

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 2, 2007**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville Municipal City Council's first meeting of the year 2007 dated January 2. If you will all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: Dr. Norris please take our roll.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt.

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:

Council Minutes of regular meeting held December 18, 2006
 moved by Butkowski, seconded by Manning to approve the Council minutes of the
 regular meeting held December 18, 2006

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, on page 23, under item T 180-2006, where it says Council Member Olesen, that should be Council Member Boose.

President Arndt: Duly noted and will be placed as part of our records. Is there any other discussion? There being none, will the Clerk please take roll.

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

Clerk of Council Norris: Minutes have been approved by a vote of six, zero and one abstention.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We have the opportunity to hear from our Mayor and our Directors. We would like to begin tonight with our Mayor, Mr. Gillock.

- **Mayor:**

Mayor Gillock: Thank you, Mr. President and Happy New Year to our Council Members, viewers and residents at home. We have a short agenda this evening and we'll try and keep the Mayor's report as succinct as possible to go along with that agenda.

First, under ordinances and resolutions submittals, Council Members will find T 1, a resolution to approve the expenditure of additional funds. This is for additional billing from the Ohio Department of Transportation for the repaving of Center Ridge Road, which was completed in 2005. We have approximately 32,500 remaining in escrow. However, the final tally owed is 58,492 dollars and 79 cents for our portion. We don't need a motion. I would ask that you add my name as sponsor so that it doesn't have to go to a committee and that it be passed this evening without the emergency in order that we get this paid.

I would also like to advise our Council Members that we have completed the purchase of the telephone building at the corner of Maddock and Center Ridge Road. If any of you would like to tour that building, please contact our office as we now have the keys. That concludes my report for this evening.

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. I'll make mine even shorter. T 177 on your agenda tonight involves the FOP contract and I would appreciate it if Council would consider passing that this evening. There is no need for the emergency. 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: Thank you, Mr. President. Contrary to the two preceding reports, mine is a little longer. I have mentioned on a number of occasions that what we do, as individuals, can have a significant impact on the environment. To illustrate this fact, I'm going to summarize a story concerning Seattle, Washington that appeared in the Environmental Protection magazine. Now, keep in mind that the City of Seattle sits on the Puget Sound in a manner much like the Cleveland and Lorain area sits on Lake Erie.

Researchers taking weekly tests of treated sewage sent into the Puget Sound from the West Point

treatment plant indicated that cinnamon, vanilla and artificial vanilla levels rose between November 14 and December 9, with the largest spike occurring right after Thanksgiving. According to researchers at the University of Washington, holiday baking and eating had an environmental impact. Per Rick Keil, an associate professor of chemical oceanography, "Even something as fun as baking for the holiday season can have an environmental effect. When we bake and change the way we eat, it has an impact on what the environment sees."

Using benchmarks from a published scientific study, researchers were able to estimate that people in Seattle and a few outlying areas served by the West Point sewage plant scarfed down a daily equivalent of about 160,000 butter or chocolate-chip-type cookies and about 80,000 cookies containing cinnamon during the Thanksgiving weekend.

So far, the research has turned up no evidence that this is harming sea creatures. However, fish rely heavily on their sense of smell to locate food, and for example, in the case of salmon, to find their way back to their home stream to spawn. All spices have odors associated with them, so it's interesting to ask whether they are there in sufficient concentration for fish to smell them.

These results reinforce the message that what goes down the drain has to come out somewhere and what applies to vanilla and cinnamon also applies to pesticides, fertilizers and a host of other products that get poured down the drain. Thank you, Mr. President. That concludes my report this evening.

President Arndt: An interesting one indeed. I will be cautious with my paprika the next time I use it. Thank you, Mr. Griffith. While we might make light of some of these stories, you really do bring some interesting facts to the surface that I am sure we don't think of too often and I really appreciate that. We now have the opportunity to hear from our City Auditor, Mr. Costin.

• **Auditor:**

Auditor Costin: Thank you, Mr. Chairman. No report scheduled for this evening.

 moved by Butkowski, seconded by Buescher to appoint Chris Costin as Auditor for the term beginning January 1, 2007 and ending December 31, 2008

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

 Yes, 7 No, 0

President Arndt: Mr. Auditor, thank you. We have you back again.

Auditor Costin: I'm up to the challenge.

President Arndt: Thank you, Mr. Costin. Dr. Norris if you will continue on with our other reports, please.

• **Other Reports:**

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

Police Department Support Car Report for November 2006 and
Water System Operation report for November 2006.

Senior Citizens Advisory Board Report by Council Member Olesen:

Council Member Olesen: Thank you, Mr. President. I am hoping that it will be as entertaining as Mr. Griffith's report. The spaghetti dinners are back. The first one will be January 26 and will be served from 5:00 P.M. until 7:00 P.M. at the Senior Center. It is a good buy. It is very inexpensive and I believe that everyone that goes to these, always has a good time. There are free blood pressure checks that will take place Wednesday, January 17 beginning at 9:00 A.M. and will end at noon. Lunch will also be served on that day for three dollars and 25 cents. I would advise you to call the Senior Center in order that they ensure you have a reservation. There is another event being held on Thursday, January 25 called Super Thursday. Super Thursday is a luncheon that includes entertainment, which is usually very good. The price of that is five dollars. Lunch will be served at noon and reservations are required, so please call the Senior Center. Thank you very much and that concludes my report.

President Arndt: Thank you, Mr. Olesen. We will now move onto our Council Committee reports. Dr. Norris, if you will read our safety committee report for us.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris: We have one Council committee report this evening.

1) SAFETY COMMITTEE REPORT #5637 dated December 19, 2006. Members of Council, we have considered the matter of on-street parking and recommend that this request be approved and proper legislation be drawn authorizing the change in ordinance 452.03 (a) (14) to add "and or parking".

Signed by Chairperson Boose and Members Butkowski and Buescher.

 moved by Boose, seconded by Buescher to accept the Safety Committee Report #5637
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

President Arndt: We have no correspondence and no new business. We have the opportunity to move to our Audience Participation.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now come to the audience participation or lobby section. Any members of

our audience tonight will have the opportunity to address your City Council by walking up to the microphone immediately to the right of Mrs. Buescher. We request that you fill out the lobby forms that you can find in the far back of the room because that enables us to contact you, personally, should there be any need for any follow up. You are now welcome and invited to address your City Council. However, when you come forward, please clearly state your name and your address and limit your comments, please, to three minutes. The lobby is now open.

1) Mr. Edward Baugh of 33100 Boulder Drive addressed T 173 as it relates to the amendments to Chapter 1028. He explained that this ordinance makes no allowance to previous agreements made by the City to private property owners and the City. Explained a prior agreement with the City at the time of installation of a drainage ditch where the City would provide maintenance noting that there is no statement made in this ordinance that the City would abide by this commitment. Explained that he currently has a problem that the City has been aware of and that the cause of the problem is the City's portion of the drain being clogged and at some point in time, the drain to his property will also be clogged. He expressed his concerns relating to these current problems with potential future problems regarding the proposed Boulder Pointe subdivision.

2) Mr. Joseph Antush of 38500 Otten Road expressed his concerns relating to the City reducing the deer herd. Explained that the deer population is causing the mobility of traffic to be unsafe. He noted several ways to reduce the deer herd and acknowledged that the Safety Committee is looking into ways to reduce the herd. He believes that if the City doesn't do anything about this problem, the City would be negligent to their responsibility to the residents safety and well being.

President Arndt: Thank you, Mr. Antush. Is there anyone else who would like to address your City Council?

moved by Arndt, seconded by Boose to suspend our By-Laws to dispense with our recess
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

RECESS: dispensed with

President Arndt: We now move to our Ordinance and Resolution Submittals and Dr. Norris if you will begin with T 1, please.

ORDINANCES AND RESOLUTIONS:

Clerk of Council Norris:

- **Ordinances & Resolutions Submittals**

T 1-2007 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.
 moved by Olesen, seconded by Manning to suspend By-Laws tonight to give T 1 its first
 reading

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

Yes, 7 No, 0

President Arndt: That concludes with our submittals. Dr. Norris, if you will begin our First
Readings please.

- **First Readings**

Clerk of Council Norris: First readings this evening include:

T 153-2006 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS
THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING
LAND: 32991 BUTTERNUT RIDGE ROAD, PERMANENT PARCEL
NUMBER 07-00-003-102-050 (AS SHOWN BY LEGAL DESCRIPTION
BELOW); FROM R-1 RESIDENCE DISTRICT TO B-4 COMMERCIAL
PARKWAY DISTRICT AND OWNED BY MOULD DEVELOPMENT, LLC.
First Reading

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.
First Reading

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.
First Reading

Mayor Gillock: Mr. President, if I could back up to T 172 for a minute. I just want to clarify that
the property is on the northwest corner and not on the south side.

President Arndt: The northwest corner?

Mayor Gillock: It is on the north side of Lorain.

moved by Arndt, seconded by Jaenke to amend the title of T 172 to read, instead of on the south side of Lorain Road, to read, on the northwest corner of Lorain Road

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

Yes, 7 No, 0

Law Director Crites: Did we refer that to Planning Commission?

President Arndt: It was referred to the Planning Commission. We don't want to pass this at this point. It has already been referred. That is T 172.

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.

First Reading

President Arndt: This one was also referred to Planning Commission.

Council Member Boose: Mr. President, I apologize. I did not realize we were finished with T 173. Can I ask a question regarding T 173?

President Arndt: Let's back up so that we can do that.

Council Member Boose: I refer to section one of T 173. What regard is there if there has already been a structure that has been approved by the City prior to March of 76? I know that would be a 30 year structure, but what allowances do we have for that and referring to Mr. Baugh's question? What sort of fall back do we have for any previous agreements made and how are they addressed in this legislation?

Mayor Gillock: I'd like to take a shot at that question. Our ordinances state that any structure or anything else that goes into an easement has to be approved by the City Engineer. I would leave that to the Law Director to address. However, I believe that part of the ordinance will stay the same in that if it is not approved by the City Engineer, it would remain the private property owner's responsibility.

Law Director Crites: Somewhat on the same subject, but addressing the separate aspect of your question, no legislation that Council would pass could invalidate or void out any previous separate private agreements between the City and a private land owner. Those agreements would remain in themselves binding and legislation would only apply to whether there is an absence of one.

President Arndt: Thank you and that should answer Mr. Baugh's question. We have completed T 176 and we are now at T 177.

T 177-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4357-2007 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.

First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 177

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

Yes, 7 No, 0

moved by Olesen, seconded by Butkowski to adopt tonight T 177

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

Yes, 7 No, 0

Clerk of Council Norris: T 177 is adopted and becomes permanent ordinance 4357-2007.
Permanent Ordinance No. 4357-2007

T 1-2007 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

1098-2007 First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings tonight on T 1

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

Yes, 7 No, 0

moved by Olesen, seconded by Butkowski to adopt tonight T 1

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

Yes, 7 No, 0

Clerk of Council Norris: T 177 is adopted and becomes permanent resolution 1098-2007.
Permanent Resolution No. 1098-2007

President Arndt: That concludes all of our first readings. We have no second readings this evening. We move now to our third readings and Dr. Norris if you will begin with T 163.

• **Third Readings**

Clerk of Council Norris:

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

4358-2007 Third Reading

moved by Olesen, seconded by Jaenke to adopt tonight T 163

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

Yes, 7 No, 0

Clerk of Council Norris: T 163 is adopted and becomes permanent ordinance 4358-2007.
Permanent Ordinance No. 4358-2007

T 169-2006 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERBURY

SUBDIVISION NO. 9, PHASE 9, FOR RECORDING PURPOSES ONLY.

Third Reading

moved by Arndt, seconded by Buescher to postpone tonight T 169 until after the scheduled Public Hearing of January 16

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

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved.

President Arndt: That concludes our third readings. We have no old business tonight. Dr. Norris, if you will read for us, our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris: Upcoming meeting announcements include:

Next Regular Council Meeting Tuesday, January 16, 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 regarding T 169-2006

Public Hearing to be held Monday, February 5, 2007 at 7:20 P.M. in Council Chambers regarding T 153-2006

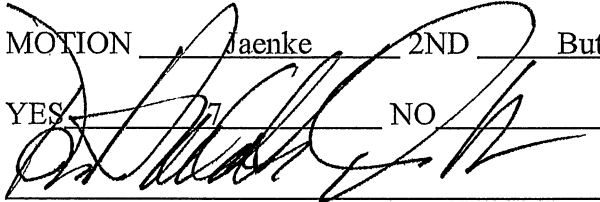
Council Member Jaenke: Mr. President, I would like to announce a Building and Lands meeting for next Monday at 7:00 P.M. here in Council Chambers and the subject will be the Moreland Homes Subdivision that abuts Boulder Drive. Thank you.

President Arndt: Thank you, Mr. Jaenke. The Chair will entertain a motion.

ADJOURN:

moved by Butkowski to adjourn

Meeting adjourned at 8:00 P.M.

MOTION	<u>Jaenke</u>	2ND	<u>Butkowski</u>	DATE	<u>January 16, 2007</u>
YES	<u>7</u>	NO	<u>0</u>	ABSTAIN	<u>0</u>
					
PRESIDENT OF COUNCIL DR. RONALD F. ARNDT			CLERK OF COUNCIL CHARLES A. NORRIS		