

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING SEPTEMBER 3, 2013**

CALL TO ORDER: [7:30 P.M.] Welcome to the September 3rd Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by all.

ROLL CALL:

Present were Council members Nancy Buescher, Dennis Boose, Dr. Ronald Arndt, Robert Olesen, Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

Also present was Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, Engineer Scott Wangler, Auditor Chris Costin and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You also have before you the regular Council meeting minutes held August 19, 2013. Are there any corrections or objections to approving those minutes?

Moved by Arndt and seconded by Boose to accept the meeting minutes as presented.

President Corcoran: All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: Those minutes stand approved.

President Corcoran: Please note the Building and Lands Committee meeting minutes of 08.19.2013 and the Parks and Recreation Commission meeting minutes of 07.24.2013.

LOBBY:

President Corcoran: That brings us to the lobby session of our meeting. This is your opportunity to address Council. You will have three minutes to state your business. You are able to speak on topics that are affecting the City. Please approach the podium and state your name and address for the record and tell us what is on your mind. This is not an interactive forum just so you know. You tell us what is on your mind and we listen. Is there anybody that would like to address Council this evening?

President Corcoran: Seeing none, we will move on to the Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. First you find on your agenda tonight – I believe it is under first readings – T 106. This is our Ohio Public Works Commission project for this year. I would like to have that passed this evening, by emergency, if possible because the deadline is this Friday, September 6 for getting that in. We introduced this last meeting.

Secondly, I would like to inform everyone that we applied for and received a Community Housing and Improvement Grant. We have got these in the past. They usually run about two years for about \$500,000.00. The new grant is for \$400,000.00 as our consultant told us. The state is trying to spread

and reduce federal funding across as many communities as possible. We got less money. We still have \$400,000.00. The kick-off meeting will be in late October or early November. Residents can keep that on their calendar and watch for announcements. These are used for emergency home improvements for low to moderate income and projects such as that.

Lastly, I would like to welcome John back. I cannot pronounce his last name. John was with us before with another newspaper and he is now going to be representing the Morning Journal. That concludes my report.

President Corcoran: Thank you Mayor. Mr. Safety-Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: This week, I am glad to report that we actually started at Northview with those residents visiting their homes. I am not sure if they saw some today, but I know that there is scheduling to go through. We had our administrative meeting to make sure that we were going to treat everyone exactly the same and for the first few visits there will be three of our guys over there. It will be reduced to two but we will have three individuals as we go through. If somebody is sick, we are going to send two people over there just to make sure it is done appropriately. We are hopeful that we are able to suggest some things to the homeowners to reduce their burden that they have now. I look forward to a follow up with them, probably in about a month. That concludes my report.

President Corcoran: Thank you Mr. Armbruster. Mr. Engineer.

C. Engineer:

Engineer Wangler: Yes, the signal that we had at Case and Center Ridge was one of our oldest signals and it was giving us a lot of trouble and I put in for appropriations – salvaging a signal that has been flashing yellow at Pat Catan's for years and was at one point used, but for the past few years, not used. We were able to salvage that and move it down to the Case Road intersection and that is now in place and working with the new equipment. That concludes my report.

President Corcoran: Thank you Mr. Wangler. Mr. Auditor.

D. Auditor:

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

President Corcoran: Thank you Mr. Costin.

E. Other Reports:

President Corcoran: Please note the July 2013 Building Department report and the August 2013 Parks and Recreation Director's report.

COUNCIL COMMITTEE REPORT(S):

President Corcoran: There are no Council Committee reports. We do have correspondence.

CORRESPONDENCE:

Clerk of Council Smith: A memorandum dated August 27, 2013 from Mayor Gillock regarding the Republic Services Contingency Plan.

OLD BUSINESS:

President Corcoran: There is no old business. Moving on to new business. First we have T 108.

NEW BUSINESS:

Clerk of Council Smith:

T 108-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO RETAIN THE LAW FIRM GARY C. JOHNSON & ASSOCIATES, LLC, FOR COLLECTIVE BARGAINING NEGOTIATIONS, NOT TO EXCEED \$70,000.00.

Moved by Mayor Gillock and seconded by Butkowski to suspend By-laws to give T 108 a first reading this evening.

President Corcoran: Any comments or questions?

Mayor Gillock: I would like to ask the Law Director to provide some information on this one.

Law Director Crites: Certainly Mr. Mayor, if I may, this of course is our outside counsel we have already retained for continuing negotiations with the IAFF which recently completed fact finding sessions. As we all are aware, the IAFF voted to reject the fact finders report and so we must continue the statutory process. Because of the now almost nine month process, is such that, the amount of fees which we expect that will have to be paid to counsel could exceed the statutory limit to the outside counsel obviously. Therefore, an Ordinance is required. I would suggest as well, so that the problem, as Mr. Costin would point out, in terms of the date the fees are incurred prior to Council's authorization because we expect conciliation to happen within the next two to three weeks per my conversation with him today, if we are lucky. I would advise that we pass this Ordinance this evening.

Mayor Gillock: Mr. President, I was hoping the Law Director would speak to the process a little bit. Council did, not that it was required; Council did accept the fact finders report. The IAFF, the local bargaining unit, did reject it and therefore, the next formal step is conciliation which requires us to basically hold another trial or hearing. The last one lasted over two days. This will be a bit different, but that is why we have to continue the process.

President Corcoran: Okay. Thank you for all that background. Any comments or questions on the suspension of the By-laws for T 108 this evening?

Councilman Boose: Yes, Mr. President, not on the particular motion but the idea we are talking about here: perhaps the Auditor can point out what has already been appropriated for the \$70,000.00 or do we have to do that as well?

Auditor Costin: No, I believe we appropriated \$48,000.00 which was the original request and we would have to appropriate the balance. In the interim, we can charge it to the contingency and again, when we do appropriations, we would reclassify it into the proper line legal services.

Councilman Boose: Well, is there enough in the contingency?

Auditor Costin: There are enough monies in the contingency, yes.

Councilman Boose: Thank you.

President Corcoran: Alright. Are there any other questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: T 108 is now added to the first readings this evening. T 109.

Clerk of Council Smith:

T 109-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO AN EXTENSION AGREEMENT WITH ALLIED WASTE SERVICES AKA BROWNING-FERRIS INDUSTRIES OF OHIO, INC., AND AMENDING ORDINANCE NO. 4639-2009 BY EXTENDING THE CURRENT CONTRACT FOR FIVE SUCCESSIVE ONE-YEAR TERMS AND ADOPTING A NEW RATE STRUCTURE AND FUEL RECOVERY FEE.

President Corcoran: Chair will refer that to the Utilities Committee. That is the end of new business.

RECESS:

President Corcoran: That brings us to recess portion of our meeting.

Moved by Johnson and seconded by Butkowski to dispense with the recess for this meeting.

President Corcoran: Are there any comments or objections? All those in favor say yes. Those opposed say no.

Yes – 7 No - 0

President Corcoran: Okay. We will move on then to first readings. We have T 88.

FIRST READINGS:

Clerk of Council Smith:

T 88-2013 AN ORDINANCE AMENDING N.R.C.O. SECTION 650.01 *PUBLIC NUISANCE DEFINED* BY MODIFYING AND CLARIFYING THE DEFINITION OF PUBLIC NUISANCE.

President Corcoran: T 89.

Clerk of Council Smith:

T 89-2013 AN ORDINANCE AMENDING N.R.C.O. SECTION 1480.17 *RUBBISH AND GARBAGE* BY ADDING A DEFINITION FOR RUBBISH.

President Corcoran: T 104.

Clerk of Council Smith:

T 104-2013 AN ORDINANCE AMENDING N.R.C.O. SECTION 642.04 *UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS* BY ADDING AN ADDITIONAL SUBSECTION.

President Corcoran: T 106.

T 106-2013 A RESOLUTION OF SUPPORT FOR OHIO PUBLIC WORKS COMMISSION PRIORITIES.

Moved by Olesen and seconded by Johnson to dispense with the second and third readings for T 106.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, I may just mention this is a continuation of the construction work that we are doing on Chestnut Ridge.

President Corcoran: Thank you. Any other comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Olesen and seconded by Johnson to adopt T 106.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause to T 106 due to the impending deadline of September 6, 2013.

President Corcoran: Any comments or questions on the emergency clause, itself. All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption of T 106, with the emergency clause; are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: It passed unanimously and becomes **Resolution number 1285-2013**.

Yes – 7 No – 0

President Corcoran: And we are going back to T 108.

Clerk of Council Smith:

T 108-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO RETAIN THE LAW FIRM GARY C. JOHNSON & ASSOCIATES, LLC, FOR COLLECTIVE BARGAINING NEGOTIATIONS, NOT TO EXCEED \$70,000.00.

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 108.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

Moved by Butkowski and seconded by Arndt to adopt T 108.

Moved by Butkowski and seconded by Arndt to add the emergency clause to T 108 due to the current bargaining negotiations.

President Corcoran: Any comments or questions on the emergency clause. All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption of T 108, with the emergency clause; are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: It passed unanimously and becomes **Ordinance number 5065-2013**.

Yes – 7 No – 0

President Corcoran: Moving on to second readings. We have T 96.

SECOND READINGS:

Clerk of Council Smith:

T 96-2013 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

President Corcoran: T 98.

Clerk of Council Smith:

T 98-2013 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN THE HAMPTON PLACE SUBDIVISION, PHASE 1, AND DEDICATING THEM FOR PUBLIC PURPOSES.

President Corcoran: Moving on now to third readings. We have T 64.

THIRD READINGS:

Clerk of Council Smith:

T 64-2013 A RESOLUTION ACCEPTING THE 2013 NORTH RIDGEVILLE PARKS AND RECREATION MASTER PLAN.

Moved by Boose and seconded by Arndt to adopt T 64.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: It passed unanimously and becomes **Resolution number 1286-2013**.

Yes – 7 No – 0

President Corcoran: Moving on to T 65.

Clerk of Council Smith:

T 65-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO AN AGREEMENT FOR FIRE/ARSON INVESTIGATION MUTUAL AID ASSISTANCE WITH VARIOUS POLITICAL SUBDIVISIONS AND AGENCIES IN LORAIN COUNTY.

Moved by Arndt and seconded by Buescher to adopt T 65.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: It passed unanimously and becomes **Ordinance number 5066-2013**.

Yes – 7 No – 0

President Corcoran: And finally we have T 94.

Clerk of Council Smith:

T 94-2013 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.15(D).

Moved by Johnson and seconded by Butkowski to adopt T 94.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: It passed unanimously and becomes **Ordinance number 5067-2013**.

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting is on Monday, September 16, 2013 at 7:30 P.M. in Council Chambers.

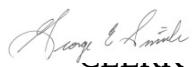
ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, this meeting is adjourned. The meeting was adjourned at 7:51 P.M.

Approval of minutes:

These minutes were approved at the regular meeting of the North Ridgeville City Council on September 16, 2013.


PRESIDENT OF COUNCIL


CLERK OF COUNCIL