NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING DECEMBER 18, 2006

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville Municipal City Council meeting dated Monday, December 18, 2006. If you will all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: Before we begin our meeting tonight; for the benefit of the members of Council, Mrs. Buescher has communicated with me that she is not going to be here with us tonight. Also, for the benefit of all of us in the audience, an exciting opportunity where we have three of the Whitlock children, under the ages of nine, are sitting here to spend an evening experiencing what real government is like. We welcome the Whitlock family here tonight and having said that, the Chair asks that Dr. Norris to please take our roll.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt.
Absent was Council Member Nancy Buescher
Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Griffith, Auditor Chris Costin, and Clerk of Council Charles Norris.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Minutes before Council this evening include:

Public Hearing Minutes of December 4, 2006 re: T 155-2006 and T 161-2006
moved by Olesen, seconded by Jaenke to approve the Public Hearing minutes of November 20 regarding T 155 and T 161
President Arndt: Is there any discussion?
Council Member Butkowski: I think those are minutes of December 4, 2006 instead of November 20.
President Arndt: Thank you for that correction. The minutes shall read December 4, 2006. Is there any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0

Public Hearing Minutes of December 4, 2006 re: Waterbury Subdivision No.3A, Block K
moved by Boose, seconded by Jaenke to approve the Public Hearing minutes of the corrected date of December 4 regarding Waterbury, Subdivision No.3A, Block K
President Arndt: Is there any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0

Council Minutes of regular meeting held December 4, 2006
moved by Butkowski, seconded by Manning to approve the Council minutes of the regular meeting dated December 4, 2006
President Arndt: Is there any other 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 in their packets are the:

Parks & Recreation Commission Minutes of regular meeting October 25, 2006 and
Planning Commission Minutes of regular meeting December 12, 2006.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now have the opportunity to hear from our Mayor and Directors. It's an opportunity that we, as Council, provide them to share an oral report. We would like to begin tonight with our Mayor, Mr. Gillock.

- **Mayor:**

Mayor Gillock: Thank you, Mr. President. As this is the last meeting of 2006, I have a number of committee appointments open and I would like to go over those at this time.

First, Linda Masterson's term on the Board of Building and Zoning Appeals has expired. She has asked to be reappointed, and I will make that motion in a moment. Linda has served on the BZA for a number of years and has done an outstanding job. In addition, Linda is the Liaison to the Board of Flood and Drainage, where she has taken on the job of secretary, which has become a much more involved position in the last couple years with all the emphasis on storm water management. Larry Griffith might want to add his support to that, but at this time, I would ask that the reappointment of Linda Masterson to the Board of Building and Zoning Appeals be approved at this time.
moved by Mayor Gillock, seconded by Olesen to reappoint Linda Masterson to her position on the Board of Building and Zoning Appeals
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0

Mayor Gillock: Thank you. Next, the term of Jim Hurst on the Planning commission has also expired. Jim has served as the Commission Chairman during the last year and has done an excellent job. I have asked Jim to stay on the board and he has agreed.

moved by Mayor Gillock, seconded by Manning to reappoint Jim Chairman Hurst to the Planning Commission.

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

Yes, 6 No, 0

Mayor Gillock: Thank you. Lastly, as far as appointments this evening go, Michael Francu's appointment on the Parks and Recreation Board has expired. Mike indicated to me some time ago that he did not wish to be reappointed to the board for personal reasons. Mike served faithfully for several years and was a great member on the board. He will be sorely missed. Fortunately, we have a great candidate that has been waiting in the wings for a long time. This candidate being Bob Slovak, who retired in 2004 after working for the City for 25 years in the Parks Department and has also been very involved in our youth baseball program. Bob has continuously attended all the Park & Recreation meetings, rarely missing a meeting, and continues to contribute his expertise and experience. Bob has wanted to serve on the Park & Recreation Board ever since his retirement and this is the first time an opening has really been available.

moved by Mayor Gillock, seconded by Boose to appoint Bob Slovak to the Park and Recreation Board

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

Yes, 6 No, 0

Mayor Gillock: Mr. Slovak is here if he could stand and be recognized. We thank Bob for his willingness to volunteer.

Next, I would like to recognize one of our employees for his outstanding work. Most of our employees are outstanding as a rule, and we often get letters from residents regarding something they have done. But just recently we recognized Jim Whitlock's hard work as recycling coordinator and since then a couple communications have come in that you and our community should be aware of. First, I received a letter from Dan Billman, Director of the Lorain County Solid Waste Management District who oversees the distribution of the recycling grant funds. The letter reads as follows: Dear Mayor Gillock, I would like to take this opportunity to tell you that Jim Whitlock does the best job of anybody in the County in doing the grant applications and quarterly reports. He is always a pleasure to work with. Sometimes, we have a tendency to take our employee's hard work for granted. I just wanted to let you know that my staff and I appreciate the cooperation we receive from Jim Whitlock. Signed by Dan Billman, Director of Lorain County Solid Waste Management District. I just felt that, that letter was a little bit above and beyond the norm and I asked Jim to be here tonight to be recognized and he brought with him Cody, Austin and Brook to see their Dad be recognized. Jim, if you would please stand.

President Arndt: Just as a comment, Mr. Mayor. It is just fascinating to hear you say such nice things about Dad and to watch the smiles and the looks on the children's faces. What a great opportunity for you kids to see your Dad be acknowledged that way. A pretty special guy.

Mayor Gillock: Secondly, I was just informed Thursday that for the 2007 year, we will be receiving a recycling grant in the amount of $107,378. This makes the fifteenth consecutive year we have received grant funds from the district, and our cumulative total over that time is $1,265,754. The new sign in front of the Senior Center was purchased with grant funds. We also use those funds for copy paper and envelopes, Fire Department crib blocking systems, barricades and traffic cones used by our Police Department and our blue bag contests are all paid for with grant funds along with many promotional programs. That is a great program and Jim is recognized as the leader in the County with our recycling efforts.

I have also received word from the Lorain County Engineer that our application to the Ohio Public Works Commission for 2007 has been approved. I serve on the Integrating and Executive Committee for District 9. This is the committee that distributes funds, previously known as Issue 2 funds, throughout the State for infrastructure improvement projects. Our project for this coming year is for the improvement of Lorain Road, phase two, which is the improvement of Lorain between the railroad bridge and Root Road. The total cost of the anticipated improvements is 672,000 dollars, of which OPWC will pay 310,000 dollars with a grant, or 46% of the total cost. This will include repaving and other improvements to be determined based upon the bids received.

Next, you have before you an ordinance that I placed on your desk this evening titled an ordinance authorizing the Mayor to purchase four Lifepak 12 heart monitor defibrillators. I ask the Clerk to please provide a T number for that ordinance.
Clerk of Council Norris: That ordinance will be T 181.

moved by Mayor Gillock, seconded by Butkowski to add T 181 to the agenda this evening under First Readings

Mayor Gillock: I would like to provide a brief explanation. We have four squads; two ambulance units and two back up units. This year we appropriated 80,000 dollars for these heart monitor defibrillator units. They are 20,000 dollars a piece. We have to have one for each unit. St. John Westshore Hospital indicated that they would buy two units and donate them to us. When we advised them that we had four squads, they said that they would look into the possibility of purchasing all four and donate them, but that would have to be determined based on funding. They purchased four units and they have received them. Now, it has been determined that they can pay 40,000 dollars and we will have to pay 40,000 dollars. That is not a problem because we need the units and we have appropriated the funds. However, as Council knows, any time we expend more than 25,000 dollars, usually one of the requirements is that we go to bid. This is an exception as there is only one supplier. There is only one manufacturer. MedTronic Physio Control makes the heart pak 12 heart monitor defibrillators that St. John Westshore, Fairview General Hospital and Lakewood Hospitals can currently receive the telemetry from. So, we don't have to go to bid, but we do have to have an ordinance authorizing

us to purchase these units.
President Arndt: Mayor Gillock has made a motion to suspend our By-Laws tonight to give T 181 it's first reading and it has been seconded by Mrs. Butkowski. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Mayor Gillock: Thank you. I would like to also point out that the units the Fire Department are currently using are eleven years old and do not work with the hospitals any longer. Therefore, it is very imperative that we have these on hand.

Finally, each Friday at City Hall, employees are allowed to dress down to casual business clothing for a nominal donation of two dollars. Over the past year we have accumulated a grand total of 572 dollars and 71 cents. As we did last year, we will be giving that money to Community Care in support of their efforts to provide for the needy North Ridgeville residents. I would like to thank and commend all of our employees for their generosity. Many of those same employees participate in Community Care's Adopt a Child program providing gifts to children. On behalf of all the employees in the City, we hope all of these families and children have a great Christmas this year, and to all of our residents, including our Councilmen, Merry Christmas and Happy New Year. That concludes my report.

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, the City has taken advantage of the mild weather we have been having lately by extending our patching, sealing and ditching efforts. However, the snow will come and when it does, we need to make sure our parked cars are off the streets. The plows cannot do their job when there are cars that they have to maneuver around. A snow parking ban is declared when we get two inches of snow or more, but we would appreciate it if the people would remove their vehicles from the roadway as soon as it starts to snow. It would help us immensely. As a reminder, the City also has a parking ban, which bans cars from parking in the streets between the hours of 2:00 A.M. and 6:00 A.M. every day.

We have completed the new parking lot in front of the Senior Center. The new lot adds parking spaces for visitors to enter both City Hall and the Senior Center. More improvements are in plan for the area as funds allow.

Finally, this is the season for house fires. The Christmas trees and candles we enjoy this time of the year can be dangerous, if we are not careful. Please keep your Christmas trees well watered and be sure to extinguish candles when they are unattended. Merry Christmas to all and that concludes my report.

Council Member Butkowski: Mr. Chairman, I have a question.

President Arndt: Of Mr. Johnson?
Council Member Butkowski: Yes. What happened to the Christmas ornaments that usually go along Center Ridge?
Safety-Service Director Johnson: We still have the ornaments. They are not lit anymore. What happened was the wiring that was along Center Ridge that powered those ornaments was poorly done and caused some trouble. So, we had to take the wiring down. We have talked to Mr. Rangus about having that wired again so that area can be decorated once again. We have also talked to our Recycling Coordinator who is here tonight about possibly getting replacement ornaments for that area with recycled money.
Council Member Butkowski: Thank you. I received that question from a resident and I didn't have an answer.

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

- **Engineer:**

Engineer Griffith: Thank you, Mr. President. With this great weather we are having, more people are out doors than usual. Have you stopped to notice how beautiful North Ridgeville is? Our residents should be proud to live here and as a result, have a strong desire to maintain our high quality of life. Granted, there are many pressures on our environment such as population growth, increases in the amount of hard surfaces covering the land, loss of animal habitat, and water and air pollution, among other items.

These pressures are a reflection of the often unconscious actions of many individuals. Fortunately, there are many individual actions that can help keep North Ridgeville a wonderful place to live.

Most people are already doing some of these things that I am about to mention; probably, including you. Please take a moment to choose a few simple things you can do to sustain this place you depend upon and affect.

Number one, if possible, ride a bike or walk to your destination instead of driving your car. Number two, install low-flow water devices for your toilet, shower and faucets. Number three, avoid creating waste by re-use, reduce and recycle. Number four, avoid disposables, use durable products and buy recycled products. Number five, don't litter and cover pickup truck loads, pick up litter even if it is not yours. Number six, avoid toxic and poisonous products. Number seven, take household hazardous waste to County collection sites during their collection drives. Number eight, compost yard and food waste. Number nine, get involved, join in a local community or neighbor group clean up effort even if the group consists of only one person, you.

At its most basic level, we can meet the needs of the present without compromising the ability of future generations to also meet their own needs. Thank you, that concludes my report.

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

- **Auditor:**

Auditor Costin: Thank you, Mr. Chairman. This is that time of year when we do some financial year end housecleaning. It is hard to believe, as it seems we just went through this a month ago. However, we are here. In addition to the Auditor's Written Report for November, which you have already received with my request to pass, I do have some additional comments and requests.

Auditor's Written Financial Report for November 2006.
moved by Butkowski, seconded by Boose to approve the Auditor's Written Financial Report for November 2006
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0

Auditor Costin: Thank you, there are six items I would like to speak about and would like to take a brief moment and go through them if it is okay with the Chair and then perhaps, when they are scheduled for their first reading, I would be glad to answer any questions or discuss them in more detail.

The first item is T 171. It is a resolution to approve the expenditure of funds. This has to deal with an expenditure that was made, for which we have already collected money from a customer, and it has been appropriated. Unfortunately, there was not a purchase order and historically when that occurs, it is beyond my authority and it requires a Council resolution. In the past, as the Mayor has explained, we need to pass these within 30 days. This particular vendor has been waiting for quite some time and we prefer to have it passed by the emergency, so that we can actually get it paid out before the end of December 31. I would request that T 171 have its first reading tonight. It is on the agenda tonight under Ordinances and Resolutions and I request that By-Laws be waived so that it can have its first reading and be passed tonight with the emergency.

The second item is T 178. This is an ordinance that again, historically, we pass each and every year. It reimburses the General Fund for certain administrative expenses that are incurred by the General Fund on behalf of various enterprise funds. They were already appropriated back in April. To affect this ordinance, I would appreciate if it could be passed with the emergency. Again, that ordinance is T 178.

T 179 is one of the two appropriation ordinances I indicated last month that would be before you. T 179 deals with the expenditure appropriation of monies for the first 90 days of fiscal year 2007. We need to have this in place to be able to operate until such time as our final permanent appropriation is passed around the end of March. I would request that T 179 also be passed tonight with the emergency.

The fourth item is T 180. This is something new. I did indicate a couple of meetings ago that I would request Council pass this as well. This ordinance authorizes the ability of our Income Tax Department to accept certain employer information electronically. It allows us to more efficiently operate the department by the acceptance of information electronically from our larger employers. I would request that you pass this again with the emergency tonight. It will be in effect this year. While it seems last minute, we have a tradition in our department that if there are circumstances where smaller employers really can't meet this, it isn't the practice of the department to penalize for nonperformance, particularly at this late time, but to encourage future compliance. I don't anticipate having any issues by having this in place. Frankly, I think the Administrator has the authority and does have it in the instructions for this year as well, but I would like to put some teeth in the provisions in case there are any issues that come up in the future. I would request that you pass this with the emergency tonight in order that our Income Tax ordinance can be amended to include this provision.

Mayor Gillock: If I might interrupt. T 180 has been introduced by Auditor Costin and I would like that ordinance to be introduced by myself. Otherwise, it would have to go to committee according to your By-Laws.

Auditor Costin: I believe the Mayor is correct. However, Council also has the right to suspend their By-Laws to accept the ordinance as is and to pass it tonight.

moved by Boose, seconded by Butkowski to suspend By-Laws tonight to introduce legislation T 180 to be presented 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

Auditor Costin: Thank you. Now, there are two other pieces of legislation that were on your desk this evening and the first piece of legislation is the final adjustment of the permanent appropriations for 2006. Again, I indicated last month that this would be coming. We were unable to, unfortunately, meet cloture. This does amend our final appropriations and it reflects the items that have been passed by Council. It also includes some reclassification related to our debt issues that we thought were favorable. I would request that this be introduced this evening. It is an ordinance amending appropriation ordinance 4233-2006 and following. I would request that this receive the next T number, which would be T 182, if it is okay with Council and that it be passed tonight with the emergency, so that it is in place to complete our fiscal year.

The final piece of legislation, I will comment on briefly. This is a bit of a novelty as we have not passed this before. This is a formality, a separate resolution dealing with advances, advance repayments and transfers that historically we have made over the years. For any Council member, who attended our post audit conference after our audit, you may recollect that this was a point of discussion. The Auditor of State has a bulletin that says that there is a requirement that we have a resolution separate than our appropriation ordinances. While I am not in total agreement with their interpretation of the Ohio Revised Code, I do believe that we should follow their recommendation. I formalize this separate resolution. It has absolutely no impact on any dollar amounts. All it is, is a second piece of legislation, a resolution that authorizes our advances and our transfers during the course of the year. Now, the advances consist of, as you will see on Section 1, our Federal Grants Fund being called an expenditure driven grant. In other words, we have to spend our Federal monies and then the Federal Government will reimburse us. The largest of our grants is our CHIP grant that we use on housing expenditures. We are going to have due to us, approximately 192,000 dollars outstanding that is owed to us from the Federal Government, which we had to spend. The Ohio Revised Code doesn't allow you to spend money in a deficit position within any fund, so essentially, what we are doing here is, borrow money from the General Fund, advancing it to the Federal Grants Fund so that we are in compliance with the Ohio Revised Code at the end of the year. When we collect the money next year, we will then advance it back, which is what the second item states under Section two. It is the repayment of last year's advance. I use approximate amounts because what I have done there is omitted the pennies. There will be pennies involved, so we call it an approximate advance. This is simply a formality of what we have been doing historically year by year in making transfers between different funds and advances between different funds. The transfers that we are talking about are primarily the transfers from the Income Tax Fund to the General Fund and Capital Projects Fund and there are several transfers from various funds that pay debt service that goes into the Debt Service Funds. That is covered under Section 4 of this ordinance. I didn't delineate them here. Those are delineated in all of our appropriation ordinances. I gave you a little bit more detailed explanation of this resolution because it is new as we have not had it in the past and again, I would request that this ordinance receive the T number 183 as a temporary number and be passed tonight with the emergency. The reason that I ask for the emergency is so that they be in effect by December 31 to complete our calendar year end.

moved by Boose, second by Butkowski to introduce legislation under the name of Mayor Gillock number, T 182 and that we suspend our By-Laws to give it its 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

moved by Boose, seconded by Butkowski to suspend By-Laws for legislation introduced under the name of Mayor Gillock, T 183 to give it its first reading

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

Auditor Costin: That completes my report and oral comments. Thank you very much.

President Arndt: Thank you, Mr. Costin. For the benefit of our guests, I see the Whitlock family with some yawns and maybe floating eyes, that at any time you choose to leave, you are more than welcome, as I understand for these young people, this is probably less than fun. At any time you choose, you are more than welcome to leave. Under other reports, Dr. Norris?

- **Other Reports:**

Clerk of Council Norris: Other reports before Council this evening include:

Fire Department Report for November 2006

Planning Commission Report to Council of regular meeting December 12, 2006:

APPLICANT:	Paul Swasey, Representative, Lake Ridge Academy, 37501 Center Ridge Road
OWNER:	Lake Ridge Academy, 37501 Center Ridge Road
REQUEST:	Approval to construct a 24 foot by 40 foot picnic pavilion
LOCATION:	37501 Center Ridge Road in an R-1 District Permanent Parcel No. 07-00-034-000-034 & 07-00-034-000-109
PC ACTION:	Approved by a vote of four to zero

moved by Jaenke, seconded by Boose to approve the Planning Commission action for the approval to construct a 24 foot by 40 foot picnic pavilion
President Arndt: Is there any discussion?
Council Member Jaenke: Mr. President, just to bring everyone up to date. This particular picnic pavilion will be built primarily so the academy can have classes outside along with other activities and it will also be handicapped provided so that anyone that is handicapped will also be able to use the pavilion. That is all I have.
President Arndt: Thank you, Mr. Jaenke. Is there any other 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: Report is approved.

President Arndt: Immediately after Dr. Norris finishes reading the next applicant, the Chair chooses to intercede before any comments are made. Dr. Norris, if you will please?

APPLICANT:	FJD Properties, LLC, 37000 Center Ridge Road
OWNER:	Frank J. Dettore, 37000 Center Ridge Road
REQUEST:	Preliminary approval for a Cluster Subdivision to be known as Boulder Pointe Subdivision
LOCATION:	North of Cary Drive in an R-1 District Permanent Parcel Nos. 07-00-005-103-066, 07-00-008-115-008, -017, -029, -030
PC ACTION:	Approved by a vote of four to zero

President Arndt: As I believe we all know, there has been a lot of conversation, enumerable emails, multiple phone calls around the Boulder Pointe Subdivision Planning Commission report. This Chair has had extensive conversations with many of the parties that have been involved and not least of which is Mr. Olesen from Ward 4. At his request for additional discussion and information, the Chair refers this report to the Building and Lands Committee. This is being done so on the basis of Section 1280.03 Section A4 of Chapter 1280 Cluster Subdivisions as it reads the opportunity for Council to discern additional data which may be required by the Planning Commission and Council to judge the subdivision and its affect upon the surrounding area and the City. This additional opportunity for a community forum will satisfy this Chair's need for additional data to allow not only the Chair, but each member of our City Council to make an appropriate decision. In addition to this referral request that was made by Mr. Olesen to the Building and Lands Committee, the Chair would also request the members of the Building and Lands Committee examine closely, the Homeowner's Association documentation, maintenance of the open space and detention basins, the need for a traffic study and the indication of the amenities to be provided to the City. Having stated that, this has now been REFERRED TO BUILDINGS AND LANDS and Dr. Norris if you will continue on with T 155.

Council Member Olesen: Thank you, Mr. President.

Council Member Boose: I would like to, all of you received on your desk when you arrived, a petition witnessed by Krista Dickens entitled opposition to propose Boulder Pointe Subdivision.

moved by Boose, seconded by Butkowski to suspend the By-Laws to enter into the meeting minutes, the petition presented by Mr. Boose

Yes, 6 No, 0

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

Yes, 6 No, 0

T 155-2006 AN ORDINANCE AMENDING ORDINANCE 3994-2003 SPECIAL DEVELOPMENT DISTRICT AND THE CORRESPONDING MAP.

PC ACTION: Recommended approval by a vote of four to zero.

moved by Jaenke, seconded by Olesen to approve the Planning Commission Action regarding T 155

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again to bring Council up to date, we have had discussions about this particular parcel. Off of Bagley Road, there is a large area of residential property that now has been purchased by Oster Construction. They A classification that was originally assigned to that particular parcel no longer applies because a major portion of that property is now built with homes. The remaining portion should now be classified as C which now states that the developer must have ten acres or more. What this does, is it gives Council the ability to be very careful and cautious of what will eventually go on this particular parcel. This is a real plus for the City, because we will have control of any future building that would be proposed for that particular site.

President Arndt: Thank you, Mr. Jaenke. Any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

T 157-2006 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERBURY SUBDIVISION NO. 3A, BLOCK K, FORMERLY KNOWN AS THE PINES TO BE KNOWN AS WHEATON PLACE, FOR RECORDING PURPOSES ONLY.

PC ACTION: Recommended approval by a vote of four to zero.

moved by Jaenke, seconded by Manning to approve the Planning Commission Action regarding T 157

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again this particular action is for recording purposes only and we are merely changing the name as indicated. Thank you.

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

Yes, 6 No, 0

President Arndt: Dr. Norris, if you will begin with our Council Committee Report and Mrs. Butkowski has one additional comment to make.

COUNCIL COMMITTEE REPORTS:

1) BUILDING AND LANDS COMMITTEE #5636 Members of Council: We have considered the matter of T 153 an ordinance to rezone 32991 Butternut Ridge Road from R-1 Residence District to B-4 Commercial Parkway District and recommend that this request be approved and T 153 be adopted as presented.

Signed: Chairperson Jaenke and Member Olesen

moved by Butkowski, seconded by Jaenke to accept the Building and Lands Committee Report 5636

President Arndt: Any discussion?

Council Member Jaenke: Mr. President, this particular parcel is on Lorain Road near the turnpike and if we all recall, there were two old houses there, which were in need of repair and have now been torn down. This is located on the corner of Bliss Parkway and Lorain Road. The property does front Lorain Road. The property is small in size and the developer is considering putting a series of stores on that particular corner. I have seen the plan. The plan shows a brick building that is very attractive and will fit in with very nicely with that area. That is all I have. Thank you.

President Arndt: Any other discussion? Thank you, Mr. Jaenke. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

2) STREETS, SIDEWALKS & BRIDGES COMMITTEE ORAL REPORT:

Council Member Butkowski: The Streets, Sidewalks and Bridges Committee meeting was held on December 11 to discuss safety associated with street names. We all recall the tragic fire on Steinbeck Court that precipitated this meeting. The Committee along with the Fire and Police Chief came up with a solution to identify the ten streets that are (tape one, side A ends). They

have been identified by the Police and Fire and the Departments will identify the cut off addresses for each of these streets. Then, the 9-1-1 will enter their note into their emergency system. This investigation will also include corner streets with street addresses different from the street that faces their front door. When an emergency call is received, the text screen viewed by the Dispatcher and sent to the emergency responder will include the address and a note that tells the crew the exact accessible streets. The screen will also remind the Dispatcher at the 9-1-1 to verify the location with the caller. This will go into effect in a few days. In the Spring, City Emergency Responders will receive a mapping screen that highlights the address of a call received from a home phone line. Next summer, the mapping system is expected to be on line for calls from cellular phones. The problem was solved quickly because of the quick response from both the Fire and Police Chief. Thank you, everyone for all your help in this important matter so that we do not have a repeat of that tragic fire.
President Arndt: Thank you, Mrs. Butkowski. That concludes all of our committee reports. We now move onto correspondence, for which we have two pieces.

CORRESPONDENCE:

1) Received a letter from Lorain County Engineer Ken Carney, O.P.W.C. District 9 Chairman informing that the Integrating and Executive Committee approved funding assistance for the Lorain Road Reconstruction Phase 2 Project.

2) Received eight Certificates of Result of Elections on Question or Issue regarding the eight proposed Charter amendments that appeared on the November 7, 2006 ballot. All proposed Charter amendments were passed.

President Arndt: We have no new business tonight.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now come to the audience participation or lobby section. Any members of our audience are invited to address your City Council. We request that you fill out the lobby forms that you can find in the far back of the room. This gives us the opportunity to contact you, personally, should there be any need for follow up. You are now welcome and invited to approach the podium immediately to the right of Mr. Boose. However, when you come forward, please clearly state your name and address and please limit your comments please to three minutes. The lobby is now open.

1) Ms. Krista Dickens of 32850 Boulder Drive thanked City Council for addressing the residents concerns of Boulder Drive as they relate to the Boulder Pointe Subdivision.

President Arndt: Mrs. Dickens, I really want to acknowledge you for that because on behalf of all the people that I've had the opportunity to speak with, certainly the community, your voice and comments were well heard and the real intent for all of us on Council, including our Administration, is to make certain that everybody has an opportunity to discuss openly the

issues. Thank you for at least recognizing that we are doing our very best to stay connected.
Council Member Boose: Mr. President, if I could just make a brief comment that, if at all possible, it would be nice if the Building and Lands Committee Meeting that will be discussing this could hold their meeting in the evening so that as many interested parties as possible can plan to attend.
President Arndt: Mr. Jaenke has already addressed that specifically with me and I thank you for reminding us of that.

President Arndt: Who else in our audience would like to say something to your City Council? Thank you.

moved by Arndt, seconded by Butkowski to suspend our By-Laws tonight to dispense with recess

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: We now move into our Ordinance and Resolution submittals. Dr. Norris, could you begin with T 171.

<u>ORDINANCES AND RESOLUTIONS</u>:

Clerk of Council Norris:

- **Ordinances & Resolutions Submittals**

T 171-2006 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

moved by Arndt, seconded by Boose to suspend the By-Laws tonight to give T 171 its first reading

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

Yes, 6 No, 0

T 172-2006 AN ORDINANCE ACCEPTING 1500 SQUARE FEET OF PERMANENT PARCEL NO. 07-00-014-103-029 ON THE SOUTH SIDE OF LORAIN ROAD AND DEDICATING IT FOR PUBLIC PURPOSES.
President Arndt: THE CHAIR REFERS T 172 TO PLANNING COMMISSION.

T 173-2006 AN ORDINANCE AMENDING CHAPTER 1028, DITCHES, WATERCOURSES AND DRAINAGE IMPROVEMENTS TO ALLOW THE CITY TO RECOUP ITS EXPENSES FOR MAINTAINING WATERWAYS ON PRIVATE PROPERTY AND TO CLARIFY THE RESPONSIBILITY OF PRIVATE LANDOWNERS.

T 174-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4321-2006 WHICH

AMENDED NRCO SECTION 242.09 UPDATING BILLING RATES AND ESTABLISHING PAYMENT BY INDIVIDUALS COVERED BY EITHER PUBLIC OR PRIVATE INSURANCE.

moved by Butkowski, seconded by Olesen to suspend the By-Laws tonight to give T 174 its first reading

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

Yes, 6 No, 0

T 175-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A JOINT DEVELOPMENT ENGINEERING SERVICES AGREEMENT WITH THE LORAIN COUNTY ENGINEER FOR LEAR NAGLE ROAD.

moved by Gillock, seconded by Olesen to suspend the By-Laws tonight to give T 175 its first reading

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

Yes, 6 No, 0

T 176-2006 AN ORDINANCE REACCEPTING PERMANENT PARCEL NO. 07-00-035-103-025 AND APPROVING THE NAME OF LINE DRIVE FOR COUNTY RECORDATION PURPOSES.

Law Director Crites: Mr. President, I would recommend that T 176 as it is required, to be referred to Planning Commission.

President Arndt: At the recommendation and wise counsel of our Law Director, immediately to my left, THE CHAIR REFERS T 176 TO PLANNING COMMISSION

T 177-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, LODGE NO. 25, NORTH RIDGEVILLE DIVISION, NON-SWORN, PATROLMEN, AND PROMOTED UNITS.

T 178-2006 AN ORDINANCE REPRESENTING REIMBURSEMENT OF ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY OF NORTH RIDGEVILLE, OHIO.

moved by Olesen, seconded by Boose to suspend the By-Laws tonight to give T 178 its first reading

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

Yes, 6 No, 0

T 179-2006 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2007 AND ENDING MARCH 31, 2007.

moved by Manning, seconded by Boose to suspend the By-Laws tonight to give T 179 its first reading

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

Yes, 6 No, 0

T 180-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4093-2005 BY ADDING A REQUIREMENT FOR CERTAIN EMPLOYERS TO SUBMIT INFORMATION ELECTRONICALLY.

moved by Butkowski, seconded by Olesen to suspend the By-Laws tonight to give T 180 its first reading

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

Yes, 6 No, 0

- **First Readings**

Clerk of Council Norris: First readings this evening include:

T 181-2006
4347-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE FOUR (4) LIFEPAK 12 HEART MONITOR/DEFIBRILLATORS AND DECLARING AN EMERGENCY.

First Reading

moved by Butkowski, seconded by Olesen to dispense with the second and third readings tonight on T 181

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

Yes, 6 No, 0

moved by Butkowski, seconded by Olesen to adopt tonight T 181

moved by Butkowski, seconded by Olesen to add the emergency tonight to T 181 for the safety, health and welfare of our community

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

Yes, 6 No, 0

President Arndt: In addition we have a motion on the floor by Mrs. Butkowski and a second by Mr. Olesen to adopt tonight T 181 with the emergency. Any discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 181 is adopted with the emergency and becomes permanent ordinance 4347-2006

Permanent Ordinance No. 4347-2006

T 182-2006
4348-2006 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4233-2006, 4253-2006, 4260-2006 AND 4313-2006 FOR THE CITY OF NORTH

RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2006 AND ENDING DECEMBER 31, 2006.
First Reading
moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 182

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

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 182
moved by Boose, seconded by Butkowski to add the emergency tonight to T 182 in order to complete our fiscal year properly

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: In addition we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 182 with the emergency. Any discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 182 is adopted with the emergency and becomes permanent ordinance 4348-2006

Permanent Ordinance No. 4348-2006

T 183-2006 A RESOLUTION AUTHORIZING INTERFUND ADVANCES AND
1096-2006 ADVANCE REPAYMENTS AND TRANSFERS FOR THE YEAR 2006.
First Reading
moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 183

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

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 183
moved by Boose, seconded by Butkowski to add the emergency tonight to T 183 in order to complete our fiscal year properly

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: In addition we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 183 with the emergency. Any discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 183 is adopted with the emergency and becomes permanent resolution 1096-2006

Permanent Resolution No. 1096-2006

T 171-2006 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.
1097-2006 First Reading
moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 171

President Arndt: Any discussion?
Council Member Boose: Mr. President, I just want to make sure that I heard the Auditor correctly in that the funds have already been paid for by the customer.
Auditor Costin: No, the customer has paid the City. We have collected the fees from the customer and we need to pay the vendor now. We have not paid the vendor.
Council Member Boose: Correct, but the money is in.
Auditor Costin: Yes, the money is in our treasury and is properly appropriated. We just need to cure this defect.
Council Member Boose: Okay, thank you.
President Arndt: Is there any other discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 171
moved by Boose, seconded by Butkowski to add the emergency tonight to T 171 in order to meet the payment deadline

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: In addition we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 171 with the emergency. Any discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 171 is adopted with the emergency and becomes permanent resolution 1097-2006.

Permanent Resolution No. 1097-2006

T 174-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4321-2006 WHICH
4349-2006 AMENDED NRCO SECTION 242.09 UPDATING BILLING RATES AND ESTABLISHING PAYMENT BY INDIVIDUALS COVERED BY EITHER PUBLIC OR PRIVATE INSURANCE.
First Reading
moved by Butkowski, seconded by Manning to dispense with the second and third readings tonight on T 174

President Arndt: Any discussion?
Council Member Boose: Mr. President, under item number Section 1b, it indicates that, and I was present when the committee was discussing this, that the increase in fees and the opportunity for the City to bill private or public insurance and then whatever we collect would be considered to be payment in full and for those without insurance, they would not be asked to pay. However, under Section 1b it states that they will bill each private or public insurance covered user and

then it states and to institute whatever action is necessary to collect from user's insurance whether public including Medicare or private when billed. I don't have an issue with residents being billed for the coverage. However, I do have an issue with taking whatever action is necessary to collect from the insurance company. I think billing is one thing, but then having the opportunity to go after it again and again or whatever that means is necessary to collect, could cause some insurance companies to increase rates for potential citizens. Trying to collect on something that they first refuse to pay. I think that is a bit much.
Safety-Service Director Johnson: Mr. Chairman, I would remind Council that this ordinance deals with residents and non residents. We are currently going through measures already with the non residents. This just reinforces that.
Council Member Boose: Right, again I don't have an issue with the non residents. It is the residents that have voted in the past levies for the services that we are trying to bill the insurance companies for. I just want to make sure that we don't try to go after that too roughly on residents.
Mayor Gillock: Mr. President. We have always billed non residents. We are now going to bill the resident's insurance carriers. The resident's portion of deductibles, co-pays or anything else that might come into play are deemed to have been paid through their taxes. They will not be billed and we will not try to collect from them. I don't believe that the Councilman is suggesting that we bill the insurance company and they state, no we just ignore it. They have an obligation to pay and these residents pay a premium for that. We are going to bill them and we will collect from the insurance carriers or medicare, but not from the residents. We are not going after the residents. That was part of the way it was set up. This has always been our practice in North Ridgeville and we will not bill the residents for it. In fact, during the discussions there was two ways we could bill for this and one of them was that we would bill the resident who would then collect from the insurance company and then extend the money to us. We did not agree on that way of billing as we don't want to have to involve the resident. We will have to ask for insurance information when we pick them up, but other than that, they really aren't involved in this. Thank you.
Council Member Boose: Could I ask then that if there is any possibility that when we bill the insurance company for a resident and we go after that and that because of a claim against the policy, that the resident's insurance premiums could then be increased because of the usage of it?
Mayor Gillock: I can't really speak on how an insurance company handles their rates, but they are billing for that now and they are collecting a premium for that coverage now. Obviously, if nationally, when everyone starts billing their insurance companies and the insurance company starts paying for this, then they will probably consider that. This is something that is covered by insurance, they are collecting a premium for it now and most cities are implementing this. Many cities are going a lot farther. They are looking at police calls and everything. We are not getting into that. Most of this pertains to medicare. That is government and I doubt whether they will change their rates.
President Arndt: Is there any other discussion?
Council Member Boose: One other thing under item D. Only 25 percent of the proceeds of the fees will be placed in a separate fund. The previous ordinances shows that all the monies went into that.
Mayor Gillock: I believe the other one stated 10 percent. The Fire Chief and I discussed this and

perhaps the Auditor can speak on this. When funds come in, it is my understanding that they first have to go to the General Fund. If we put all that money into the fire fund, we are anticipating collections of up to 400 to 500 thousand dollars a year. After a while, you would have a huge pot of money there that you wouldn't be able to use. We anticipate using part of that to support the General Fund.

Council Member Butkowski: Mr. Chairman, I grilled the Fire Chief on this for about a half hour. He assured me that he could live under this 25 percent repeatedly. He didn't have one bit of a problem with it. I didn't believe that was correct either and we had long discussions about this and he assured me there would be no problem. At any point, however, if there seems to be a problem, we can always go back and change this.

Council Member Boose: I only question it because it is a reduction of 75 percent of the funds.

Council Member Butkowski: I did too. The Fire Chief can explain this in detail. Take my word for it though, he has been grilled about it once.

President Arndt: Any other discussion? To remind everyone, we have a motion on the floor by Mrs. Butkowski and a second by Mrs. Manning to dispense with the second and third readings tonight on T 174. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Butkowski, seconded by Olesen to adopt tonight T 174

moved by Butkowski, seconded by Olesen to add the emergency tonight to T 174 in order to start the collection of funds

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

Yes, 5 No, 1 (Boose)

President Arndt: In addition we have a motion on the floor by Mrs. Butkowski and a second by Mr. Olesen to adopt tonight T 174 with the emergency. Any discussion? Will the Clerk please take roll?

Yes, 5 No, 1 (Boose)

Clerk of Council Norris: T 174 is adopted with the emergency by a vote of five to one and becomes permanent ordinance 4349-2006

Permanent Ordinance No. 4349-2006

T 175-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A JOINT
4350-2006 DEVELOPMENT ENGINEERING SERVICES AGREEMENT WITH THE LORAIN COUNTY ENGINEER FOR LEAR NAGLE ROAD.

First Reading

moved by Gillock, seconded by Olesen to dispense with the second and third readings tonight on T 175

President: Is there any discussion?

Mayor Gillock: Mr. President, along with Center Ridge Road, one of our priorities is working on Lear Nagle. For several years, the widening and rehabilitation of Lear Nagle from Lorain Road to Center Ridge Road has been on NOACA and ODOT's Transportation and Improvement Plan. However, nothing was ever accomplished because the next step was up to the City to do the necessary engineering to move the project forward. It is scheduled to be addressed and the work is scheduled to be completed in the year 2010 as long as we do our part. As we have seen from earlier discussions, Lear Nagle is certainly in need of some widening. It is possible that there

might be a new interchange put in, in Avon, which could exacerbate the situation. The County Engineer through the Ohio Revised Code and the Commissioners sold bonds and has loan money available for engineering and land acquisition at no interest. The repayment is over a ten year period and it does not begin until two years after the commencement date, which is the date they start spending money on engineering services. We wish to avail ourselves of that program to be applied to the Lear Nagle project. We would still have to come to Council for appropriating the money as well as the significant steps required. However, this gives us the ability to enter into an agreement with the County to borrow money for engineering services to move that project forward. Thank you.
Council Member Olesen: Mr. President, I think we have to do everything in our power to make this happen. We are already talking about traffic problems on Lear Nagle with the possible new development. We do have to push this through.
Council Member Butkowski: Mr. Chairman, I know that our original plan is four lanes from Lorain Road to Chestnut. Might I suggest that because of the Avon idea of adding that new opening there on the intersection of 90, that we make it four lanes from Lorain all the way to Center Ridge Road.
Mayor Gillock: We have paid thousands of dollars in engineering services to have that type of decision reviewed. We will be looking at it again as we move forward. Last year, we engaged Arcadis Engineering to do a traffic study count. At this point, we are looking at adding a third lane from Lorain to Chestnut and then four lanes. There are a number of issues that go into the engineering aspect. The size of the two bridges there, the high pressure water line and other factors are all considered.
President Arndt: Thank you, Mr. Mayor. Is there any other discussion? For clarification, we have a motion by Mayor Gillock and a second by Mr. Olesen to dispense with the second and third readings tonight on T 175. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to adopt tonight T 175

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

Yes, 6 No, 0

Council Member Olesen: I move to add the emergency to T 175.
Council Member Butkowski: Second.
Council Member Boose: Can I ask for clarification on the reason to add the emergency?
Council Member Olesen: I think we should move these programs through as quickly as possible as this gives us an extra thirty days to work with.
Council Member Boose: Mr. President, can I ask the Mayor if the emergency is needed.
Mayor Gillock: We really don't need the emergency because this just gives us the authority to enter into the contract, which we're going to have to review anyway.
Council Member Olesen: I'll withdraw my motion.
Council Member Butkowski: I'll withdraw my second.
President Arndt: Both Mr. Olesen and Mrs. Butkowski have withdrawn the motion. Therefore, we have completed with the adoption of T 175.
Clerk of Council Norris: The permanent ordinance number for T 175 is 4350-2006.

Permanent Ordinance No. 4350-2006

T 178-2006 AN ORDINANCE REPRESENTING REIMBURSEMENT OF
4351-2006 ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY OF NORTH RIDGEVILLE, OHIO.
First Reading
moved by Manning, seconded by Boose to dispense with the second and third readings tonight on T 178

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

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to adopt tonight T 178
moved by Arndt, seconded Boose to add the emergency tonight on T 178 for the purpose of reimbursement of administrative expenses from various funds

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: In addition, we have a motion on the floor by Mr. Olesen. A second by Mrs. Butkowski to adopt T 178 tonight with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 178 is adopted with the emergency and becomes permanent ordinance number 4351-2006.

Permanent Ordinance No. 4351-2006

T 179-2006 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS
4352-2006 OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2007 AND ENDING MARCH 31, 2007.
First Reading
moved by Manning, seconded by Butkowski to dispense with the second and third readings tonight on T 179

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

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 179
moved by Boose, seconded by Butkowski to add the emergency to allow the City to operate until such time that the appropriations are finalized and approved in March of 2007

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

Yes, 6 No, 0

President Arndt: And there is a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 179 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 179 is adopted with the emergency and becomes permanent ordinance number 4352-2006.

Permanent Ordinance No. 4352-2006

T 180-2006 4353-2006 AN ORDINANCE AMENDING ORDINANCE NO. 4093-2005 BY ADDING A REQUIREMENT FOR CERTAIN EMPLOYERS TO SUBMIT INFORMATION ELECTRONICALLY.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 180

President Arndt: Any discussion?

~~Council Member Olesen~~ *Council Member Boose:* Mr. President, yes, it is very good for our City to try and get as much of the information from our employers as well as employees electronically as it makes our tax department much more efficient. I am in favor of this and not only for that but also just in case because of the time deadline if there are some businesses that will have difficulty meeting the compliance that the Auditor has indicated that the department will not penalize non compliance but rather encourage future compliance with their actions. Thank you.

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

Yes, 6 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 180

moved by Boose, seconded by Jaenke to add the emergency in order that we have this ordinance change in place because of the timing issue

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

Yes, 6 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 180 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 180 is adopted with the emergency and becomes permanent ordinance number 4353-2006.

Permanent Ordinance No. 4353-2006

President Arndt: That concludes all of our first readings. Dr. Norris, if we can move to our second readings beginning with T 163.

- **Second Readings**

Clerk of Council Norris:

T 163-2006 AN ORDINANCE AMENDING NRCO CHAPTER 858, RUMMAGE SALES.
Second Reading

T 169-2006 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERBURY SUBDIVISION NO. 9, PHASE 9, FOR RECORDING PURPOSES ONLY.
Second Reading

President Arndt: That concludes our second readings. We begin our third readings with Dr. Norris recanting T 161.

- **Third Readings**

Clerk of Council Norris:

T 161-2006
4354-2006 AN ORDINANCE AMENDING NRCO SECTION 1444.17 GRADING PLAN APPROVAL PRIOR TO BUILDING PERMIT ISSUANCE; SEEDING AND MULCHING; CONFLICT OF LAWS.
Third Reading
moved by Olesen, seconded by Jaenke to adopt tonight T 161
President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0
Clerk of Council Norris: T 161 is adopted and becomes permanent ordinance number 4354-2006.

T 166-2006
4355-2006 AN ORDINANCE AMENDING NRCO SECTION 618.03 NUISANCE CONDITIONS PROHIBITED
Third Reading
moved by Olesen, seconded by Jaenke to adopt tonight T 166
President Arndt: Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?
Yes, 6 No, 0
Clerk of Council Norris: T 166 is adopted and becomes permanent ordinance number 4355-2006.

President Arndt: That concludes our third readings. We have one piece of old business and Dr. Norris that would be T 155 please.

OLD BUSINESS:

Clerk of Council Norris:
T 155-2006
4356-2006 AN ORDINANCE AMENDING ORDINANCE 3994-2003 SPECIAL DEVELOPMENT DISTRICT AND THE CORRESPONDING MAP
moved by Jaenke, seconded by Boose to adopt tonight T 155
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 155 is adopted and becomes permanent ordinance number 4356-2006.

President Arndt: That concludes our old business and Dr. Norris, if you will read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

Safety Committee meeting Tuesday December 19, 2006 at 7:00 P.M. in the Conference Room

Next Regular Council Meeting Tuesday, January 2, 2007 at 7:30 P.M. in Council Chambers

Public Hearing to be held Tuesday, January 16, 2007 at 7:20 P.M. in Council Chambers re: T 169-2006

Council Member Olesen: Mr. President, may I say one thing. I would like to inform the Building and Lands Committee members that I will be sharing some constructive email that I received from the residents of the Boulder area.

President Arndt: On behalf of the Administration and City Council it is the wish of all of us that we have a very safe holiday season and for those of you who saw little pieces of candy sitting on your desk; I am not promoting dental decay this month. That is a gift from my wife. Have a Merry Christmas everybody.

ADJOURN:

moved by Butkowski to adjourn

Meeting adjourned at 9:03 P.M.

MOTION Butkowski 2ND Manning DATE January 2, 2007
as corrected on Page 23

YES 6 NO 0 ABSTAIN 0

PRESIDENT OF COUNCIL DR. RONALD F. ARNDT CLERK OF COUNCIL CHARLES A. NORRIS