

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 3, 2005**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order tonight, the North Ridgeville Municipal City Council regular meeting dated January 3, 2005.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President Ronald Arndt. Absent was Council Member Allen Swindig.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Charles Norris

President Arndt: For the benefit of our Council Members and the Administration, Council Member Swindig is absent tonight because Mrs. Swindig has undergone heart catherization. I wish her much success in her recovery.

MINUTES - Corrections (if any) and Approval:

Public Hearing Minutes of December 20, 2004 re: amend portion of final plan of Phase III of Meadow Lakes PCD

Public Hearing Minutes of December 20, 2004 re: Amend the preliminary PCD of Meadow Lakes to be known as Phase IV of Meadow Lakes PCD

Public Hearing Minutes of December 20, 2004 re: T 135-2004

Public Hearing Minutes of December 20, 2004 re: T 136-2004

Public Hearing Minutes of December 20, 2004 re: T 137-2004

Public Hearing Minutes of December 20, 2004 re: T 138-2004

moved by Arndt, seconded by Young to group together tonight an approval of all Public Hearing Minutes dated December 20, 2004

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: Will the Clerk please read the minutes to our regular meeting.

Clerk of Council Norris: Council has before it the:
Council Minutes of regular meeting held December 20, 2004

 moved by Olesen, seconded by Butkowski to approve

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris: Council will also please note the
Planning Commission Minutes of regular meeting December 14, 2004.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's report and the Chair invites the Mayor and the Directors the opportunity to provide Council, with an oral report. We would like to begin, tonight, with our Mayor, Mr. Gillock.

Mayor:

Mayor Gillock: Thank you Mr. President. I have a short report this evening. I would like to wish the Council Members and all the residents a happy new year and hope that 2005 be a safe and healthy year for everyone. This new year is starting out on a happy note, as the Walgreens project has received approval to begin and is now underway.

I want to thank our Service Department for their efforts during the recent snow storm just before Christmas.

I would like to remind residents that this year, City Income Tax will be due April 15 and not April 30 as it was in past years. Changes have occurred within the State law, which have mandated this date change. The tax forms will be mailed out before January 31. If, all you have to report is a W2, you can submit your information to our tax department before March 15 and they will compute your taxes for you. They will then return the completed form to you, which will include the amount of tax that is due. Tax forms can also be found on the City's website at www.nridgeville.org.

That concludes my report for this evening. Thank you.

President Arndt: Thank you, Mr. Mayor. We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

Safety-Service Director

Safety-Service Director Johnson: Thank you, Mr. President. These past few weeks have been a very busy time for our employees. Snow, ice, rain and fire have tested our employees but they were up to this challenge and have performed like a force at least double their size. Mr. Chris Rangus, Streets Department Supervisor will address Council tonight with facts and figures but, but I can tell you that we had every available piece of equipment working nearly around the

clock due to the recent snow storm.

The snow removal work continued up through the thaw and rain we had over this past weekend. This brings us up to the next challenge the City faced. Due to the weekend rain and snow melt, the capacity of our storm water system was tested. There was a lot of water in a short amount of time. However, it worked well resulting in a few problems that were quickly addressed. The sanitary sewer system also performed well, despite some substantial storm water infiltration. The sewage lift stations were working at or near capacity with no cause of backup. French Creek Treatment Plant performed well under the circumstances as well.

In the early morning hours of New Year's day, we received a general alarm house fire. Fortunately, there was no loss of life or serious injury. However, we sustained damage to our thermo-imaging camera and other equipment when fire fighters were forced to evacuate the structure moments before it became fully engulfed in flames. It must have been very dramatic.

Finally, I would like to ask residents to help our crews avoid flooding by keeping debris clear from creeks, ditches and drains. The City's crew regularly clears obstructions when they find them. Sometimes, we don't see these obstructions until it has already caused a backup.

That concludes my report.

President Arndt: Thank you, Mr. Johnson. We now have the opportunity to hear from our Engineer, Mr. Griffith.

Engineer

Engineer Griffith: I'm going to continue along the same line of thought as the Safety-Service Director. With the combination of snow followed by rain, it is possible to experience an extensive amount of standing or ponded water. Homeowners can help the flow of water by the following: Clean the tops of any yard catch basins of any debris or snow that may have accumulated over and covered the top of the basin. The immediate area near the basin should also be cleaned. Make a visual survey of any swales or open channels. As with the catch basins, remove any debris or snow that may impede the flow of water. Store the collected materials from your cleaning activities in an appropriate container for removal with your garbage or at a minimum, place it in a location that will prevent its discharge back into the storm drainage system. North Ridgeville is very flat and even a very small drainage obstruction can create problems.

Thank you Mr. President. That concludes my report this evening.

President Arndt: Thank you, Mr. Griffith. We now have the opportunity to hear from our Auditor, Mr. Costin.

Auditor

Auditor Costin: Thank you, Mr. Chairman. I have no scheduled report for this evening. I do

have a request for Council to consider and pass, T 1 and T 2 with the emergency tonight. As I indicated during the last couple of meetings; this represents the combination of the tax ordinance that we have been working on for more than two years. When it gets to its first reading, I would be glad to delineate the major changes in order that the general public become aware of these significant changes. Those changes were included in an email to Council Members last week, when we had the final-proofed version. With that, I would request that Council consider passing this ordinance so there is continuity of our current income tax revised to conform to the Ohio Revised Code. I will explain again when we get to the first readings.
Thank you.

COUNCIL COMMITTEE REPORTS:

President Arndt: The Chair asks if there are any council committee reports to be brought before council tonight. There being none, we now have the opportunity to move to correspondence.

CORRESPONDENCE:

moved by Young and seconded by Jaenke to suspend By-Laws to dispense with the readings of correspondence numbers one through eight and to post as a notice.

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

For the written record, the following is the correspondence posted as notice:

- 1) Received from the Lorain County Board of Elections, an amended Certificate of Result of Election on tax levy in excess of the ten mill limitation for the purpose of providing and maintaining motor vehicles, communications and other equipment used directly in the operation of the Police Department and paying salaries of permanent police personnel, including the payment of the police officer employers contribution required under Section 742.33 of the Revised Code. Total number of votes cast for the levy: 5,391; against the levy: 7,015.
- 2) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on the proposed Charter amendment to Article III, Section 3.8 of the Charter providing as follows: When the Clerk of Council is absent temporarily from the Municipality or unable for any cause to perform his or her duties, the Assistant Clerk of Council shall act as Clerk of Council with the same rights, powers and duties of the Clerk of Council. Votes for: 8,715. Votes no: 2,974.
- 3) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on the proposed Charter amendment to Article III, Section 3.15 of the Charter providing as follows: Council may adopt standard ordinances and codes prepared by public or private agencies on such matters as fire prevention, building construction, electric wiring, plumbing, heating ventilating or air conditioning by reference to the date and source of the code without reproducing the same at length in the

ordinance. In all such cases, publication of that code shall be kept in the office of the Clerk of Council for reference by interest parties. Votes for: 6,177. Votes no: 4,645.

- 4) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on the proposed Charter amendment to Article IV, Section 4.2 of the Charter providing: When the Auditor is absent temporarily from the Municipality or unable for any cause to perform his or her duties, the Deputy Auditor shall act as Auditor with the same rights, powers and duties of the Auditor. Votes for: 8,287. Votes no: 2,720.
- 5) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on the proposed Charter amendment to Article V, Section 5.2 of the Charter stating that when the Director of Law is absent temporarily from the Municipality or unable for any cause to perform his or her duties, the Assistant Director of Law shall act as Director of Law with the same rights, powers and duties of the Director. Votes for: 7,822. Votes no: 3,198.
- 6) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on the proposed Charter amendment to Article XI, Section 11.6 of the Charter providing: Each net expenditure for any contract or purchase of supplies or material, other than the compensation of persons employed by the City, that exceeds the financial limitation imposed by the statutes of the State of Ohio, shall first be authorized and directed by ordinance of Council. Contract, purchase or lease shall be granted to the lowest bidder after advertisement for not less than two (2) consecutive weeks in a newspaper of general circulation within the City and dissemination to the public via one additional source of general public information or posting. Votes for: 7,590. Votes no: 3,370.
- 7) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on a proposed amendment to Article XI, Section 11.7 of the Charter providing: The Council may authorize expenditures exceeding the financial limitations imposed by the statutes of the State of Ohio without public advertising in specific cases as listed; and in the event of an emergency or catastrophe, for the necessary work to eliminate and correct damages caused by said emergency or catastrophe. Votes for: 3,795. Votes no: 6,779.
- 8) Received from the Lorain County Board of Elections an amended Certificate of Result of Election on Question or Issue on a proposed amendment to Article X, Section 10.3 of the Charter dividing the Civil Service of the Municipality into unclassified and classified service. Votes for: 4,785. Votes no: 5,425.

President Arndt: Will the clerk please read correspondence, item number nine.

Clerk of Council Norris:

- 9) Received a memo from Mayor Gillock explaining performance bonds.

President Arndt: If any member would like to ask questions, as it relates to the memo for clarification, I open the floor for discussion.

Council Member Buescher: I would just like to say that I appreciate that clarification because there was a misunderstanding concerning the final on that. I believe everything is clear now and just wanted to say I appreciate it.

President Arndt: Thank you, Mrs. Buescher. Council Clerk Norris, please read number ten.

Clerk of Council Norris:

- 10) Received a memo from Engineer Larry Griffith reporting that all work or repair within the Chestnut Grove Subdivision has been satisfactorily completed and recommends final acceptance by Council.

President Arndt: THE CHAIR REFERS THIS TO BUILDINGS AND LANDS.

Council Clerk Norris: That concludes correspondence.

NEW BUSINESS:

President Arndt: Mrs. Butkowski would like to address Council.

Council Member Butkowski: During the last snow storm, the post office did not deliver mail on Thursday, the twenty-third and Friday, the twenty-fourth. It was reported that only a few residents received mail. Did you try to call the post office to see if your mail was going to be delivered only to find an 800 number? The local number to the post office is 327-8806. This number is a direct number to the North Ridgeville Post Office. On Monday, after the holiday weekend, the mail was resumed. However, not all residents of the city received mail that day. This is unacceptable for our city. Our post office is only a branch of Elyria. We are the third largest city in the county, but we only have a branch post office. This hurts our residents and businesses that we have and the ones we are trying to attract. It's time that Congressman Sherrod Brown and the Senators help us get our own post office and zip code. There are smaller cities around us that already have their own post office and zip code. If anyone feels the way I do, please contact Sherrod Brown at his office as we will need his help along with the Senators because this is a federal problem and they are the individuals that can help resolve this issue. Sherrod Brown's local number is 365-5877, which is also listed in your phone book.

President Arndt: Thank you, Mrs. Butkowski. We have another item under new business.

Clerk of Council Norris:

Request for change of D1, D2 and D3 liquor permit, corporate stock ownership to Nela Inc., DBA Laurels, 34900 Center Ridge Road.

moved by Arndt, seconded by Butkowski that we not request a hearing as stated on the application so that this permit can be sent to the state for final disposition

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We've reached the audience participation portion of our meeting tonight. Any members of our audience are invited to address your City Council. We request that you fill out the lobby form that you can find in the back of the room because it enables us to contact you personally should there be a need for follow up. You're now welcome and invited to approach the podium at this time. However, there are some caveats and that is that you limit your comments to three minutes and that you clearly state your name, and as well as your address. The podium is immediately to the right of Mrs. Buescher. The lobby is now open.

1) Mr. Chris Rangus, Service Department Superintendent for the City of North Ridgeville commended the city workers for their hard work and dedication. Mr. Rangus provided an explanation of last weekend's events as they related to the snow plowing and also provided an explanation of the process the City follows when events, such as these, occur. Mr. Rangus stated that the City of North Ridgeville saw an average snow fall of about fifteen to eighteen inches within an approximate sixty hour time frame.

moved by Arndt, seconded by Buescher to allow three more minutes for Mr. Rangus to speak

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: Please continue Mr. Rangus.

Mr. Rangus continued to explain the events that occurred throughout the sixty-hour snow storm and what work his Service Department employees had to endure during that time period.

Explained that the City has added more than sixty lane miles of plowing to the service garage this year with one less truck than what we had last year. The average plow route consists of twenty lane miles of plowing. This would mean that we should have added three new trucks and drivers to the service garage. We did not. He stated that manpower and equipment will need to be added if we continue to add more streets to maintain. He stated that more than 700 tons of salt was spread on the city's streets. They only had 900 tons on hand to start with. He asked that residents be more understanding and patient with the drivers and thanked Council for their time. Council Member Buescher: I would like to say how much I appreciate the work that our city did during that snow storm. I have lived here for forty years and there has never been a storm to match this. I personally didn't get my car out of the garage for one week after that storm because the plows couldn't go down the driveway. I really appreciate it.

Council Member Olesen: Mr. President, I have learned a very interesting item that maybe Mr. Rangus could elaborate on. Initially, the plows made one path down each street and the residents were upset that they couldn't get closer to their driveways. I understand with that heavy snow, you were losing mailboxes too and that was one of the reasons you couldn't get up to the driveways.

Mr. Rangus explained that when they are plowing, they make one primary pass down and one primary pass out. The average street takes four passes; two in the middle and two on the edges.

When we are just trying to catch up, we only plow the center two lanes as one pass in and one pass out. When we get caught up, we go back and push the snow back further. The snow got so deep that we were never able to catch up to get to the outside edges during a normal shift. We went from four inches, to six inches to eight inches of heavy snow and what happened was, when the heavy snow got pushed back, the snow snaps the posts right off the mailboxes or bends them all up. It presented another problem. They fielded about one hundred and seventy-two calls in the service garage that day.

Council Member Butkowski: One thing that I've learned, after cleaning out our driveway, is that you need to clean out the end of your driveway and the edge of that road, so when the plows do come down, there is very little snow that they will pick up and push toward your drive. It will surely help you so that you aren't out there reshoveling your driveway.

Mr. Rangus explained why they couldn't angle the plow as they drive by.

Council Member Young: About how many residents contacted you about this issue and how receptive were they once you called each of them back?

Mr. Rangus stated that the service garage fielded one hundred and seventy-two phone calls on voice mail. Most of the calls were complaints and full of negativity.

Council Member Young: Were you able to calm them down?

Mr. Rangus stated that a lot of them he could, but some of them hung up. Noted that some residents he hung up on because he will not be subjected to vulgarity and will not subject his employees to that type of phone call either.

Council Member Buescher: Mr. President, I think it is also important for the people to know that if they haven't been reading the news, that all the surrounding cities have had the exact same problems that we had when this storm took place. It is not as if North Ridgeville was the only City that was having a rough time with that.

Mayor Gillock: Mr. President, I know that a number of the complaints that we received were complaints where people didn't leave their names or phone numbers. They just wanted to call and leave a complaint. There were a number of calls where residents were just asking if their streets were going to be plowed and that is understandable, since we can't get to everyone at the same time. The cul-de-sacs are at the end of the line, we will get to them as soon as we can, but we can't get to them as quick. We do what we can. The mail boxes are being hit and knocked down by the heavy snow and not by our trucks. The city does replace the mail boxes with the basic U.S. government type mail boxes. There were about forty-seven of those mail boxes that were replaced. You do have to be patient as this snow storm was a record event.

Mr. Rangus stated that there are some cities that do not plow cul-de-sacs or secondary streets on over time and these streets about our city. We have plowed cul-de-sacs and every other street in the city, no matter if it was overtime or not. There were some cities that did not plow on the holidays either when double and triple time kicked in.

Safety-Service Director Johnson: I would just like to add that our service garage did help the U.S. Government Agency with the motto, "Rain, Sleet, Snow...." get out as well.

Council Member Buescher: Mr. President, I believe that is the first time that I have not received mail delivered to my house, ever.

Mayor Gillock: One other point. By contract, our employees can't work more than sixteen hours. Basically, what we do is take the staff and divide it in half and they work twelve hour shifts. They go home, get some rest and come back.

President Arndt: Mr. Rangus, just for your information, I received a nice email from someone saying that this City was the only City any where around that had the most pathetically clean streets. Again, you have heard tonight from Council as well as the Administration, that we feel very proud of those who work for us. Please take back to your employees how much we appreciate and value what they have done. Is there anyone else in the audience that would like to approach their Council here tonight?

 moved by Arndt and seconded by Jaenke to suspend our By-Laws to dispense with recess tonight.

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 6 No, 0

RECESS: dispensed with.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

 moved by Arndt and seconded by Buescher to suspend By-Laws to dispense with the committee referral tonight on T 1 and T 2 in order to give them first reading tonight

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 6 No, 0

President Arndt: Will the Clerk please read our ordinances and resolutions submittals.

Clerk of Council Norris:

T 1-2005 AN ORDINANCE AMENDING SECTIONS 880.01, 880.02, 880.03, 880.04, 880.05, 880.06, 880.07, 880.08, 880.09, 880.10, 880.11, 880.12, 880.13, 880.14, 880.15, 880.16, and 880.99 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER REFLECT CHANGES TO THE PROVISIONS OF THE OHIO REVISED CODE THAT GOVERN MUNICIPAL INCOME TAXATION.

T 2-2005 AN ORDINANCE AMENDING SECTION 14(c) OF ORDINANCE NUMBER _____-2005 OF THE CITY OF NORTH RIDGEVILLE, OHIO, RELATING TO THE ALLOCATION OF INCOME TAX FUNDS.

T 3-2005 AN ORDINANCE AUTHORIZING 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 LEAR NAGLE ROAD IMPROVEMENTS PROJECT, INCLUDING APPURTENANCES THERETO ASSOCIATED WITH THE WALGREENS CONSTRUCTION PROJECT, IN THE APPROXIMATE AMOUNT OF \$675,000.00, INCLUDING THE STATE ECONOMIC DEVELOPMENT GRANT, SUBJECT TO THE AVAILABILITY OF THOSE

FUNDS.

moved by Mayor Gillock, seconded by Olesen to suspend By-Laws to give T 3-2005 its first reading this evening

President Arndt: Is there any discussion?

Mayor Gillock: This ordinance will allow the City to go out for bids to construct the road portion of the Walgreens, Lear Nagle restraightening. I will ask Council to consider passing this ordinance this evening with the emergency in order to get going on bids to get this part of that project started.

President Arndt: Is there any further discussion? Will the Clerk please take roll.

Yes, 5 No, 0 Abstention, 1 (Arndt)

• **First Readings**

President Arndt: Will the Clerk please read our first readings

Clerk of Council Norris:

T 4-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF ISLAND POINT
SUBDIVISION FOR RECORDING PURPOSES ONLY.
First Reading

T 5-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 8 IN
PHASE IV OF MEADOW LAKES PCD FOR RECORDING PURPOSES
ONLY.
First Reading

T 1-2005 AN ORDINANCE AMENDING SECTIONS 880.01, 880.02, 880.03, 880.04,
4093-2005 880.05, 880.06, 880.07, 880.08, 880.09, 880.10, 880.11, 880.12, 880.13, 880.14,
880.15, 880.16, and 880.99 OF THE CODIFIED ORDINANCES OF THE CITY
OF NORTH RIDGEVILLE, OHIO, IN ORDER REFLECT CHANGES TO THE
PROVISIONS OF THE OHIO REVISED CODE THAT GOVERN MUNICIPAL
INCOME TAXATION.

First Reading

moved by Buescher, seconded by Jaenke to suspend By-Laws to dispense with second and third readings

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Buescher and seconded by Jaenke to adopt

moved by Buescher and seconded by Jaenke to add the emergency

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. President, we need a reason for the emergency.

President Arndt: Mr. Costin, would you clarify the need for the emergency?

Auditor Costin: Yes, the purpose would be for the continued collection of City income tax to provide services to the citizens for their health, safety and welfare.

President Arndt: Is there any other discussion? There being none, all those in favor of adding

the emergency to T 1 signify by yes. All those opposed signify by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We also have a motion on the floor to adopt T 1 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed signify by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: Motion approved with permanent ordinance number being 4093-2005.
Permanent Ordinance No. 4093-2005

T 2-2005 AN ORDINANCE AMENDING SECTION 14(c) OF ORDINANCE NUMBER
4094-2005 4093-2005 OF THE CITY OF NORTH RIDGEVILLE, OHIO, RELATING TO
THE ALLOCATION OF INCOME TAX FUNDS.

First Reading

moved by Buescher and seconded by Butkowski to suspend By-Laws to dispense with second and third readings

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Buescher and seconded by Jaenke to adopt

moved by Buescher and seconded by Jaenke to add emergency tonight

President Arndt: Is there any other discussion?

Council Member Butkowski: Mr. President, the reason we are adding the emergency is to begin allocations of the ninety-five, five split as we approved before.

Council Member Young: Mr. President, I would like to express again, my reluctance in voting in favor of this. Hopefully, next year, we can get off the ninety-five, five split so that we can replenish our capital project funds in order to afford things such as snow plows.

President Arndt: Is there any other discussion? There being none, all those in favor of adding the emergency to T 2 signify by yes. All those opposed signify by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We also have a motion on the floor to adopt T 2 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed signify by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 2 is adopted with the emergency and becomes permanent ordinance number being 4094-2005.

Permanent Ordinance No. 4094-2005

Auditor Costin: Mr. President would it be beneficial to Council and residents if I communicate the changes to watch for in our new ordinance?

President Arndt: Yes and thank you.

Auditor Costin: The first whereas explains what our intentions are. The major changes were that certain definitions have been added or expanded to conform to the Ohio Revised Code. As the Mayor mentioned earlier, certain dates and requirements have been revised to conform to the Ohio Revised Code. That includes the due date of our individual return, which has been moved

up to April 15 from April 30. The definition of the City taxable income has been revised to conform the Ohio Revised Code and has been expanded to include lottery winnings after January 1 of this year in excess of twenty-five thousand dollars. The minimum withholding on over-the-road truckers has been increased to twenty-five percent from ten percent and is consistent with other cities. Our form 2106, Expense Deduction has been clarified and Mrs. Butkowski has already explained the eighty-five, fifteen that has been increased to ninety-five, fifteen. President Arndt: Is there any questions of our Auditor? Will the Clerk please read T 3.

T 3-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4095-2005 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
BIDDER FOR THE LEAR NAGLE ROAD IMPROVEMENTS PROJECT,
INCLUDING APPURTENANCES THERETO ASSOCIATED WITH THE
WALGREENS CONSTRUCTION PROJECT, IN THE APPROXIMATE
AMOUNT OF \$675,000.00, INCLUDING THE STATE ECONOMIC
DEVELOPMENT GRANT, SUBJECT TO THE AVAILABILITY OF THOSE
FUNDS.

First Readings

moved by Young and seconded by Olesen to suspend By-Laws to dispense
with second and third readings

President Arndt: Is there any discussion? Will the Clerk please take roll.

Yes, 5 No, 0 Abstain, 1 (Arndt)

moved by Young and seconded by Butkowski to adopt

moved by Young and seconded by Butkowski to add the emergency

President Arndt: Is there any other discussion?

Council Member Young: Mr. President, the reason we are asking for the emergency is to get this project underway, which will eliminate our current traffic problems and increase safety at that intersection.

President Arndt: There is a motion on the floor to add the emergency to T 3. Is there any discussion? Will the Clerk please take roll.

Yes, 5 No, 0 Abstain, 1 (Arndt)

President Arndt: We also have a motion on the floor to adopt T3 with the emergency. Is there any discussion? Will the Clerk please take roll.

Yes, 5 No, 0 Abstentions, 1

Clerk of Council Norris: T3 is adopted with the emergency and becomes permanent ordinance number being 4095-2005.

Permanent Ordinance No. 4095-2005

• **Second Readings**

President Arndt: Will the Clerk please read our second readings.

T 146-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE DESIGN, FABRICATION,
EQUIPMENT, PROGRAMMING, TESTING, AND START-UP OF THE

COMPUTER (SCADA) SYSTEM FOR THE FRENCH CREEK
WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$100,000.00.

Second Reading

T 147-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE PURCHASE AND
INSTALLATION OF AN OIL/WATER SEPARATOR AND ASSOCIATED
EQUIPMENT FOR THE FRENCH CREEK WASTEWATER TREATMENT
PLANT, NOT TO EXCEED \$25,000.00.

Second Reading

T 148-2004 AN ORDINANCE AMENDING NRCO SECTION 1042.05, LIMITATIONS ON
WASTEWATER STRENGTH, TO REFLECT NEW OEPA STANDARDS

Second Reading

T 155-2004 AN ORDINANCE AMENDING NRCO 3736-2001, APPROVING THE FINAL
PLAT OF PHASE III OF MEADOW LAKES PCD, TO REFLECT A
SUBSEQUENT AMENDMENT OF THE FINAL PLAT.

Second Reading

T 156-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF PIONEER RIDGE BY
DEL WEBB, PHASE I, (FORMERLY KNOWN AS WATERFALLS BY
WATERBURY) WITHIN WATERBURY PCD.

Second Reading

T 157-2004 AN ORDINANCE APPROVING THE FINAL PLAT OF ASHTON PLACE,
ASHTON PLACE CONDOMINIUM, AND FOUR (4) ADDITIONAL
SUBLOTS IN WATERBURY FRONTING SEPARATELY ON TERRELL
DRIVE IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

Second Reading

• **Third Readings**

President Arndt: Will the Clerk please read the third readings.

Clerk of Council Norris:

T 140-2004 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
~~4095-2005~~ RIDGEVILLE TO ENTER INTO A CONTRACT ACCORDING TO LAW AND
~~4096-2005~~ IN A MANNER PRESCRIBED BY LAW WITH KS ASSOCIATES, INC., A
CONSULTING ENGINEERING FIRM, FOR PROVIDING ENGINEERING
SERVICES FOR THE STRAIGHTENING OF LEAR NAGLE ROAD, NOT TO
EXCEED \$63,000.00.

Third Reading

moved by Olesen and seconded by Young to adopt T 140

moved by Young and seconded by Olesen to add the emergency in order to speed up the process in making that intersection safer

President Arndt: Is there any discussion?

Mayor Gillock: I would like to amend the dollar amount indicated on this ordinance. The reason for this amendment is when the quote was originally provided, it did not include the additional design and engineering services that will be required for bidding this project.

 moved by Mayor Gillock and seconded by Young to amend T 140 to read not to exceed seventy eight thousand dollars.

President Arndt: Is there any discussion? Will the Clerk please take roll.

 Yes, 5 No, 0 Abstain, 1 (Arndt)

President Arndt: We also have a motion on the floor to add the emergency tonight to the amended T 140. Is there any discussion? Will the Clerk please take roll.

 Yes, 5 No, 0 Abstain, 1 (Arndt)

President Arndt: In addition there is a motion on the floor to adopt the amended ordinance T 140 with the emergency. Is there any discussion? Will the Clerk please take roll.

 Yes, 5 No, 0 Abstention, 1

Clerk of Council Norris: T 140 is adopted as amended and with the emergency and becomes permanent ordinance number 4095-2005 4096-2005.

 Permanent Ordinance No. 4095-2005 4096-2005

UPCOMING COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Next Regular Council Meeting Tuesday, January 18, 2005 at 7:30 P.M. in Council Chambers.

Public Hearings Tuesday, January 18, 2005. The individual hearings will be held in the following order beginning at 7:15 P.M.:

- 1) Final Approval of Pioneer Ridge by Del Webb, Phase 1 (formerly known as Waterfalls by Waterbury) within Waterbury PCD
- 2) Final Approval of Ashton Place (39 lots); Ashton Place Condominium (49 lots), and 4 new Waterbury sublots, (Blocks N3, N4, N5 and N6) within Waterbury PCD.

Public Hearing Monday, February 7, 2005 at 7:20 P.M. regarding T 5-2005, approving the final plat of Subdivision 8 in Phase IV of Meadow Lakes PCD for recording purposes only.

President Arndt: We are now entering our second year as Council and I would like to thank Mrs. Buescher, Mr. Swindig, Mr. Jaenke, Mr. Olesen, Mrs. Butkowski, and Mr. Young for being patient with me during my first year. I would like to wish Mrs. Swindig a speedy and healthy recovery. One last announcement tonight and that is Michelle and Andy Young are expecting their first child.

President Arndt: Is there any other announcements? Will the Clerk please read the Committee Announcements.

Clerk of Council Norris: Building and Lands Committee Meeting to be held on Monday, January

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING JANUARY 3, 2005**

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10, 2005. This meeting will be held at 8:00a.m. in the Conference room located at North Ridgeville City Hall, 7307 Avon Belden Road, North Ridgeville, OH 44039.

The purpose of this meeting will be to discuss the following:

- 1) Petition for change in zoning classification of property located at 37082 Center Ridge Road from B5, Architectural Business District and R1 Residential District to B2, Central Business District by FJD Properties, LLC.
- 2) Petition for a change in zoning classification of property located at 37282 and 37302 from B5, Architectural Business District and R1 Residential District to B2, Central Business District by FJD Properties, LLC.
- 3) Petition from FJD Properties, LLC requesting to vacate a portion of Fairway Drive.
- 4) Petition from FJD Properties, LLC requesting to vacate a portion of West Breezeway Drive.
- 5) Any other business deemed appropriate by the committee.

ADJOURNMENT:

motion to adjourn by Arndt

Meeting adjourned at 8:30 P.M.

MOTION _____ Olesen _____ 2ND _____ Butkowski _____ DATE _____ January 18, 2005
(as corrected)

YES _____ 6 _____ NO _____ 0 _____ ABSTAIN _____ 1 - Swindig



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS