

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 6, 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 President Gillock.

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 December 16, 2002

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

President Gillock: Are there any corrections or additions?

Council Member Olesen: Mr. Chairman, your name is spelled wrong on page two, I believe, at the bottom. I think it was illock.

President Gillock: That was a typo and we can correct that.

Yes, 7 No, 0

Assistant Clerk of Council Cope: Minutes have been approved by a vote of seven to zero.

President Gillock: Please note

Planning Commission Minutes of regular meeting December 10, 2002; and

Board of Zoning and Building Appeals Minutes of regular meeting December 19, 2002.

COMMITTEE REPORTS:

President Gillock: Are there any committee reports?

Council Member Olesen: Mr. Chairman, the Buildings and Lands Committee met before our workshop tonight and we approved the new report issued by the Planner on Fairfield Lane, Waterbury Block E2.

President Gillock: Mr. Olesen, you need to make a motion to suspend By-Laws to approve.

Council Member Olesen: I'm getting to that. I would like to move to suspend By-Laws to vote on this tonight.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JANUARY 6, 2003**

Page 2

motion by Olesen to suspend By-Laws to accept the Building and Lands Report, 2nd by
Pagel

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: The Buildings and Lands oral report has been approved by a
vote of seven to zero.

President Gillock: Would you like to state what the Buildings and Lands report is?

Council Member Olesen: There was some dismay by some of the Council Members, and I guess
I was included, over the appearance of the Planner's report. This has been resolved with a
signature on a formal letterhead and the Buildings and Lands Committee took a look at this
tonight and approved it and we've already heard all types of information on this project so, I'm
not going to elaborate on that.

President Gillock: Mr. Olesen, they made a recommendation that. . .

Council Member Olesen: They recommended that the report be approved.

President Gillock: Who signed the report, please?

Council Member Olesen: The report was signed by myself, Nancy Buescher and Josanne Pagel.

Council Member Johnson: Mr. Chairman, I would ask Mr. Olesen to read the committee report
into the record.

President Gillock: Please do.

Council Member Olesen:

BUILDINGS AND LANDS COMMITTEE REPORT:

We have considered the matter of the Planner's report on Fairfield Lane, Waterbury Block E2,
submitted 1-6-03 and recommend that this report be approved.

President Gillock: Are there any questions in regards to the Buildings and Lands report?

Council Member Pagel: Mr. President, point of order. We made a motion we voted on
suspending the By-Laws to hear the report. I believe we need to approve the report with a
motion.

President Gillock: Would you make the motion?

motion by Pagel, 2nd by Buescher to accept the Buildings and Lands Report

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: Buildings and Lands report has been approved by a vote of
seven to zero.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

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

Mayor: None

Safety-Service Director: None

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JANUARY 6, 2003**

Page 3

Engineer: None

Law Director: None

AUDITOR'S REPORT:

Auditor Costin: No report scheduled. No comments.

OTHER REPORTS:

President Gillock: Please note:

Fire Department Report for November 2002;

Police Department Activity Report for November 2002;

Building Department Report for November 2002;

Water System Monthly Operation report for November 2002; and

Service Department Activity Report for December 9, 2002 through December 30, 2002.

OLD BUSINESS:

Assistant Clerk of Council Cope:

APPLICANT: Whitlatch & Co., P. O. Box 363, Twinsburg, 44087

OWNER: Sugar Chestnut LLC, 50 Public Square, Suite 1050, Cleveland 44113

REQUEST: Site plan approval of 36 unit condominium development to be known as Fairfield Lane Condominium in Waterbury PCD

LOCATION: Block "E" in Phase 1 of Waterbury PCD

Permanent Parcel No. 07-00-036-000-003,-004.

(Postponed June 11, July 9, August 13 & September 10, 2002 at applicants' request. Postponed October 8, 2002 to amend plans and November 12, 2002 for further review.)

PC ACTION: Approved as presented

December 16, 2002 there was a motion by Olesen, 2nd by Swindig to approve. This matter was postponed until this Council meeting.

President Gillock: We have now received an updated Planner's report. Is there a motion to approve Planning Commission's actions?

motion by Olesen, 2nd by Swindig to approve

Council Member Butkowski: Mr. Chairman, I was reading the original report here and it says that, the one from the sixth indicates that the plan meets the minimum requirements of the PCD development. It is not included in the one that's dated June 5th. I just wanted to state for the record that this unit meets the minimum requirements.

Council Member Johnson: Mr. Chairman, the PCD ordinance gives Council and others in the City more flexibility, at least that's what was explained when the PCD issue was being debated, more flexibility in how our City is going to grow. I intend to use some of that flexibility tonight and vote no on this project. I believe the project is a quality project but, I don't like the idea of

condominiums and possibly the commercial development being put along the parameters of our PCD's. I believe we can encourage these people to be good neighbors and put the open land out towards the parameters abutting the R-1 properties and keep the condominiums and business properties in the interior PCD's. I recommend that this be denied.

President Gillock: Mr. Johnson, there's no business in this phase that we're voting on.

Council Member Johnson: Not in this one, no.

President Gillock: That's what we're voting on, Planning Commission's actions on this phase.

Council Member Johnson: My comment on this one is on the condominiums. I would rather have them in the interiors also.

Council Member Pagel: Mr. President, just for the record, I'd like it stated that this Planning Commission report, I will be voting in favor of it provided that it is with the updated Robert C. Hill, Planner report in it.

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

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

Assistant Clerk of Council Cope: Planning Commission's action has been approved by a vote of five, one, one.

NEW BUSINESS:

President Gillock: First is Mayor's Hill nomination of a new City Engineer. Mayor Hill?

Mayor Hill: Yes, I move to employ Mr. Larry Griffith as our City Engineer to begin February 1, 2003. Do you want me to now present him or during discussion?

President Gillock: Go ahead. Now would be fine.

Mayor Hill: We received applications from several engineers for the position. We, the Safety-Service Director Johnson, former Engineer Beutler and I, then interviewed six of the best including Larry Griffith. Following the interviews it was clear that Mr. Griffith was the outstanding candidate. He served North Olmsted for 12 years as Assistant City Engineer and Traffic Engineer until his retirement. For 17 years he also was a traffic engineering consultant on a part-time basis. Prior to that, Mr. Griffith was Assistant City Engineer and Traffic Engineer for the City of Parma for 18 years. He's a graduate of Ohio University and Cleveland State. His continuing education is extensive including at Baldwin Wallace, which I'm happy about, that's my under grad alma mater, and Cuyahoga County Community College. Mr. Griffith is a member of a great number of prestigious, professional organizations. Council received copies of his resume. Mr. Griffith and his wife are here tonight, if you could stand, please. Thank you.

Council Member Swindig: I will second the motion.

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

Council Member Johnson: I would like either the Mayor or the applicant to address this. First of all, it's an impressive resume. I have no problem with that. I would like to point out that the salary of the engineer reflects a large amount of in-house work and the last engineer we had did a lot of outside work. It looks like, in his resume, he's capable of doing this work in-house. I wonder if that's the intention?

Mayor Hill: That's correct.

Council Member Olesen: Mr. President, my only comment would be that the last engineer that the Mayor Appointed, Tom Beutler, was very, very helpful to me as liaison for Planning Commission and I respect her judgement in a situation like this.

President Gillock: Anyone else? Please call the roll.

Yes, 7 No, 0

Assistant Clerk of Council Cope: Mr. Griffith has been approved as City Engineer by a vote of seven to zero.

Mayor Hill: Thank you very much and afterwards, if you have time, you may want to meet and greet some of the people, at least, during the break, if you can stay that long. Appreciate it.

T 4-2003 An ordinance authorizing the simultaneous sale of obsolete traffic controllers with the receipt of same and applying the selling price to the purchase.

President Gillock: I'll REFER THAT TO SAFETY COMMITTEE.

Council Member Pagel: Mr. President, under new business with the approval of your pleasure, there is a vacancy on the Flood and Drainage Board. Would you like me to at this time motion to suspend to make a nomination or would you like that in old business?

President Gillock: Go ahead and make a motion to suspend By-Laws.

motion by Pagel to suspend By-Laws to consider the issue of the vacancy of the Flood and Drainage, 2nd by Butkowski

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: By-Laws have been suspended by a vote of seven, zero.

motion to nominate Betty Van Meter to the Flood and Drainage. She lives on Chestnut Ridge in ward three and is here tonight, 2nd by Butkowski

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: The appointment of Mrs. Van Meter to the Board of Drainage and Flood Control has been approved by a vote of seven to zero.

CORRESPONDENCE:

Assistant Clerk of Council Cope:

- 1) Received a letter from Gail Minnick in regard to her recollection of the history of the PCD ordinance and suggestions for amendments.
- 2) Received a memo from Mayor Hill in regard to the FEMA review of our application.
- 3) Received a letter from AT&T Broadband in regard to their price adjustments that will become effective with the February 2003 customer billing statements.

4) Received Fiscal Officer's Certificate from Auditor Chris Costin in connection with the proposed issue of \$100,000 notes to be issued in anticipation of the issuance of bonds for the purpose of improving the City's Shady Drive Park Complex by constructing, furnishing and equipping a building to house a concession stand, storage areas and restroom facilities and preparing and improving its site.

5) Received Fiscal Officer's Certificate from Auditor Chris Costin in connection with the proposed issue of \$800,000 notes in anticipation of the issuance of bonds for the purpose of improving Lear Nagle Road and Center Ridge Road and adjacent City easements between certain termini by grading, draining, widening, curbing, paving, constructing a new turn lane, sanitary sewers and sidewalks and installing and improving traffic signs, signals and signalization, where necessary, in each case together with the necessary appurtenances and work incidental thereto.

LOBBY:

President Gillock: We now come to the lobby portion of our meeting. Anyone wishing to address Council is welcome to do so. We ask that you sign on the lobby sign in sheets in the back. You'll be given three minutes and anyone wishing to speak is now welcome to do so. We ask that you please give us your name and address when you get to the podium.

1) Karen Evans of 7371 Dyke Road thanked Mayor Hill for being concerned on the Dyke Avenue light. Spoke of past history of the light being turned off in 1999 and working with ODOT on warrants and criteria, noting two different things and stated that Dyke Avenue did meet eight of those warrants. Explained the dangerous situation being in a business district. Spoke of the 45 mph speed limit that should be 25 and would like that looked into. Noted that Bob Morris unloads trucks two to three times a day and cannot see. Spoke of a near collision incident and asked that this come to a rest. Stated that the resident who came before Council and said he was representing the taxpayers of the City, he is not representing her.

Council Member Pagel: Mr. President, if I may ask a question of Mrs. Evan's. Being the Chair of the Safety Committee, I am looking at this issue with our committee and I would appreciate any information that you have.

Mrs. Evans stated that when she did this she did give copies at the time to every person who was on Council. Stated that she came across her stuff three months ago and is hoping that it is in a box in the garage. Stated that she will get that for Mrs. Pagel. Stated that she is in contact with ODOT and have been emailing back and forth.

President Gillock: Anyone else? No one else. Shall we recess or continue the meeting?
motion by Pagel to suspend By-Laws and work right through recess, 2nd by Butkowski
Yes, 7 No, 0

Assistant Clerk of Council Cope: Recess has been dispensed with by a vote of seven to zero.

RECESS: dispensed with.

FIRST READINGS:

Assistant Clerk of Council Cope:

T 65-2002 AN ORDINANCE ESTABLISHING SPECIAL DEVELOPMENT DISTRICTS
REVISED AS A NEW ZONING CLASSIFICATION IN THE CITY OF NORTH
 RIDGEVILLE.

First Reading

President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

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

First Reading

T 1-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3870-2003 \$100,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
 THE PURPOSE OF IMPROVING THE CITY'S SHADY DRIVE PARK
 COMPLEX BY CONSTRUCTING, FURNISHING AND EQUIPPING A
 BUILDING TO HOUSE A CONCESSION STAND, STORAGE AREAS AND
 RESTROOM FACILITIES AND PREPARING AND IMPROVING ITS SITE.

First Reading

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

Assistant Clerk of Council Cope: Second and third readings have been suspended by a vote of seven to zero.

motion to adopt by Swindig, 2nd by Butkowski

motion by Swindig, due to the anticipation of getting the bond issue by January 31,
to add the emergency, 2nd by Johnson

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: Emergency has been added by a vote of seven to zero.

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

Yes, 7 No, 0

Clerk of Council Norris: T 1-2003 has been adopted by a vote of seven to zero and becomes permanent ordinance number 3870-2003 with the emergency.

Permanent Ordinance No. 3870-2003

T 2-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$800,000
3871-2003 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE
 PURPOSE OF IMPROVING LEAR NAGLE ROAD AND CENTER RIDGE

ROAD AND ADJACENT CITY EASEMENTS BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, CURBING, PAVING, CONSTRUCTING A NEW TURN LANE, SANITARY SEWERS AND SIDEWALKS AND INSTALLING AND IMPROVING TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

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

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

Yes, 7 No, 0

Assistant Clerk of Council Cope: Second and third have been suspended by a vote of seven to zero.

motion by Butkowski, 2nd by Swindig to adopt

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

motion by Butkowski to add the emergency because we need this done by the end of January, 2nd by Swindig

President Gillock: Is there any discussion on the emergency? Please call the roll.

Yes, 7 No, 0

Assistant Clerk of Council Cope: Emergency has been added by a vote of seven, zero.

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

Yes, 7 No, 0

Clerk of Council Norris: T 2-2003 has been adopted by a vote of seven to zero with the emergency and becomes permanent ordinance number 3871-2003.

Permanent Ordinance No. 3871-2003

SECOND READINGS:

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

Second Reading

T 141-2002 AN ORDINANCE AUTHORIZING THE MAYOR OR TO ENTER INTO A 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.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JANUARY 6, 2003**

Page 9

Second Reading

THIRD READINGS: None

UNFINISHED BUSINESS: None

COMMITTEE MEETING ANNOUNCEMENTS:

Assistant Clerk of Council Cope:

Next Council Work Session, Tuesday, January 21, 2003 at 7:30 P.M.

Next Regular Council meeting, Tuesday, January 21, 2003 at 8:00 P.M.

Utilities Committee Thursday at 7:00 P.M. in the Conference Room.

ADJOURNMENT:

motion to adjourn by Swindig, 2nd by Butkowski
President Gillock: Meeting adjourned.

Meeting adjourned at 9:25 P.M.

MOTION Butkowski 2ND Olesen DATE January 21, 2003

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL