

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING NOVEMBER 18, 2013**

CALL TO ORDER: 7:30 P.M.

President Corcoran: I call to order the Monday, November 18, 2013 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by Boy Scout Troop 153.

ROLL CALL:

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

Councilwoman Nancy Buescher was excused.

Also present was Mayor David Gillock, 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 have before you the minutes from the Council meeting held November 4, 2013. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved as submitted.

President Corcoran: Please note the Board of Zoning and Building Appeals meeting minutes of 10/24/2013, Building and Lands Committee meeting minutes of 10/21/2013 and the Planning Commission meeting minutes of 11/12/2013.

LOBBY:

President Corcoran: This brings us to the lobby session of our meeting. If there is anybody that would like to address Council this evening, please rise and approach the podium. State your name and address for the record and you will be heard. You will be given three minutes to speak on the topic of your choice and that is for time purposes only. If you choose to address Council, please step to the podium now as the lobby session is open. Anybody? Thank you everyone for attending. Seeing none, we will move on to Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you, Mr. President. I have a few items to take care of this evening: first, we are getting toward the end of the year and we have terms expiring on Planning, Board of Zoning and Building Appeals and Civil Service. We contacted the three individuals in those seats right now: Tim Anderson serves on the Planning Commission. His term expires at the end of the year. Mario Cipriano is serving on the Board of Zoning and Building Appeals and his term expires at the end of this year. Lastly, Dan Zezna serves on the Civil Service Commission and his term expires at the end of this year. They have all done a very good job and we contacted all three of them. They are all three interested in continuing to serve the community, at no pay I might add.

Moved by Mayor Gillock and seconded by Olesen that all three individuals be reappointed to their positions.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: Congratulations.

Mayor Gillock: Secondly, I have a sign in front of my desk that I want to bring to your attention that a resident by the name of Dan Burdick brought to my office today. Dan is a veteran, as I am a veteran, and he said when he was serving and when he was on the naval ship in the Indian Ocean, he often got very lonely and thought people had forgot him. When he got a Christmas card through the USO, it was very much appreciated. He would like for anyone that is interested to participate. He does this through his church and where he works and he asked if we would pass the word and I am glad to do that. If you would like to participate, all you have to do is buy a Christmas card, sign it; you can write a little note if you want to – basically to an anonymous soldier and mail it to: HOLIDAY MAIL FOR HEROES, P.O. Box 5456, Capitol Hts., MD 20791-5456 and we will have this information on our website and on the cable channel. Take the time to send a holiday card to a soldier. If you would like to do that, try and get them in the mail before December 3rd so they get them in time for Christmas. We will keep this around and hope you can participate.

Moved by Mayor Gillock and seconded by Johnson to go into executive session in place of the recess to discuss union negotiations.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: All passed with one absentee.
Yes – 6 No – 0

Mayor Gillock: Last couple items along with the President's comments about the people in the Philippines that have been so devastated – I would like to add those in Central Illinois; that is where Jeff and I are originally from. I have relatives back there. Fortunately, they are all well but there is a lot of damage there in Washington and other cities and six people were killed so keep them in your prayers also. Just a reminder, none of these Scouts will remember because they are all way too young, but this Friday is the 50th anniversary of the assassination of President Kennedy. Thank you Mr. President. That concludes my report.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Well, as Central Illinois was hit hard last night. I was out of state and kind of watching the weather as I am flying over; not watching on the plane but before we took off saying are we going to actually get back into Cleveland because of the weather fronts – you could just see the green and the blue and the red as it was coming across. We did get hit hard last night with rain and winds that actually brought the leaves down and what happened in the Pitts area was the leaves did cover all the storm drains and we had some street flooding. Our street crews were out and this is a reminder to everybody that is out there. Please, most of the leaves that have come down, let's get them cleaned up and keep your storm drains clean so that the storm drains can work properly to get it into the creeks and

not flood the streets and then flood your home. The moral of the story is let's rake the leaves out of the storm drains as quickly as you can because the City has so many storm drains to do that if we leave it up to us, there is going to be some flooding that we are not going to be able to get to. Along with that, we did have an unfortunate situation at Westfield – the package plant did clog up. We immediately responded as soon as we got the alarm. Unfortunately, in that case, it was toiletries and wipes that were actually baseball sized that were clogged in our two brand new pumps. This is the first time. I think what happened in that case is logically, the flow in whatever it was in there when it went into the system – it got sucked right up into it. We responded immediately and there was one home that did get some backflow from it – not much. Just a reminder that when you do put things in your toilet, and remember even for French Creek, put things in there that belong in your toilet that other waste such as wipes and baby wipes, stuff like that get put into the trash and get it into your garbage rather than putting it into your toilet and sending it someplace else. That completes my report this evening.

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

C. Engineer:

Engineer Wangler: Thank you Mr. President. To expound on the Safety-Service Director's report: I have mentioned this in reports previous and here is mentioning it again – when you are raking all your leaves up and you have these piles of leaves, a poor choice is to put those leaves in your drainage ditches. Most people abide by this but we do get calls in our office of people putting them there and then it is a real pain to get them out and it is detrimental for all your neighbors, so don't do that. That completes my report.

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

D. Auditor:

Auditor Costin: Alright Mr. Chairman, Council should have received its October Financial report that has just been completed by our office. I probably do not need to bring to your attention the appropriation Ordinance that is before you. In previous meetings, I did alert Council that there would be legislation coming quicker including bond legislation and so forth. The reason why we spin this process, to have this Ordinance now versus the end of December is so that we can align our financial statement, bring it up to date with the most current events because that will be submitted to Moody's and numerous other financial documentation. We have to do forecasts and it would be embarrassing to show them a forecast and they look back at our financial statements and the two be significantly off. I do expect that we will have another Ordinance in December for some other minor changes, but we tried to hit at least the larger ones to put our General Fund in as good a position and as fairly presented position as we could in anticipation of the Moody's rating that we are going to be obtaining with regard to our bond issue.

Moved by Johnson and seconded by Butkowski to suspend the By-laws to add the amended appropriation Ordinance under first readings this evening.

Clerk of Council Smith: That will be T 133.

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

Yes – 6

No – 0

President Corcoran: Alright T 133 is now added to first readings.

President Corcoran: Mr. Costin, is that the end of your report?

Auditor Costin: That concludes my report. Thank you.

President Corcoran: Thank you. Moving on to other reports, there are four.

E. Other Reports:

President Corcoran: We have the October 2013 Fire Department report, October 2013 Mayor's Court Report, October 2013 Support Car report and the October 2013 Water Distribution reports.

COUNCIL COMMITTEE REPORT(S): None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

President Corcoran: Moving on to new business.

NEW BUSINESS:

Ordinances and Resolution Submittals

Clerk of Council Smith:

T 130-2013 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH BREWER-GARRETT FOR PROFESSIONAL ENGINEERING SERVICES FOR UPGRADING THE BACK-UP GENERATOR AT THE FRENCH CREEK WASTE WATER TREATMENT PLANT, NOT TO EXCEED \$475,000.00.

President Corcoran: I am going to refer that to the Utilities Committee.

Clerk of Council Smith:

T 131-2013 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A LOAN IN AN AMOUNT OF \$125,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE CHESTNUT RIDGE ROAD PHASE 3 ROADWAY RECONSTRUCTION PROJECT.

Moved by Mayor Gillock and seconded by Olesen to give T 131 a first reading this evening.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President, this is our project for next year to complete – is it to complete it or is it just one of the remaining two phases? Okay, we have two phases to go to complete the paving of Chestnut Ridge Road. We had applied and the project was approved for funding with a grant and a small loan. They have asked us to take a smaller grant and a larger loan because they do not have enough money to fund all of their projects. I did discuss this with the Auditor and we had to discuss it with the Ohio Public Works Commission. It works in our favor in that we will have to take less money out of the General Fund which will allow us to do more paving actually. The loan money is interest free and it can be repaid over twenty years. At the same time, it is a loan and it is not a grant. We do have to pay it

back. We have done this before when we worked with the OPWC in situations like this. They have always been fair in the following years in making up for what we might have given up. We think it is a good deal for us to save this on our General Fund – we actually do more paving. Oh, street levy, excuse me. I would recommend that we approve this and pass it tonight if we can. Thank you.

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

Yes – 6

No – 0

President Corcoran: T 131 is now added to first readings. T 132.

Clerk of Council Smith:

T 132-2013 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
ADVANTECH SERVICE AND PARTS, LLC IN THE AMOUNT OF \$3,933.40.

Moved by Butkowski and seconded by Johnson to give T 132 a first reading this evening.

President Corcoran: Mr. Costin, do you have a comment?

Auditor Costin: Do you want me to explain it?

President Corcoran: Please.

Auditor Costin: Alright Mr. Chairman, what happened here is one of our fire vehicles; the fire Chief had the fire vehicle repaired. Upon inspection, realized more work had to be done, obtained a quote and there was a misunderstanding between the vendor. The vendor just went right ahead and did the work, which had to be done, for us to get the equipment back and so what we have here is a classic situation where a P/O is written after the work was completed, but there wasn't enough money appropriated so we needed to cure this according to Ohio Revised Code by passing this Resolution.

President Corcoran: Okay.

Councilman Boose: Mr. President, can I ask from what fund the funds will come from?

Auditor Costin: This will come from the General Fund – Fire Department.

Councilman Boose: Thank you.

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

Yes – 6

No - 0

President Corcoran: T 132 will now have a first reading. That brings us to the recess portion of our meeting. That means we are going to enter into executive session. Boy Scouts, you are more than welcome to stay but I don't know how long we will be and when we get back we will do the rest of it, so it is up to you whether you want to stay or not.

RECESS:

(Adjourned into executive session at 7:50 P.M.)

(Reconvened into Council meeting at 8:03 P.M.)

Mayor Gillock: Mr. President, after fourteen months of negotiations, we have been able to reach an agreement with the International Association of Fire Fighters. They voted last week to approve the latest contract version by a vote of 27-6.

Moved by Mayor Gillock and seconded by Boose to introduce and moved the IAFF contract Ordinance to first readings this evening.

Clerk of Council Smith: T 134, Mayor.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: Alright, T 134 is now added to first readings. Moving on to first readings. T 133 is up first.

FIRST READINGS:

Clerk of Council Smith:

T 133-2013 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4999-2013 AND ORDINANCE NO. 5044-2013 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013.

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 133.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

Moved by Johnson and seconded by Butkowski to adopt T 133.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 133 to provide for appropriations for the financial expenditures of the City.

President Corcoran: Are there any comments or questions on the emergency clause itself? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: On the adoption with the emergency clause, any comments or questions?

Councilman Boose: Mr. President, I want to thank the Auditor's office for all the work that they put in to this, but I do want to bring to Council's reminded attention that the General Fund is getting very low. We spent \$1.9 million this year that we didn't generate from the carry over and our carry over is dwindling for more than what it was from when we had the appropriations. We talked about in the appropriations that the number was dwindling. If you look at almost every expenditure in every category, we are spending more than we took in this year and the amended appropriations adds an additional \$163,000 to that deficient. So we have to make some hard decisions here and we cannot put this off anymore. We really need to sit down and take a look at where we are going

here. If we had the same carry over that we have today at the beginning of 2013, we wouldn't be having this conversation. We would be out of money in the General Fund. Now there is a transfer from the Income Tax Fund as part of this, but the Income Tax Fund this year is going to be short about \$600,000 - \$650,000 because we are only getting paid for eleven months versus twelve because of the transition to the new system through R.I.T.A. So again, I just want to remind Council and caution ourselves that we need to do something here. Either expenses have to go down and income has to go up or a combination of both. Thank you.

President Corcoran: Thank you Mr. Boose. Any other comments? On the adoption with the emergency clause, Clerk, please call the roll.

Clerk of Council Smith: One absent and otherwise passes and becomes **Ordinance number 5088-2013.**

Yes – 6

No – 0

President Corcoran: Moving on now to T 131.

Clerk of Council Smith:

T 131-2013 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A LOAN IN AN AMOUNT OF \$125,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE CHESTNUT RIDGE ROAD PHASE 3 ROADWAY RECONSTRUCTION PROJECT.

Moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 131.

President Corcoran: Are there any comments or questions?

Auditor Costin: Just to reiterate as the Mayor said; we had prior legislation that was passed by Council that authorized a different loan. This is replacing the original loan. I believe it is a \$50,000 increase in the loan amount and a \$50,000 decrease in the grant amount.

President Corcoran: Thank you. Are there any other comments or questions?

Councilman Boose: Mr. President, by my math, I think it is a \$75,000 in the loan. \$50,000 in the grant and no, \$75,000 in the grant. No, the grant came from \$200,000 to \$125,000 so that is \$75,000.

Auditor Costin: I apologize, I didn't have that with me. The point is that this replaces a previous Ordinance that was passed.

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

Yes – 6

No – 0

Moved by Olesen and seconded by Butkowski to adopt T 131.

Moved by Olesen and seconded by Butkowski to add the emergency clause because the

economics of the situation tell us it is a good deal to go ahead now.

President Corcoran: We do not need the emergency in this case.

Councilman Olesen: I withdraw my motion.

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

Clerk of Council Smith: It passed with one absentee and becomes **Resolution number 1289-2013**.
Yes – 6 No – 0

President Corcoran: T 132.

Clerk of Council Smith:
T 132-2013 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
ADVANTECH SERVICE AND PARTS, LLC IN THE AMOUNT OF \$3,933.40.

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 132.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

Moved by Butkowski and seconded by Olesen to adopt T 132.

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

Clerk of Council Smith: One absentee and otherwise passed and becomes **Resolution number 1290-2013**.

President Corcoran: Moving on to T 134.

Clerk of Council Smith:
T 134-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2129, AFL-CIO.

Moved by Johnson and seconded by Boose to dispense with the second and third readings for T 134.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

Moved by Johnson and seconded by Boose to adopt T 134.

President Corcoran: Are there any questions on the adoption?

Moved by President Corcoran and seconded by Johnson to add the emergency clause so that the contract terms may be implemented as soon as possible and so as to aid the City in continuing negotiations with the other bargaining units.

President Corcoran: On the emergency clause itself, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 6

No - 0

President Corcoran: On the adoption with the emergency clause, any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: One absentee and otherwise passed and becomes **Ordinance number 5089-2013.**

President Corcoran: Moving on to second readings. First up we have T 119.

SECOND READINGS:

Clerk of Council Smith:

T 119-2013 AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO BUILD NOISE BARRIERS ON THE NORTH SIDES OF THE EASTBOUND AND WESTBOUND RAMPS OF INTERSTATE 480 TO THE TOLL PLAZA FOR THE OHIO TURNPIKE WITHIN THE CITY OF NORTH RIDGEVILLE.

Councilwoman Johnson: Mr. President, I just wanted to mention; today I spoke with Senator Manning – she informed me she was at a meeting with the Turnpike Commission today and they have approved the funding for this as of today. They voted unanimously today.

President Corcoran: Great, thank you. T 120.

Clerk of Council Smith:

T 120-2013 A RESOLUTION SUPPORTING THE PRESERVATION OF CUSTOMER CHOICE THROUGH GOVERNMENTAL OPT-OUT ELECTRIC AGGREGATION.

President Corcoran: T 123.

Clerk of Council Smith:

T 123-2013 IN COOPERATION WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION, ORDINANCE NO. 5071-2013 NEEDS TO BE AMENDED BY REVISING THE DESCRIPTION OF PROJECT D03 RM FY2014.

President Corcoran: T 129.

Clerk of Council Smith:

T 129-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE NEW COMPUTERS, LAPTOPS, AND APPURTENANCES FOR CITY DEPARTMENTS FROM THE STATE BID LIST OR 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 \$99,160.00.

President Corcoran: Third readings we have T 97 Amended.

THIRD READINGS:

Clerk of Council Smith:

T 97-2013 AN ORDINANCE AMENDING THE NORTH RIDGEVILLE CODIFIED
Amended ORDINANCES BY ADDING A CHAPTER ESTABLISHING REGULATIONS FOR UNATTENDED COLLECTION BINS.

Moved by Johnson and seconded by Butkowski to adopt T 97-2013 Amended.

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

Clerk of Council Smith: One absentee and otherwise passes and becomes **Ordinance number 5090-2013.**

Yes – 6

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: That brings us to the end of our meeting. There are no Committee meeting announcements; except we do have our next regular Council meeting on Monday, December 2, 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 8:21 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL