

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 16, 2001**

CALL TO ORDER

President of Council Jean Brown: I would like to call the Regular Council Municipal meeting of the Council, North Ridgeville Council to order. Please rise for the Invocation and the Pledge.

INVOCATION

PLEDGE OF ALLEGIANCE

President Brown: I also forgot to say that, perhaps, I would like the meeting to go as fast as the last one did. (Inaudible) Please take the roll.

ROLL CALL

Present were Council Members Larry Overby, Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski and David Gillock and President of Council Jean Brown.

Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Stewart Lovece, Auditor Chris Costin was represented by Deputy Auditor Donna Kiraly and Clerk of Council Jim White.

Absent was Auditor Chris Costin.

MINUTES

President Brown: Please note:

Public Hearing Minutes of January 2, 2001

motion to accept by Swindig, 2nd by Borocz

President Brown: Mr. Swindig, second by Mrs. Borocz.

Council Member Butkowski: Madame President? You want to group all three of these together.

President Brown: Can we do that?

Council Member Butkowski: Can we group them all together?

Law Director Zagrans: I wouldn't be adverse to grouping a bunch of Public Hearing minutes together but I think if we group them, Public Hearing with Regular Council minutes, that's probably not appropriate.

President Brown: Okay. Any discussion? Please take roll.

Yes, 6 No, 0 Abstain, 1 (Brown)

Council Clerk White: Motion carries six, zero, one.

Regular Council Minutes of January 2, 2001

motion by Borocz to accept, 2nd by Swindig

President Brown: Mrs. Borocz, second by Swindig. Discussion? Any changes? Additions?

Please take roll.

Yes, 6 No, 0 Abstain, 1 (Brown)

Council Clerk White: Motion carries six, zero, one.

Special Council Minutes of January 4, 2000

motion to accept by Swindig, 2nd by Borocz

President Brown: Any discussion? Please take roll.

Yes, 6 No, 0 Abstain, 1 (Minnick)

Council Clerk White: Motion carries six, zero, one.

President Brown: Please note:

Civil Service Commission Minutes of December 19, 2000;

Board of Zoning & Building Appeals Minutes of December 28, 2000; and

Planning Commission Minutes of January 9, 2001.

Going into the Committee Reports, Mr. White.

COMMITTEE REPORTS

1) BUILDINGS & LANDS COMMITTEE REPORT #7047 Members of Council: We have considered the matter of T 140-2000, repealing 3630-2000 and recommend that this request be approved.

Signed: Larry Overby, Allen Swindig and Dave Gillock.

motion to accept by Borocz, 2nd by Overby

President Brown: Any discussion? Take roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

2) BUILDINGS & LANDS COMMITTEE REPORT #7048 Members of Council: We have considered the matter of the extension of Westwood Drive and recommend that this request be approved and proper legislation be drawn authorizing.

Signed: Larry Overby, Allen Swindig and Dave Gillock.

motion to accept by Overby, 2nd by Swindig

President Brown: Any discussion? Please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

3) BUILDINGS & LANDS COMMITTEE REPORT #7049 Members of Council: We have considered the matter of T 4-2001, rezoning part of Community Care property and recommend that this request be approved. Community Care to supply all information to Clerk of Council.

Signed: Larry Overby, Dave Gillock and Allen Swindig.

motion to accept by Borocz, 2nd by Swindig

President Brown: Discussion? Seeing none, please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero

4) **BUILDINGS & LANDS COMMITTEE REPORT #7051** Members of Council: We have considered the matter of T 141-2000, repealing 894-2000.

Signed: Larry Overby, Allen Swindig and Dave Gillock.

motion to accept by Swindig, 2nd by Borocz

President Brown: Discussion? Mrs. Minnick?

Council Member Minnick: I have a question of one of the committee members as to why T 141-2000 was chosen over T 143-2000?

Council Member Overby: The object of the exercise is to repeal two ordinances and we had four ordinances so, I took two ordinances to do the job. That's the object of the exercise.

Council Member Minnick: The body of the one ordinance, T 141, has a section in it, in Section 2, that I believe doesn't belong because ordinance 3543-99 rezoned Kingston's 2,000 acres, 200 acres, pardon me, from R-1 to PCD and was successfully referendum. Resolution 894-2000 merely granted preliminary plan approval. So, I believe that Section 2 does not belong in that ordinance.

Council Member Overby: I'll refer that to the Law Director, if I might?

President Brown: You may.

Law Director Zagrans: May I indicate?

President Brown: Yes you may.

Law Director Zagrans: According to the enabling legislation for our PCDs, which is Ordinance No. 3491-99, when preliminary approval is given to a PCD plan application, that constitutes a change in the zoning map and that is what that section is meant to reflect.

Council Member Minnick: Okay. May I have another question? With Kingston what we did, and I believe it was proper that we had two ordinances, one that rezoned the property and one that approved the preliminary plan. That's what we went by back then. So, to go and put in Section 2 I believe is not necessary. The preliminary plan 35, or I'm sorry the rezoning ordinance 3543 was successfully referendum and that took care of the rezoning issue right then and there, it no longer was zoned PCD so I believe that Section 2 should be taken out.

Council Member Overby: Again, I will refer to the Law Director.

Law Director Zagrans: Okay, well, Mrs. Minnick has the right to, at the appropriate time, to move for an amendment to that provision if she wishes to do so. Council can then act on that motion if she chooses to make one.

Council Member Minnick: Thank you.

President Brown: Any other discussion? Take roll please.

Yes, 6 No, 1 (Minnick)

Council Clerk White: Motion carries six to one. That's all of the committee reports that I have.

President Brown: Moving on to the Mayor's Report.

Mayor Hill: Thank you.

President Brown: Mayor Hill.

MAYORS REPORT

Mayor Hill: Awards were recently announced for outstanding innovations that promote collaboration across political jurisdictions. A winner of this first annual award is the Ohio Public Works Commission District 9 and this is the award. I represent cities in Lorain County on the Committee that evaluates and recommends projects to be funded in the three-county district. Those three counties are Lorain, Medina and Huron. I'm also the Chairperson of the State Commission as appointed by the State Senate Minority Leader. I am proud to be part of a program that has funded over \$110 million in infrastructure reconstruction since its inception and to be part of a district committee that received an award for collaboration across political jurisdictions because the real beneficiaries are the people of Lorain County and the people of North Ridgeville.

There recently have been several mass mailings across northeast Ohio, particularly from Shell Energy, and I understand today another one came out, but I didn't see it, offering lower electric supply costs. The mailings have caused a lot of confusion. First, I have been assured all our citizens will be receiving opt-out forms by the end of the month from the Council of Governments that by our vote, we joined as one of approximately 100 communities. If you join with Shell Energy, or any other agency, prior to receiving the opt-out forms from the Council of Governments, please understand that you may not rejoin the Council of Governments for two years. Should you join with Shell Energy or any other, they will notify the Council of Governments that you have "opted-out" of the Council's group. And it is important to note in your mailings that Shell promises your discounted rate for only one year. That means you're in it for two years but they promise the discounted rate, if you read it carefully, for only one year. After that one year and one year before you may rejoin the Council, there are no promises about costs and there will be an automatic renewal of your membership with Shell or any of the others while your cost in the second year may increase dramatically. All I'm saying is that it may be in your best interest to wait for the information from the Council of Governments before reaching your final decision. It is extremely important, like with any offers you get, that you carefully review the fine print in any mailing about electric deregulation and aggregation.

At this time I'm nominating Terry Murray to a three-year term on the Parks and Recreation Commission. While we're certainly sorry to lose Chuck Krepop from the Commission due to his retirement plans, he served us very well as the community. We are happy that Terry, who is well known in our City for his community activities, has volunteered to serve. Terry is here tonight if you would stand Mr. Murray. Thank you. I am now making the motion to seat Terry Murray on the Parks and Recreation Commission.

motion by Mayor Hill to seat Terry Murray on the Parks & Recreation Committee, 2nd by Swindig

Mayor Hill: Thank you.

President Brown: Any discussion? Please take the vote.

Yes, 7 No, 0

Council Clerk White: Motion carries seven to one. Congratulations Mr. Murray.

Mayor Hill: Congratulations and we thank you for your community interest and activity on behalf of the kids.

I am nominating Rosalice Pszenitzki for a second term on the Board of Zoning Appeals. Posie, as she is known to many of us, has served well in her last term.

I'm now making that motion.

motion by Mayor Hill, 2nd by Gillock

President Brown: Mr. Gillock second. Any discussion? Take roll please.

Yes, 6 No, 0 Abstain, 1 (Minnick)

Council Clerk White: Motion carries six, zero, one.

Mayor Hill: Thank you. I am nominating Bob Olesen for reappointment to the Planning Commission. Bob has served with distinction on various Boards and Commissions under several Mayors, both Republican and Democrat.

motion by Mayor Hill for Bob Olesen's reappointment to Planning Commission, 2nd by Swindig

President Brown: Discussion? Please take roll.

Yes, 5 No, 1 (Butkowski) Abstain, 1 (Minnick)

Council Clerk White: Motion carries five, one, one.

Mayor Hill: And finally, I am requesting that T 159-2000, Sugar Ridge reconstruction, be amended by substitution which each Council Member has before you, deferring to the Engineer for exact changes and reasons, and we will ask for the emergency. Madame President, would you like the Engineer to explain at this point? Or wait until later?

President Brown: I would rather that he wait until his turn pleased.

Mayor Hill: That concludes my report. Thank you.

President Brown: Thank you Mayor. Does anyone have any questions of the Mayor's oral report? Seeing none, moving on to the Safety-Service Director Mr. Johnson.

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Johnson: Madame President, ditch cleaning was performed on Root, Bagley and the Shady Drive Complex.

The sewer vac was used for storm cleaning on Avon Belden and Kenssington. Sanitary sewers were cleaned on Cornell, Wallace, Olive and Main.

Four catch basins were either installed or repaired on Poplar, Avon Belden and Root Road.

One hydrant was replaced on Case Road.

One water leak was repaired at the intersection of Case and Center Ridge.

In our efforts to patch potholes as quickly as possible, we have at least three two-man crews out patching with winter mix whenever the weather will allow and that concludes my report.

President Brown: Thank you Mr. Johnson. Any questions of the Safety-Service Director's oral report? Seeing none, moving on to the Engineer's report, Mr. Lovece.

ENGINEER'S REPORT

Engineer Lovece: Thank you Madame President. The Mayor mentioned about some changes to what was called T 159-2000 and these changes were requested by the Auditor, Chris Costin, and it really pertains to the zero percent loan with the Ohio Public Works Commission. In the preamble section of the ordinance the sentence, "to authorize the Mayor to construct a zero interest loan agreement with the Ohio Public Works Commission", was added before, "and to negotiate and enter into a contract", and so on. That was added in the preamble and in the last part of Section 3, "and the Mayor is hereby authorized to consummate such agreement", that was added in that section to clarify how part of the funds are coming from a no interest loan.

Next topic. We've received some complaints between the Engineering Department and the Utilities Department regarding air bubbles in tap water and I want to say that this is common at this time of the year. It's due to the very cold lake temperature where we get out fresh water from. The colder the water is, the more oxygen the water contains and when the water goes from under pressure from the plumbing to atmospheric pressure such as in a glass of water, what will happen, the oxygen bubbles will actually come out of the water. It's very similar to opening a can of pop where the bubbles come out although that's not oxygen that's carbon dioxide but same principal. So that's something that's natural and certainly nothing wrong with oxygen in the water, actually it's healthy. But, I wanted to point that out because we've received a number of complaints.

Last, but not least. I understand Council received a copy of a letter dated January 9, 2001 from Shaun Brady, Avon City Council President and this is, there was also an article in the December 27, 2000 Chronicle regarding the same thing and his letter, he basically wants us to change our ordinance to comply with their ordinance and I wanted to say a few things about that. Firstly, Mr. Brady did not contact the Mayor or the Engineer or Service Director first, which would have been desirable. It certainly is right to do that, but it would have been desirable if you want some legislation changed in a City, you follow the appropriate chain of command. As an engineer I am certainly willing to discuss that with their engineer, Mike Bramhall, in fact I talked to him today

and he's receptive of any discussions and I wanted to say about their ordinance, there's nothing wrong with either ordinance. I looked at their ordinance, I looked at our ordinance, there's pros and cons, but I believe that they're both good ordinances that protect the community regarding new development. We have some things that they don't have, they have some things that we don't have. We have an ordinance that essentially does the same thing but the outflow is not a specific number. We also have in our ordinance where we collect \$500.00 per residential dwelling as a surface drainage fund which we use that money wisely to do such things such as build detention basins, clean ditches. It seems to me that in the letter, in the newspaper article, he was essentially blaming North Ridgeville for some of Avon's flooding problems and I would strongly disagree with that. Especially in recent years with all the improvements that we've done and the detention basins we've added such as the detention basin behind West Point Drive which is designed to hold up to 44 million gallons of water in a 100-year flood, the cleaning of the Fryburg detention basin behind Pitts. The cleaning of Robison Ditch and creating a new basin behind the garage and the list goes on and on. In fact we're not contributing to their flooding in recent years. I have documentation to the contrary that during a 100-year storm we actually have reduced the peak flow by almost ten percent so, to blame your neighbors to the south because the water flows to the north isn't the answer. The answer is to follow what Mayor Smith's plan is, to build a 27 acre basin at Mills Road. It's not hard. They can solve this problem, not by saying, well our ordinance is better than your ordinance but by finally biting the bullet and following the Mayor's plan by constructing a 27 acre basin that they proposed. I talked to their engineer about it again, there are still some wetland issues that they're working on with the Corp of Engineers. If they build that basin and do some cleaning along French Creek, I think they could really help that City out, and us, and we'd be willing to help them in any support to obtain funding, letters of support from the Mayor and so on and I just wanted to point that out. It's not, the attitude of who's at fault has really got to stop. That's all I have this evening.

President Brown: Thank you Mr. Lovece. Does anyone have any questions of Mr. Lovece.

Council Member Swindig: Madame President, I do. Stewart, may I address the, would it be feasible to sit down or let Mr. Brady sit down with our Board of Flood and Drainage Committee?

Engineer Lovece: He's certainly welcome to attend the meetings. It's a public meeting.

Council Member Swindig: And expand on what his real problem is and handle it that way.

Engineer Lovece: Possibly, or like Mr. Bramhall suggested, a meeting between the engineers and working out some of the engineering would be helpful. Either or.

Council Member Swindig: Thank you.

President Brown: Any other questions of his oral report?

Council Member Gillock: Madame President?

President Brown: Mr. Gillock.

Council Member Gillock: Several of us did not get a copy of that letter that Stewart referred to.

Can we get a copy of that put in our box please?

Engineer Lovece: Sure.

Mayor Hill: Madame President may I respond to that?

President Brown: Yes.

Mayor Hill: The letter said, could I see it, said to the Mayor and Members of North Ridgeville City Council. I talked to Mr. Brady, I think it was last week, he told me that he had mailed it out and that he had mailed it to the North Ridgeville Council Members, but we'll be glad to share our copy. I don't know why it didn't get to you. But he told me, and it's addressed that way, that it was mailed to Members of our Council.

Council Member Gillock: It's not on the correspondence either.

Council Clerk White: No, I don't have it. I didn't get a copy.

Mayor Hill: I don't know, then he told me wrong.

Council Member Butkowski: Madame President can I talk to Stewart?

President Brown: Uh hum.

Council Member Butkowski: Stewart I talked to him on the phone. He called me and he said he was sending a copy to all of us too, so you got the same information as I did.

Council Clerk White: Lost in the mail.

President Brown: Stewart, I have a question. I don't think you included in your oral report, but I did get a couple calls from people down in the Lear Nagel area. Apparently there was low pressure, water pressure down there New Year's Eve.

Engineer Lovece: That's correct.

President Brown: They were wondering what caused it. I was out of town and it was on my answering machine.

Engineer Lovece: I could call regarding that. I believe it was a pump failure with Rural Water, our supplier, for a short period of time.

President Brown: Yeah, it was just a short period. Okay. Thank you. Auditor's Report, Mrs. Kiraly.

AUDITOR'S REPORT

Deputy Auditor Kiraly: Mr. Costin apologizes for not being here, he's at home ill. We do have the preliminary December report for the year 2000. You need not pass it. It is not a complete or final report. We like to fine tune it, make sure that we have all our transfers, receipts and expenditures in. It's just basically an FYI for Council to let you know where we are and that's all I have.

President Brown: Thank you. Any questions? Okay, moving on to the Law Director's report Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Thank you very much. Like (inaudible) Jackson I wish I could say it

isn't so but I'm afraid they're at it again and once again the taxpayers of the City of North Ridgeville are going to be the victims. Mr. Phillips and his clients have filed another lawsuit in the Ohio Supreme Court, again against the Clerk of Council and again over PCDs. This one concerns the Meadow Lakes and Waterbury PCDs and raises the same issues and the same legal arguments that were already the subject of the declaratory judgement action that I announced in early December that the City of North Ridgeville had commenced in Lorain County Common Pleas Court to finally put an end, once and for all, to the legal controversy over these matters. In my judgement the Lorain County case is a perfectly appropriate way to go to resolve the matter and I frankly don't understand why we're seeing another lawsuit in the Ohio Supreme Court which is just going to raise legal fees on both sides, raising the identical issues. Now I will say that maybe when I have the chance to read the legal papers more carefully, maybe I'll see a point to it but, at first to blush late this afternoon, I do not. These papers were just served on us this afternoon. Although, I will inform the Members of Council and the administration that I learned about the existence of this case this morning before the papers were served on the City from a newspaper reporter who learned it from a Member of Council that the case had been filed. That's not an appropriate way for the Law Director of the City, which has been sued in the Ohio Supreme Court, to find out about it, in my opinion. The only other thing that I have to report to Council about this continuing legal problem is that the lawsuit that the City filed in December to ask the Court in Lorain County to determine what the rights and status of this whole PCD issue was, the defendants that were sued in that case, that is to say the people on the referendum committee, have been evading service ever since by refusing the certified envelopes that notify them of the specifics of the lawsuit. Again, I regret that course of action because the only result to that can be to just increase the cost to the City when I have to send out a sheriff to personally serve everybody. But that's the next step that the rules require when certified mail is turned down and all that's going to do is cost the taxpayers of the City of North Ridgeville more money to do so. That concludes my report at this point. I hope I will have more details to provide to Council as I find out more about why this case is different from the case that was already filed in Lorain County Court.

President Brown: Thank you Mr. Zagrans. Any questions of the Law Director's oral report? Seeing none, moving on to other reports.

OTHER REPORTS

Mayor's Court Operating Trust Fund and Bail Trust Fund Report for December 2000;
Building Department Report for December 2000;
Water Operation Report for December 2000;
Fire Department Report for December 2000; and
Police Department Support Car Report for December 2000.

Do we have a report from the Parks & Recreation Commission Liaison?

Parks & Recreation Commission Liaison Report:
Council Member Overby: Not this evening.

President Brown: How about the Planning Commission, Mr. Gillock?

Planning Commission Liaison Report:

President Pro-Tem Gillock: Yes Madame President, you will be approving actions of Planning Commission on two items. One is for a cold storage rental units down off of Mills Industrial Parkway in an I-2 zone, and the other is for a new building construction for Sports Luxury Motors new facility on 34704 Center Ridge Road in a B-2 zone which Planning approved both of those and I might just point out because it's in your minutes, Marconi Communications also came preliminarily to discuss some potential temporary housing as they expand and they're looking at adding in excess of 300 new jobs at that facility which is, I think, real good for the City, so, something for us to look forward to there. Thank you.

President Brown: Thank you Mr. Gillock.

Senior Citizens Advisory Board Liaison Report:

President Brown: The Senior Citizens Advisory Board Liaison Report is myself and I would like to say that the Cleveland Home and Garden Show tickets are available. From February 10th to the 18th is when the show runs. You can save two dollars at the Senior Center. They're selling the tickets. The regular price is ten and you can get them for eight. If you are going, they would like you to get your tickets at the Senior Center.

Also, Meals on Wheels, thanks to the many people from North Ridgeville who have donated time to support our Meals on Wheels program. Because of the many people who have volunteered we were able to add an additional route in North Ridgeville. Our Meals on Wheels (tape one, side one ends) (tape one, side two begins) Once again the AARP tax preparation service will be offered at the Senior Center on Tuesday and Thursday afternoons. The tax aide program was created to help middle and low income seniors with free basic income tax preparation and answer tax questions. Call the center at 353-0828 to make an appointment. That's 353-0828 and they will make an appointment for you. The services are on Tuesday and Thursday afternoons. Thank you. Going on to the reports for the Planning Commission, Mr. White

Planning Commission Report to Council of Regular meeting January 9, 2001
Council Clerk White:

Applicant: Stephan Hovancsek of A-Z Enterprises LLC
24424 Twin Circle, North Olmsted, 44070
Owner: Ray Pettime, 10898 W. River Road, Columbia Station, 44028
Request: Cold Storage Rental Units, no water/sewer, no office
Location: Mills Industrial Parkway, in I-2

Permanent Parcel No 07-00-018-101-215

Application was approved contingent that the recommendations by City Officials be complied with, no outside storage be allowed and lighting be restricted so it points onto the premises.

motion to accept by Gillock, 2nd by Overby

President Brown: Discussion? Take the roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

Applicant: Sports Luxury Motors, 35944 Center Ridge Road

Owner: Justin J. J. Johnson, 901 Garford Avenue, Elyria, 44035

Request: New building construction for used car sales and service

Location: 34704 Center Ridge Road, in B-2

Permanent Parcel No. 07-00-016-101-006

Application was approved contingent upon following the requests by City Officials.

motion to accept by Gillock, 2nd by Overby

President Brown: Discussion? Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. That's all the Planning Commission I have.

President Brown: Under old business.

OLD BUSINESS

Council Clerk White: Under old business you have the third reading for T 112-2000.

T 112-2000 AN ORDINANCE VACATING A PORTION OF DODGE AVENUE.

3642-2001 Third Reading

motion to adopt by Gillock, 2nd by Swindig

President Brown: Who second that? Mr. Swindig. Discussion. Roll please.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero. T 112-2000 becomes Ordinance 3642-2001.

Permanent Ordinance No. 3642-2001

President Brown: Going on to new business.

NEW BUSINESS

Council Clerk White:

T 5-2001 An ordinance amending and making additions and deletions to Ordinance 3287-97, the Ohio Building Officials Association One, Two, and Three family Dwelling Code of 1996.

President Brown: Under correspondence please.

CORRESPONDENCE

Council Clerk White: Two pieces of correspondence.

- 1) Received from the Ohio Ethics Commission the 2000 Financial Disclosure Statements to be filed 2001.
- 2) Received a letter from Senior Center Director Sally Balog and Park & Recreation Director Jim Spaulding submitting the feasibility study conducted by the architectural firm of Richard L. Bowen and Associates.

That's all the correspondence that I have.

President Brown: Thank you. We'll go into the lobby session please. There is a form to fill out in the back. Please fill it out and leave it on the podium when you get done speaking. I will allow you two minutes. Anyone?

LOBBY

- 1) Joe Antush of 38500 Otten Road spoke of interest in an article in the Plain Dealer about problems Medina is having because of rapid growth and how it relates to taxes and paying for infrastructure. Spoke about local tax increases.

President Brown: anyone else wishing to speak?

- 2) Gerald Phillips of Avon spoke about the PCD ordinance and decisions of the Law Director. Spoke about the Supreme Court ruling. Spoke about the filing of a lawsuit with the Supreme Court.

President Brown: anyone else wishing to speak?

- 3) William Reinhart of 5977 Wallace Road spoke his concern about the heavy traffic around MARC's on Center Ridge Road and recommended an extra exit at the north end of the Library property to Jaycox Road.

President Brown: Thank you Mr. Reinhart. Anyone else wishing to speak?

- 4) Maryann Miles of 34 582 Lorain Road thanked Mr. Overby and Mr. Gillock for strengthening up our building codes. Addressed first, second and third readings on PCDs and asked if we're tied up in Court why don't these issues be put on a back burner until the court cases are resolved.

President Brown: Anyone else wishing to speak from the lobby?

5) Joe Antush on 38500 Otten Road read Section 3.13 of the City Charter. Stated that “may not” means you shouldn’t do it and you don’t need a judge and a bunch of lawyers to say what it means.

President Brown: Anyone else wishing to speak?

6) Eric Zagrans of Elyria spoke about Section 3.13 of the City Charter.

President Brown: We’ll have a ten minute recess.

RECESS from 8:15 P.M. to 8:25 P.M.

President Brown: First readings.

FIRST READINGS

Council Clerk White:

T 1-2001 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO
THE ELECTORS OF PROPOSED ORDINANCE NO. 3621-2000 OF THE
CITY OF NORTH RIDGEVILLE, OHIO.

First Reading

President Brown: That constitutes the first reading.

Council Clerk White:

T 2-2001 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO
THE ELECTORS OF PROPOSED ORDINANCE NO. 3628-2000 OF THE
CITY OF NORTH RIDGEVILLE, OHIO.

First Reading

President Brown: That constitutes the first reading.

T 3-2001 AN ORDINANCE OF THE CITY OF NORTH RIDGEVILLE, LORAIN
COUNTY, OHIO, PROHIBITING THE USE OF SPECIAL ENGINE BRAKES
OR “JAKE BRAKES” ON ANY MOTOR VEHICLE OPERATED WITHIN
THE CITY OF NORTH RIDGEVILLE.

First Reading

President Brown: That constitutes the first reading.

Council Member Butkowski: Madame President?

President Brown: Yes.

Council Member Butkowski: Could that be referred to Streets, Sidewalks & Bridges?

President Brown: I guess we can do that.

Council Member Butkowski: Thank you.

Council Clerk White: Are you doing that?

President Brown: Yes, REFER THAT TO THE STREETS, SIDEWALKS & BRIDGES.
Going into the second readings please.

SECOND READINGS

Council Clerk White:

T 156-2000 AN ORDINANCE APPROVING FINAL PLAN OF DEVELOPMENT AREA,
INCLUDING ACCEPTING THE PLAT OF MEADOW LAKES PCD PHASE I
FOR FINAL APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

President Brown: That constitutes second reading.

Council Clerk White:

T 157-2000 AN ORDINANCE AMENDING SECTION 1284-02(G)(18) OF THE "OFF-
STREET PARKING AND LOADING REQUIREMENTS" OF THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE.

Second Reading

President Brown: That constitutes a second reading.

Council Clerk White: That's all of the second readings that I have.

President Brown: Going into the third readings.

THIRD READINGS

Council Clerk White: Third reading is:

T 159-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
3643-2001 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE SUGAR RIDGE ROAD
RECONSTRUCTION, PHASE II, FROM RACE ROAD TO AVON BELDEN
ROAD, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A
CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND
CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED
\$500,000.00.

Third Reading

Council Member Swindig: Madame Chairman?

President Brown: Yes?

motion to adopt by Swindig, 2nd by Gillock

Council Member Swindig: Madame Chairman?

President Brown: Yes?

motion by Swindig for substitution of the ordinance that we received tonight as a

replacement, 2nd by Borocz

President Brown: Okay. Any discussion? None. Please take the roll.

Council Clerk White: On the substitution?

President Brown: Yep, on the substitution.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero on the substitution.

President Brown: Now, on the adoption.

Council Clerk White: No.

Council Member Swindig: Madame Chairman?

motion by Swindig to add the emergency due to the time restraints, 2nd by Borocz

President Brown: Discussion? Roll please.

Council Clerk White: On the emergency.

President Brown: On the emergency.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero on the emergency. Now for the adoption.

Yes, 0 No, 0

Council Clerk White: Motion carries seven, zero. T 159-2000 with the substitution becomes Ordinance No. 3643-2001 with the emergency.

Permanent Ordinance No. 3643-2001

Council Clerk White: That's all the third readings I have.

President Brown: We don't have any unfinished business.

UNFINISHED BUSINESS

President Brown: Moving on to any committee meetings coming up? How about Streets, Sidewalks & Bridges?

COMMITTEE MEETING ANNOUNCEMENTS

Council Member Borocz: I'll get back with you Madame Chairman.

Council Clerk White:

There will be a Public Hearing February 5, 2001 at 7:25 P.M. on T 157-2000.

The next Regular Council meeting will be Monday, February 5, 2001 at 7:30 P.M.

There will be a Public Hearing Monday, March 5, 2001 at 7:25 P.M. on T 4-2001.
That's all that I know of.

President Brown: No other announcements?

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR COUNCIL JANUARY 16, 2001**

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ADJOURNMENT

motion by Swindig to adjourn, 2nd by Borocz
President Brown: Meeting adjourned.

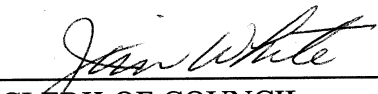
Meeting adjourned at 8:31 P.M.

MOTION Borocz 2ND Overby DATE February 5, 2001

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL