Clifford Winkel, Georgia Awig, and Martin DeVries.

Also present were Mayor Kevin Corcoran, Law Director Brian Moriarty, Finance Director April Wilkerson, City Engineer Christina Eavenson, Clerk of Council Nicholas Ciofani, and Assistant Clerk of Council Fijabi Gallam.

MINUTES - Corrections (if any) and approval:

1. President Jacobs asked if there were any corrections to the City Council Meeting Minutes dated December 4, 2023. No discussion was offered.

The meeting minutes stand approved as submitted.

President Jacobs mentioned the minutes as follows:

Board of Zoning and Building Appeals Meeting Minutes dated November 16, 2023
Civil Service Commission Meeting Minutes dated December 11, 2023
Planning Commission Meeting Minutes dated December 12, 2023
Special Planning Commission Meeting Minutes dated December 14, 2023

LOBBY:

President Jacobs opened the lobby session. He reminded everyone that the lobby session is not meant to be an interactive question and answer session, but it is an opportunity for the public to address the City Council and the City's administration. He asked anyone who would like to speak to come to the podium and state their name and address. He further added that each person is allowed three minutes to speak.

T 132-2023 – Council confirming Rule of Three

Shellie Kearsey, a resident of 37886 Stoney Lake Drive, expressed gratitude to President Jacobs for addressing her concerns regarding the cost of the Police Department review. She mentioned that the cost was stated to be \$14,700. Ms. Kearsey pointed out that she did not hear a vote regarding the allocation of

funds for the investigation, which she believed to be a violation of the Sunshine Law. She urged the City Council to reject the rule of 3, expressing concerns about favoritism within the Administration.

T 132-2023 – Council confirming Rule of Three

John Zingale, a resident of 35112 Jason Drive, raised concerns about the Rule of Three. He expressed his belief that the ordinance was attempting to change the Civil Service rules for the police and fire department's promotional processes in a way that was unnecessary and improper. Mr. Zingale also thanked Councilwoman Swank and Council President Jacobs for their response to his calls on the matter. He pointed out that the current Civil Service rules were still in conflict with the collective bargaining agreements for the Police and Fire departments, as well as Supreme Court rulings in cases involving the City of Lyndhurst and the City of Columbus. Mr. Zingale then provided a summary of how the change had been implemented.

Moved by Swenk and seconded by Winkel to provide John Zingale an additional three minutes to speak.

A roll call vote was taken and the motion carried.

Yes – 7 No – 0

Mr. Zingale reiterated his objections to approving the Rule of Three. He expressed concerns that this rushed implementation could lead to conflicts within the Safety Services and discourage qualified candidates from participating in promotional tests.

T 132-2023 – Council confirming Rule of Three

Cali Zingale, a resident of 35112 Jason Drive, shared similar concerns to those raised by previous speakers during the Lobby Session regarding the Rule of Three. She expressed her frustration with the administration's decision but clarified that she does love the city.

Appreciation for the City Council

Gary Chapcinski, a resident of 33699 Browning Drive, expressed his gratitude to the Mayor, Administration, and City Council for their dedication and efforts in the city. He commended the government infrastructure and well-organized structure.

Moved by Swenk and seconded by Winkel to provide Gary Chapcinski an additional three minutes to speak.

A roll call vote was taken and the motion carried.

Yes – 7 No – 0

Mr. Chapcinski proceeded to outline the organizational framework of the City of North Ridgeville. The City has a total of 14 departments employing approximately 130 individuals. He conveyed his pride in being a resident of North Ridgeville.

ADMINISTRATORS REPORTS:

1. Mayor:

Mayor Corcoran remarked the following.:

- Under first readings, he would be requesting emergency passage on several pieces of legislation.
 - T 141-2023, T 145-2023, T 147-2023, and T 137-2023.
- Newsletter Sign Up – The City is improving the ways that the City communicates with the community. To provide more frequent and timely information to residents, the City is launching a monthly eNewsletter that will be delivered right to your email inbox. Residents could visit the City's website to sign up for the monthly eNewsletter - nridgeville.org and click on the ENews Signup link to add an email address to the distribution list.
- Trash Collection Reminders - Republic Services planned to be running on a one-day delay the weeks of Christmas and New Year's. Collection will be on Wednesday, December 27, 2023, and Wednesday, January 3, 2023. In addition, Christmas trees will be picked up at curbside the first two weeks in January.
- City Offices Closed - City Offices will be closed Monday and Tuesday, December 25, 2023, and 26, 2023, and Monday, January 1, 2023, in observance of Christmas and New Year's. Mayor Corcoran wished everyone a very Merry Christmas and a Healthy and Happy New Year.

Mayor Corcoran concluded his report.

2. Engineer:

City Engineer Christina Eavenson provided the following updates:

- From now until the end of January 2024, TC Energy will be conducting the installation of cathodic protection along their high-pressure gas main spanning over 12,000 ft across the city. The majority of their work will be carried out adjacent to the transmission easement of First Energies, starting from the intersection of Mills Road and Stony Ridge Road at the Avon city boundary, and extending to Lorain Road at the northside city boundary.
- The Engineering Department is currently working with the aerial utility companies at the intersection of State Route 83 and Chestnut Ridge Road to relocate the necessary utility poles to accommodate the upcoming roundabout construction which is tentatively slated to start in April 2024.
- The Engineering Department is still actively pursuing finding an assistant city engineer.

City Engineer Eavenson concluded her report.

3. Director of Finance:

April Wilkerson, the Finance Director, requested the inclusion of an emergency clause to ensure that the Finance Department has the required resources to fulfill their responsibilities for T 142-2023, T 143-2023,

and T 144-2023. Additionally, she presented the City Council with the Financial Report for November 2023.

4. Other Reports:

President Jacobs noted the following report:

November 2023 Water Distribution and EPA Report
November 2023 Building Division Report
November 2023 Fire Department Report
November 2023 Mayor's Court Report

COUNCIL COMMITTEE REPORT(S):

There was none.

CORRESPONDENCE:

Memorandum from Director of Finance April Wilkerson: The review of the Solid Waste Management Fund.

Memorandum from Project Engineer Eric Brown: Stormwater Utility Base Rate Annual Adjustment for 2024.

OLD BUSINESS:

There was none.

NEW BUSINESS:

The North Ridgeville Planning Commission took action on the following items at their Regular Meeting of December 12, 2023:

1. Animal Clinic Northview, 36400 Center Ridge Rd, PPN 07-00-028-101-167
Applicant: Brian Greenfield, TALAN, LLC, 314 Churchill-Hubbard Rd, Youngstown, OH 44505.
Proposal consists of constructing a 1,325 square foot single story addition onto Animal Clinic Northview. Property zoned B-5 Architectural Business District.
PC ACTION: Approved by a vote of 4-0 with the condition that all improvements meet the stormwater ordinance within the City of North Ridgeville.

(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens stated that the business requires expansion to accommodate additional examination rooms.

Moved by Abens and seconded by Winkel to approve the Planning Commission's action for the Animal Clinic Northview project.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

2. Thomas Kelly, Pleasant Ave, 07-00-008-113-040, 4005, 4006, 4007 & 4008
Owner: Thomas Kelly, 33256 Center Ridge Rd, North Ridgeville, OH 44039. Proposal consists of a street vacation for a portion of Pleasant Ave to allow for expanded parking for abutting business at 33290 Center Ridge Rd. Property zoned B-3 Highway Commercial District.
PC ACTION: Approved by a vote of 4-0 with the condition to add the water line easement within the street vacation.

(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens reported that the building owner is currently renovating the property and has expressed a desire to utilize the space for additional parking.

Moved by Abens and seconded by Winkel to approve the Planning Commission's action for Thomas Kelly's request to vacate a portion of Pleasant Avenue.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

The North Ridgeville Planning Commission took action on the following items at their Special Meeting of December 14, 2023:

Vacnay Holding LLC. 39097 Center Ridge Rd, PPN 07-00-046-108-012 & -013
Applicant: Richard Cook, Vacancy Holding, LLC, 39097 Center Ridge Rd, North Ridgeville, OH 44039.
Proposal consists of rezoning two parcels currently zoned B-3 Highway Commercial District to I-2 Light Industrial District.
PC ACTION: Approved by a vote of 4-0.

(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens pointed out that the company is a local North Ridgeville business and its specific location is conveniently situated near the I-2 district.

Moved by Winkel and seconded by Awig to approve the Planning Commission's recommendation for the request to rezone.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by President Jacobs, seconded by Awig, to suspend the bylaws and amend the Agenda. The proposed amendment is to remove T 140-2023 from the third readings and postpone it until the following Regular City Council Meeting. This will allow sufficient time for a Public Hearing, which is scheduled to take place on January 2, 2024.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

RECESS:

Moved by Winkel and seconded by Awig to dispense with recess.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Nicholas Ciofani:

T 141-2023 AN ORDINANCE AMENDING ORDINANCE NO. 6086-2023 REGARDING SLUDGE HAULING, BY INCREASING THE AMOUNT FROM \$400,000.00 TO \$500,000.00 ANNUALLY.

(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Abens to dispense with the second and third readings for T 141-2023.

Mayor Corcoran clarified that the request is to eliminate the remaining sludge for the remainder of the year.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Abens to add the emergency clause to improve the health, safety, and welfare of the Citizens of the City of North Ridgeville.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Abens to adopt T 141-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 141-2023 becomes **Ordinance number 6125-2023**.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 142-2023 A RESOLUTION AMENDING RESOLUTION 1431-2018 APPROVING AN ADVANCE FROM THE GENERAL FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for T 142-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt T 142-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 142-2023 becomes **Resolution number 1623-2023**.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 143-2023 A RESOLUTION AUTHORIZING FUND TRANSFERS.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for T 143-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt T 143-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 143-2023 becomes **Resolution number 1624-2023**.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 144-2023 AN ORDINANCE AMENDING ORDINANCE NUMBER 6031-2022 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to amend T 144-2023 by substitution with the version that was submitted by the Director of Finance. The change showed an increase for the Frech Creek Improvement Fund.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to dispense with the second and third readings for T 144-2023 Amended.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to provide the Department of Finance with the resources necessary to meet its obligations and follow appropriation guidelines.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt T 144-2023 Amended with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 144-2023 Amended becomes **Ordinance number 6126-2023.**

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 145-2023 A RESOLUTION IMPOSING AN IMMEDIATE MORATORIUM ON THE ISSUANCE AND PROCESSING OF PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, PROCESSORS, OR OTHER NORTH RIDGEVILLE BUSINESS INTENDING TO PROCESS, PROVIDE, OR SELL MARIJUANA WITHIN THE CITY OF NORTH RIDGEVILLE, OHIO.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by DeVries to dispense with the second and third readings for T 145-2023.

Mayor Corcoran clarified that the city currently prohibits the use of medical marijuana. The legislation is intended to focus on the recreational use of marijuana while the State establishes regulations for its recreational usage.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by DeVries to add the emergency clause to address the recreational usage of marijuana while the State of Ohio works out the regulation for recreational.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by DeVries to adopt T 145-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 145-2023 becomes **Resolution number 1625-2023.**

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 146-2023 AN ORDINANCE VACATING A PORTION OF PLEASANT STREET.
(Introduced by Mayor Corcoran)

Moved by President Jacobs and seconded by Swenk to amend T 146-2023 to change Pleasant Street to Pleasant Avenue, which is the proper name of the street, throughout the ordinance and in the title of the ordinance.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

This Ordinance was moved to second reading.

Clerk of Council Nicholas Ciofani:

T 147-2023 AN ORDINANCE AMENDING ORDINANCE NO. 6080-2023 WHICH AUTHORIZED THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT AND UPGRADE OF THE COMPLETE MIX TANK AERATION AND MIXING SYSTEMS FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE DOLLAR AMOUNT FROM \$6.7 MILLION DOLLARS TO \$8,284,679.00.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Abens to dispense with the second and third readings for T 147-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Abens to add the emergency clause to move forward with the project.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Abens to adopt T 147-2023 Amended with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 147-2023 becomes **Ordinance number 6127-2023**.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 148-2023 AN ORDINANCE AMENDING CHAPTER 1480 AND CHAPTER 660 AND REPEALING CHAPTER 1476 AND CHAPTER 650 OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES TO MAKE IMPROVEMENTS AND CLARIFICATIONS TO REQUIREMENTS FOR PROPERTY MAINTENANCE.
(Introduced by Mayor Corcoran)

This ordinance was referred to the Building and Lands Committee.

SECOND READINGS:

Clerk of Council Nicholas Ciofani:

T 135-2023 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE MADDOCK ROAD BOX CULVERT OVER WATSON DITCH AND OTHER APPURTENANCES IN AN AMOUNT NOT TO EXCEED \$440,000.00.
(Introduced by Mayor Corcoran; First Reading 12-04-2023)

This ordinance was moved to third reading.

Clerk of Council Nicholas Ciofani:

T 137-2023 AN ORDINANCE AMENDING EXHIBITS A, B, AND C OF ORDINANCE NUMBER 6065-2023 BY UPDATING FULL AND PART-TIME CLASSIFICATIONS AND SECTION 8 VACATION.
(Introduced by Mayor Corcoran; First Reading 12-04-2023)

Moved by Mayor Corcoran and seconded by Awig to dispense with the second and third readings for T 137-2023.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Awig to add the emergency clause to allow the legislation to be retroactive to January 1, 2023.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Awig to adopt T 137-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 137-2023 becomes **Ordinance number 6128-2023**.

Yes – 7 No – 0

THIRD READINGS:

Clerk of Council Nicholas Ciofani:

T 115-2023 AN ORDINANCE AMENDING THE NUMBERING SYSTEM FOR THE CITY OF NORTH RIDGEVILLE LEGISLATION STARTING IN THE YEAR 2024.
(Introduced by Mayor Corcoran; First Reading 11-06-2023; Administrative Committee on 11-20-2023; Report to Council on 12-04-2023; Second Reading on 12-04-2023)

Moved by Swenk and seconded by Winkel to add the emergency clause to start using the numbering sequence in the first meeting of 2024.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

Moved by Swenk and seconded by Winkel to adopt T 115-2023 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 115-2023 becomes **Ordinance number 6129-2023.**

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 124-2023 AN ORDINANCE AMENDING ORDINANCE NO. 4268-2006, NO. 2752-93, NO. 1922-84, NO. 1559-79, AND NO. 1275-77 PROVIDING FOR SALARY CHANGES FOR COUNCIL MEMBERS AND COUNCIL PRESIDENT EFFECTIVE JANUARY 1, 2026.
(Introduced by Councilman Abens; First Reading on 11-20-2023; Second Reading on 12-04-2023)

Moved by Swenk and seconded by Abens to adopt T 124-2023.

A roll call vote was taken on the adoption, and the motion carried. T 124-2023 becomes **Ordinance number 6130-2023.**

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

T 132-2023 AN ORDINANCE AMENDING CIVIL SERVICE RULES AND REGULATIONS ON CERTAIN MATTERS AND, IN SOME INSTANCES, DIFFERING FROM STATE REGULATIONS BY EXERCISING THE POWER OF LOCAL SELF-GOVERNMENT CONTAINED IN THE NORTH RIDGEVILLE CHARTER.
(Introduced by Mayor Corcoran; First Reading on 11-20-2023; Second Reading 12-04-2023)

Moved by Mayor Corcoran and seconded by Abens to adopt T 132-2023.

A roll call vote was taken on the adoption, and the motion carried. T 132-2023 becomes **Ordinance number 6131-2023.**

Yes – 4 No – 3 (Swenk, Winkel, and DeVries)

President Jacobs stated that he has thoroughly reviewed and researched the specific ordinance in question. The main issue at hand is whether or not the Civil Service Commission has the authority, as outlined in the City's Charter, to modify the Civil Service rules. Mr. Jacobs mentioned that he has sought input from various individuals who hold differing opinions on this matter. As a council member, he values the expertise of many different people to make well-informed decisions during council meetings. For example, he relies on the City Engineer to assess new construction projects and determine if they comply with the city's drainage requirements. Therefore, when faced with matters of legal interpretation or opinions, he consults the law department for guidance.

Mr. Jacobs remarked that the City's Law Director has provided legal advice stating that the Charter gives the Civil Service Commission the authority to modify their rules independently. Furthermore, in the past few years, the Council has examined and discussed various legislative proposals that resulted from rule changes made by the Civil Service Commission. One example is the introduction of the lateral hire program for the Police and Fire Departments.

He stated his belief in the advantages of the Civil Service Commission adopting the Rule of Three. Additionally, he suggested that the Mayor should take this opportunity to incorporate a 360-degree evaluation process for officers and firefighters seeking promotion. This evaluation should involve not only discussions with department heads and other leaders but also with the officers and firefighters themselves who work closely with them. These individuals would have the best insight into whether or not they are suitable for leadership roles and capable of guiding the department in the future.

T 140-2023 was tabled for the third reading for the Regular City Council meeting on January 2, 2023.

MEETING ANNOUNCEMENTS:

President Jacobs extended holiday greetings to everyone, wishing them a Merry Christmas and a Happy New Year. Additionally, he announced that a Public Hearing has been scheduled for January 2, 2024, at 6:15 p.m. regarding T 140-2023.

President Jacobs noted the following:

1. The next Organization Council meeting will be on Tuesday, January 2, 2024, at 6:30 p.m. in the Council Chambers, in observance of the New Year's Holiday.
2. The next Regular Council meeting will be on Tuesday, January 2, 2024, at 7:00 p.m. in the Council Chambers in observance of the New Year's Holiday.

President Jacobs announced that there would be a swearing-in ceremony for the Mayor and Ward council members, namely Holly Swenk, Eric Shaffer, Bruce Abens, and Clifford Winkel. He congratulated these newly elected and re-elected officials. Additionally, Councilman Frank Toth was acknowledged for his valuable contributions to the Council during his three-month tenure and his dedication to serving the community. Furthermore, Jeff Madison, the camera operator, was recognized for faithfully recording City Council meetings for approximately 15 years.

ADJOURNMENT:

President Jacobs adjourned the meeting at 7:51 p.m.

Approval of minutes on January 2, 2024:



Jason Jacobs
PRESIDENT OF COUNCIL



Nicholas Ciofani
CLERK OF COUNCIL