

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 1, 2013**

CALL TO ORDER: 7:30 P.M.

President Pro Tem Butkowski: I call to order the Monday, April 1, 2013 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION:

Led by President Pro Tem Butkowski.

PLEDGE OF ALLEGIANCE:

Led by all.

ROLL CALL:

Present were Council members Dennis Boose, Nancy Buescher, Robert Olesen, Roseanne Johnson and President Pro-Tem Bernadine Butkowski.

President Kevin Corcoran and Richard Jaenke were excused.

Also present was Mayor G. David Gillock, Safety-Service Director Jeffry Armbruster, Assistant Law Director Toni Morgan, Engineer Scott Wangler, Auditor Chris Costin and Clerk of Council George E. Smith.

MINUTES - Corrections (if any) and Approval:

President Pro Tem Butkowski: Moving on to the minutes. Public hearing meeting minutes held March 18, 2013. Are there any corrections? Seeing none, the minutes are approved.

President Pro Tem Butkowski: Our regular Council meeting minutes of March 18, 2013. Are there any corrections? Seeing none, those minutes are approved.

President Pro Tem Butkowski: Please note the Workers Comp Safety Committee minutes of 02.27.13, Civil Service Commission minutes of 03.19.13, Parks and Recreation Commission minutes of 02.27.13 and Tax Abatement Review Board minutes of 03.26.13.

LOBBY:

President Pro Tem Butkowski: Move on to the lobby session. You will have three minutes to speak. Please give us your name and address so we can contact you if needed. Is there anyone out there that would like to speak tonight? Anyone wants to speak? Well, seeing none, we will move onto the Administrators reports.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you Madame Chairman. As many of you may be aware, trash was not picked up today. We were contacted by Allied Waste, or Republic, early this morning informing us that they were experiencing an unanticipated walk-out, a strike. They weren't quite sure why

it was. It was something totally unexpected on their behalf. After further discussions, they thought it might be related to a pension issue with the National Teamsters Union. Some of the other reports today said it was in sympathy with a walk-out or strike in the Youngstown location. They told us they expected it to only last one day. I've since, not officially, but informally, been informed that an agreement had been reached and they would be working tomorrow. What that means for trash pick-up is we are basically going to holiday schedule. If your trash was to be picked up today - Monday, it will be picked up tomorrow - Tuesday. For those that were supposed to put it out tonight to be picked up tomorrow; it will be picked up on Wednesday. I am ninety-five percent sure that is the way it is going to work. As I said, I have not had official confirmation from Allied Waste that the strike was over, but I believe it is and that is the way it will work. Just to repeat - if you had it out today, leave it out; they will get it tomorrow. Monday's pick-up will be on Tuesday and then Tuesday's schedule will be picked up on Wednesday. This is the unlimited week for pick-up. There might be a lot out there but they should get it tomorrow and Wednesday.

Secondly, on your desk this evening you found a new Appendix B for T 50-2013. The correct Appendix was posted in OnBase, however, the schedule that was put into your packets did not have the fine print under the Licensed Building Inspector section. If you recall, we felt it was important to recognize certifications that our Building Inspector's receive such as commercial plumbing, residential plumbing, commercial residential electrical certification and that we would pay those individuals that additional fifty cents per hour for each certification they might possess; not to exceed one dollar and fifty cents per hour per employee. That was not in your packet. It is on OnBase.

Moved by Mayor Gillock and seconded by Buescher to amend T 50-2013 by substitution to incorporate the Appendix B found at your desk and on OnBase that includes the Licensed Building Inspector at fifty cents per hour certification.

President Pro Tem Butkowski: Is there any discussion? All those in favor say yes. All those opposed no.

Yes – 5

No – 0

President Pro Tem Butkowski: Motion passed.

Mayor Gillock: Thank you and that corrects that basic oversight. Finally, Chief Freeman has contacted me, and if you recall during the appropriation process we funded the purchase of five new vehicles this year. He asked, which means we would have to do it tonight with the emergency, pass that particular Ordinance. I forget the number, but I will refer to it when we get there – T 44. On April 15, they stop taking orders for the 2013's and they don't start taking orders again until July when they start building the 2014 model which would cost more. We based our appropriations on the cost of the 2013's. We can't wait until the next meeting because you have to order by the 15th and we meet that evening. When we get to T 44, with your

assistance, I would like to have this passed with the emergency tonight. That concludes my report.

President Pro Tem Butkowski: Thank you. Mr. Armbruster - Safety-Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: Chief Miller's retirement party is coming up. I think it is April 4th, this Friday, after thirty-four years of excellent service that he has given us. He is so passionate about the City. You always listen to his stories that go on and on and on and you have to have a lot of time to listen to the story but all the things that he has told us over the years and how he has done an outstanding job with the Fire Department as Chief. I believe, Mayor, he is the longest standing Chief for the City of North Ridgeville and he has just done an outstanding job. I am not going to be there this coming Friday. I am going to be out of town. I wish the Chief, from the Safety-Service Director's side, just an outstanding retirement and I know he is going to help out the Senior Center and do some things. So we are going to still see him around. Chief Miller, if you are watching, you have just done a great job. Thanks.

President Pro Tem Butkowski: Thank you. Engineer.

C. Engineer:

Engineer Wangler: I would like to take this time to remind people that excessive use of fertilizers now that Spring is coming we are starting to think about that; that really degrades water quality and if you are using fertilizers you should sprinkle them as manufacturer's recommend, application rates and the time in between applications. That is the end of my report.

President Pro Tem Butkowski: Thank you. Mr. Costin – Auditor.

D. Auditor:

Auditor Costin: Thank you Madame Chairman. No report scheduled for tonight.

President Pro Tem Butkowski: Thank you.

E. Other Reports:

President Pro Tem Butkowski: February 2013 Building Department report, February 2013 Mayor's Court reports and March 2013 Park and Recreation Director's report.

COUNCIL COMMITTEE REPORT(S):

President Pro Tem Butkowski: We have no Council Committee reports.

CORRESPONDENCE:

President Pro Tem Butkowski: We have no correspondence.

OLD BUSINESS:

President Pro Tem Butkowski: No old business.

President Pro Tem Butkowski: We have new business. Liquor permit requests.

NEW BUSINESS:

Liquor Permit requests/renewals/transfers

Clerk of Council Smith: A request for a liquor permit transfer from Lehigh Gas Ohio, LLC, DBA BP AM/PM, 32393 Lorain Road to 7 Eleven, Inc., DBA 7 Eleven 36727, 32393 Lorain Road.

Moved by Buescher and seconded by Olesen to not request a hearing as stated in the application so that this permit can be sent to the State for final disposition by April 12, 2013.

President Pro Tem Butkowski: Do we have any discussion? Clerk, please call the roll.

Clerk of Council Smith: Measure passed with two absentees.

Yes – 5 No – 0

President Pro Tem Butkowski: Thank you. T 50.

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 50-2013 AN ORDINANCE AMENDING ORDINANCE NO. 4797-2010, AFSCME CONTRACT, BY REPLACING APPENDIX A AND APPENDIX B IN THEIR ENTIRETY, EFFECTIVE JANUARY 1, 2013.

President Pro Tem Butkowski: T 51.

Clerk of Council Smith:

T 51-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF TIMBER RIDGE SUBDIVISION, PHASE 2, FOR RECORDING PURPOSES ONLY.

President Pro Tem Butkowski: Thank you. Moving onto recesses.

RECESS:

Moved by Johnson and seconded by Buescher to dispense with recess.

President Pro Tem Butkowski: Is there any discussion? All those in favor say yes. All those opposed say no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed. Moving on to our first reading. We have T 44.

FIRST READINGS:

Clerk of Council Smith:

T 44-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE/LEASE FIVE NEW POLICE VEHICLES FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$171,317.00.

Moved by Olesen and seconded by Boose to suspend By-laws to suspend the second and third readings for T 44.

President Pro Tem Butkowski: Do we have any discussion? All those in favor of the suspension say yes. Opposed, no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed.

Moved by Olesen and seconded by Boose to adopt T 44.

Moved by Olesen and seconded by Boose to add the emergency to adopt T 44 to meet the timing deadline.

President Pro Tem Butkowski: Do we have any discussion? All those in favor of the emergency say yes. Opposed, no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed.

President Pro Tem Butkowski: Is there any discussion on the motion to adopt T 44 with the emergency? Clerk, please call the roll.

Clerk of Council Smith: Measure passed, two absentees and becomes **Ordinance number 5020 2013.**

Yes – 5 No – 0

President Pro Tem Butkowski: Moving on to T 46.

Clerk of Council Smith:

T 46-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO AVERTISE FOR BIDS ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF TWO (2) STRYKER POWER PRO XT AMBULANCE COTS AND POWER-LOAD COT FASTENER SYSTEMS FOR THE FIRE DEPARTMENT, NOT TO EXCEED \$70,000.00.

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 46-2013.

President Pro Tem Butkowski: Do we have any discussion?

Mayor Gillock: Madame President, these systems go into ambulances and they help lift the cots into the ambulances so the firemen aren't straining extra hard to get it up. This is just for bids or to go to the bid list, so the sooner we can get those, the safer it is going to be for our employees. We would like to get this passed tonight if we could. I don't think we need the emergency clause.

Auditor Costin: Madame Chairman, you may remember during appropriation Ordinances, he did indicate this would be a significant expenditure to benefit the department, as the Mayor said, to protect both the firemen and to more efficiently transport the patients; particularly the ones that were overweight. In fact, he cited an instance where one of our firemen were injured in the past – injured their back or something. In their discussions during the appropriation meeting; the fact it is appropriated for, probably should consider passing it with the emergency so they can implement this system as soon as possible.

President Pro Tem Butkowski: Okay, thank you. Okay, we are voting on the suspension of the second and third. All those in favor say yes. Those opposed, no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed.

Moved by Boose and seconded by Johnson to adopt T 46.

Moved by Boose and seconded by Johnson to add the emergency for the health, safety and welfare of the residents in North Ridgeville.

President Pro Tem Butkowski: Is there any discussion on the emergency? All those in favor say yes. All those opposed, no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed for the emergency.

President Pro Tem Butkowski: Is there any discussion on the adoption with the emergency?
Clerk, please call the roll.

Clerk of Council Smith: Measure passed and it becomes **Ordinance number 5021-2013.**

Yes – 5 No – 0

President Pro Tem Butkowski: Moving on to T 47.

Clerk of Council Smith:

T 47-2013 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.25.

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 47.

President Pro Tem Butkowski: Do we have a discussion?

Mayor Gillock: Madame President, there is I think four vehicles on here – 1994 dump, 2002 Ford, 2005 Crown Victoria's and a 1993 dump truck. They are no use to us anymore. It costs more to fix them than they are worth. Therefore, I think we are going to put them on Govdeals.com. They are all in excess of \$1,000 therefore, it takes Council action to dispose of it. Thank you.

President Pro Tem Butkowski: All those in favor of the suspension of the second and third say yes. All those opposed, no.

Yes – 5 No – 0

President Pro Tem Butkowski: Motion passed.

Moved by Boose and seconded by Johnson to adopt T 47-2013.

President Pro Tem Butkowski: Is there any discussion? Clerk, please call the roll.

Clerk of Council Smith: Measure passed and it becomes **Ordinance number 5022-2013**.

Yes – 5 No – 0

President Pro Tem Butkowski: Moving on to the second readings. T 27 – Amended.

SECOND READINGS:

Clerk of Council Smith:

T 27-2013 (Amended) A RESOLUTION TO APPROVE WITH MODIFICATION THE APPLICATION MADE BY THE SIMMONS FAMILY TRUST TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

President Pro Tem Butkowski: T 32.

Councilman Boose: Madame President, just a point of clarification; what the Clerk just read did not read like anything I have on my OnBase. Did he read the amended one or the original one?

President Pro Tem Butkowski: I have the amended one in front of me. "A Resolution to approve...

Clerk of Council Smith: It says amended here on the agenda.

Councilman Boose: Because mine ends with agricultural district by the office of the County Auditor and you didn't say that at all.

Councilwoman Buescher: And I don't have that in OnBase.

President Pro Tem Butkowski: This is on which has been designated as agricultural district by the office of the County Auditor. Now that is on the Ordinance.

Councilman Boose: Right, that's not on what he just read.

Clerk of Council Smith: You are right. Okay.

Councilman Boose: Just a point of clarification.

President Pro Tem Butkowski: It is different than what is on our agenda. Do you want me to read exactly what is on the Ordinance?

Councilman Boose: Please.

President Pro Tem Butkowski: A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY THE SIMMONS FAMILY TRUST REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

Councilman Boose: Thank you.

President Pro Tem Butkowski: That gives it its second reading. We will move on to T 32.

Clerk of Council Smith:

T 32-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERBURY PHASE 7 IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

President Pro Tem Butkowski: T 33.

Clerk of Council Smith:

T 33-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERSIDE PLACE, PHASE 3 CLUSTER DEVELOPMENT IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

President Pro Tem Butkowski: T 34.

Clerk of Council Smith:

T 34-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF PIONEER RIDGE,
PHASE 11 CLUSTER DEVELOPMENT IN WATERBURY PCD FOR RECORDING
PURPOSES ONLY.

President Pro Tem Butkowski: Thank you. Now we will move on to the third readings.
Beginning with T 25.

THIRD READINGS:

Clerk of Council Smith:

T 25-2013 AN ORDINANCE ASSIGNING SPECIFIC EMPLOYEE BENEFITS TO THE
FRENCH CREEK SUPERINTENDANT.

Moved by Boose and seconded by Olesen to adopt T 25-2013.

President Pro Tem Butkowski: Do we have any discussion? Clerk, please call the roll for
adoption.

Clerk of Council Smith: Measure passed. It becomes **Ordinance number 5023-2013**.

President Pro Tem Butkowski: T 31.

Clerk of Council Smith:

T 31-2013 AN ORDINANCE AMENDING ORDINANCE NO. 3555-2000, BY
INCREASING THE ANNUAL SALARY OF THE MAYOR'S COURT MAGISTRATE FROM
\$25,000.00 TO \$30,000.00.

Moved by Johnson and seconded by Olesen to adopt T 31-2013.

President Pro Tem Butkowski: Do we have any discussion? Clerk, please call the roll for
adoption.

Clerk of Council Smith: Measure passed and it becomes **Ordinance number 5024-2013**.

COMMITTEE MEETING ANNOUNCEMENTS:

President Pro Tem Butkowski: We have no committee meeting announcements tonight.

MEETING ANNOUNCEMENTS:

President Pro Tem Butkowski: Public hearing on Monday, April 15, 2013 at 7:20 P.M. in
Council Chambers regarding T 32, 33 and 34. Our next regular Council meeting on Monday,
April 15, 2013 at 7:30 P.M. in Council Chambers.

ADJOURNMENT:

President Pro Tem Butkowski: Seeing no more business, the meeting is adjourned. The meeting was adjourned at 7:55 P.M.

Approval of minutes:

These minutes were approved at the regular meeting of the North Ridgeville Municipal Council on April 15, 2013.

{{_es_:signer1:signature}}
PRESIDENT OF COUNCIL

{{_es_:signer2:signature}}
CLERK OF COUNCIL