

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING DECEMBER 16, 2013**

CALL TO ORDER: 7:30 P.M.

President Corcoran: I call to order the Monday, December 16, 2013 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

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 Andy Crites, Auditor Chris Costin and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the City Council meeting minutes of December 2, 2013. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved as submitted.

President Corcoran: Please note the Park & Recreation Commission minutes of 10.23.2013, the Planning Commission minutes of 12.10.2013 and the Utilities Committee meeting minutes of 12.02.2013.

LOBBY:

President Corcoran: This brings us to the lobby session of our meeting. This is your opportunity to address Council. If you should do so, please step up to the podium and state your name and address for the record. You will have three minutes to speak on the topic of your choice. With that being said, the lobby is open. (No audience participation) Alright, thank you everyone for attending.

President Corcoran: Mr. Mayor we will begin with Administrator's reports; Mr. Mayor you are up first.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you, Mr. President. Council will find at their desk this evening a Resolution entitled "A RESOLUTION DETERMINING TO SUBMIT TO THE ELECTORS THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF IMPROVING CENTER RIDGE ROAD, LEAR NAGLE ROAD AND CERTAIN OTHER DESIGNATED INTERSECTING STREETS AND

GARDEN STREET AND A NEW SINTA RUN IN THE CITY'S STREET SYSTEM BETWEEN CERTAIN TERMINI, IN COOPERATION WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF OHIO AND OTHERWISE, BY GRADING, CONSTRUCTING, RECONSTRUCTING AND REHABILITATING THE PAVEMENT BASE, BRIDGES, CULVERTS, CURBS, DRIVEWAY APPROACHES, RETAINING WALLS, SIDEWALKS AND BICYCLE PATHS, SANITARY SEWERS, WATER MAINS AND STORM SEWERS AND OTHER DRAINAGE IMPROVEMENTS, WIDENING AND REALIGNING, ADJUSTING MANHOLES AND CATCH BASINS, PREPARING THE SURFACE AND SURFACING AND RESURFACING, AND ACQUIRING AND INSTALLING STREET LIGHTING AND TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE IN CONNECTION THEREWITH."

When I first came into office a little over ten years ago, our primary goal was to get Center Ridge Road widened. Denny Johnson and I were brand new but had no idea what we were doing or how to go about what we wanted to accomplish but willing to find out. One of our first phone calls was to the Ohio Department of Transportation, District 3 to find out how we go about finding the funds to widen the road. On March 24, 1994, just a few months after we came into office, we met with Ken Wright from ODOT who told us we would have to spend some money and take some risks in trying to accomplish this goal. We would first have to hire an engineering firm to identify the problem and recommend a solution. After interviewing several engineering firms, we retained Burgess and Niple for \$190,000. I remember thinking at the time, wow that is a lot of money. Little did I know, a couple years later during an ODOT open house, I found a project already on the books to widen Lear Nagle. Approximately \$4 million had been set aside at that time by NOACA for the project. When I asked the ODOT representative what was happening with the project, his reply was that they were getting ready to take it off the NOACA Transportation Improvement Plan due to the lack of interest. I told him we were definitely still interested and the project was salvaged. We ended up borrowing \$600,000 from the Lorain County Engineer's office to begin the detailed engineering necessary to move that project forward. Now, ten years later, we are at a critical point in our journey on both of these projects. Both projects have or are near completion of the detailed engineering work necessary. Land acquisition on both projects on both projects is now beginning. Letters to property owners on Center Ridge Road are due to go out in the next couple of weeks if they have not already gone. Lear Nagle will begin in March. All of the necessary engineering, land acquisition and EPA studies have been completed or are underway. Lear Nagle is scheduled to go to bid in June of 2015. Center Ridge Road is scheduled to go to bid October 2016. We are now at the point where we have to put up the share of our construction dollars. While they are significant, we have leveraged our obligation so that the City will pay about twelve percent of the total. Without any contingencies built in, we must contribute \$6,658,390.00 towards total construction costs of \$55,448,270. Again, we are responsible for \$6 million out of \$55 million. With contingencies, we are recommending that the issue be placed on the ballot to generate a total of \$8 million to be used as in that very detailed Resolution title. That Resolution before you tonight is known as the Resolution of Necessity which needs to be passed this evening with the emergency clause. What this Resolution does is simply allow the City to ask the County Auditor to certify the exact millage necessary based upon our current tax duplicate to generate a total of \$8 million.

Although we anticipate that number to be .86 mills, that number has to be certified by the County Auditor. Passing it tonight will give them the necessary time to do the certification and get it back to us before the first Council meeting in January. At the first meeting in January, we will then introduce the Resolution to Proceed which will allow us to place the issue on the ballot in May of 2014. That will give us three readings to read the Resolution including January 6 introduction and first reading; have the second reading on January 20 and third reading and adoption on February 3 in order to meet the February 5th deadline, set by the Board of Elections, to get the issue on the ballot. If Council wishes to adopt on January 20th and give the Council Clerk more time, that would be up to you, but we have to have the issue to the Board of Elections before February 5th.

Finally, everyone wants to know what would this levy cost the average homeowner. For illustrating purposes, at this point, until we get the certified millage back from the County using .86 mills; the levy would cost a homeowner about \$30.10 per \$100,000 of fair market valuation per year. That is \$30.00 a year. For a \$300,000 home, it would be \$90.30; less that \$100 a year. For a \$200,000 home - \$60.20 per year.

Folks, it has been a long journey and it is not over yet, but for those that said it couldn't be done this is one of our last major hurdles. It can and will be done in the next couple years assuming voters approve the levy. They can't approve the levy unless we get it on the ballot. So I ask for your support in getting this issue on the ballot in May so we can widen both of these major thoroughfares and also give the City the opportunity to actually create a town center. Would the Council Clerk at this time give the Resolution a temporary number?

Clerk of Council Smith: We have already done that Mayor and it is T 147.

Moved by Mayor Gillock and seconded by Olesen to suspend By-laws to add T 147 to the agenda under first readings.

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

Yes – 6

No – 0

President Corcoran: T 147 is now added to the first readings.

Mayor Gillock: Thank you and that concludes my report and I would like to wish all our Council members and all our residents a Merry Christmas and a happy New Year. Thank you.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Unfortunately, my chagrin is that the garbage was picked up the first weekend in December as I drove around the City of North Ridgeville I found that a lot of residents left their yard waste out and missed the last pick-up in November. What I have

seen most recently is that most of this yard waste has been moved from the curb back to the house because the next actual full pick-up of this extra material will be the first pick-up in January when the bulk materials are out there. It is well stated and has been that from April to November each year yard waste is picked up. Unfortunately, what happened to us, all of us, including myself, is that I didn't get all my leaves raked up and there were people out trying to rush around trying to get it done those last few days before the snow; now we have six inches of snow so you cannot even see the leaves. Unfortunately, the yard waste is picked up April through November. The good news is that January 7th or 6th is right around the corner and it is only a couple of weeks away and there is a lot of snow out there so hopefully the people can move the yard waste back to their house and then take it back out that first weekend in January.

The Christmas tree pick-up is going to be not only the first week in January but the second week of January. We will be picking up Christmas trees those two weeks. If you happen to hold on to your Christmas tree beyond that, you will have to wait for the first pick-up in February. Let's all be mindful of the stuff you have collected, the leaves, and try to get them back to your house for fear that when they are picked up in January; when the guys pick them up, they pick up half a bag and the rest of the bag is stuck to the ground because it is frozen there. It is unfortunate that happened and I look forward to next year that maybe we get the leaves to come down before December or maybe we actually ought to add to the contracts, if we can get, if this happens fall wise, certainly Jimmy and I and the Mayor will speak to Allied Waste about possibly extending it into that first week in December. That completes my report.

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

C. Engineer:

Engineer Wangler: Thank you Mr. President. You all have a packet here. Last week on Thursday, it was brought to my attention that during a routine ditch inspection, we discovered a failure culvert on Stoney Ridge Road. I went out and inspected it myself and I felt that the structure was unusable. I secured an ODOT bridge inspector to go out and take a look at it. He confirmed my assessment that it was unusable and a lane was closed on Thursday. The construction of the structure is a series of sandstone slabs running parallel with traffic and one of the slabs broke. The remainder of the slabs are still intact. This is how we were able to close only one lane. Initially we were trying to; I mean when I first saw this I really had nightmares of having to close the whole road for a protracted time and a big expense to the City. For a while, we were trying to come up with a band aid approach to getting the road back in service until we could come up with a permanent solution. After we did a survey and an inventory of the Service Department materials, we found some materials on hand. Those photos are of the concrete culverts. We were lucky enough to have enough of those that we were going to repair the whole structure with those starting tomorrow morning. The road will be closed tomorrow morning and our anticipation is that the closure will be two to three days. City personnel will be on hand to direct traffic during peak hours and we are going to do everything we can. We are going to use high early concrete and curing blankets to get that road back up in service as soon as possible.

Again, I think to be able to mobilize the solution this quickly and this cheaply and only have the road down for two to three days was a huge win. That concludes my report.

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

D. Auditor:

Auditor Costin: Mr. President, first item on my agenda is the November 2013 financial report that Council should have already received and I believe you did. The other issues I would like now to bring to Council's attention as we discussed at our last meeting and that before: T 142, 143, and 144 are financial Ordinances or Resolutions that need to be passed tonight with the emergency, under second reading, I believe. T 142 represents the City's temporary Ordinance for the year 2014 for the first two and a half to three months until the permanent appropriations are passed by Council-generally the second meeting in March. As requested, we did modify the 2014 temporary appropriation Ordinance and it should be in front of you and I would like to simply request that T 142 be amended by substitution. There should have been an Ordinance in front of your desk and this would be the replacement Ordinance. In certain cases we were able to reduce expenditures, the estimates of the appropriations. In a couple cases there were a couple things that came up and we had to add, particularly to the Street Levy Fund. I would be glad to discuss the detail behind all of these Ordinances behind each of them as they come up for the next reading. Also, T 146 is included under Ordinances and Resolutions and that was a final amendment to the 2013 appropriations. It included particularly an increase in General Fund expenditures for the acquisition of land that was discussed and there is Ordinance T 140 on the floor which I would like to be passed tonight and a few other matters that I would be glad to go over with you when it has its next reading. T 146 also has an amendment by substitution in front of you tonight and the only modification that was made between the two was under Personal Services and the General Fund-\$500 was added to affect a shortage as a result of the retro pay Ordinance that we have. Otherwise, everything else is the same. I'll be glad to answer any questions and discuss each of these Ordinances at their next reading. I would request T 142, 143, 144, and 146 be passed tonight with the emergency so that they are in full effect by December 31, 2013 before the end of our current year. That concludes my report, comments, requests and so forth. Thank you.

President Corcoran: Thank you Mr. Costin. Mrs. Johnson?

Moved by Johnson and seconded by Butkowski to amend by substitution T 142 and T 146.

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

Yes – 6

No – 0

President Corcoran: Now T 142 and T 146 have been amended. Thank you.

E. Other Reports:

President Corcoran: We have the November 2013 Fire Department report, the November 2013 Mayor's Court report, the December 2013 Park and Recreation Director's report and the November 2013 Support Car report.

President Corcoran: We do have a Committee report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

UTILITIES COMMITTEE REPORT dated December 2, 2013 which recommends City Council adopt T 130 as originally submitted.

Moved by Boose and seconded by Butkowski to adopt the Utilities Committee report.

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

Yes – 6

No – 0

President Corcoran: That report is accepted. There is no correspondence.

CORRESPONDENCE: None.

President Corcoran: Moving on to old business.

OLD BUSINESS:

Clerk of Council Smith:

Introduced by Mayor Gillock; First reading 12/02/2013; Second and third readings dispensed with 12/02/2013

T 140-2013 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BRADLEY CENTER, LTD, FOR THE PURCHASE OF FOUR (4) PARCELS OF VACANT LAND, AND FOR CUSTOMARY CLOSING COSTS, NOT TO EXCEED \$130,000.00.

Law Director Crites: If I may Mr. President, I was not present at that Council meeting but I did have a chance to have a look at the meeting minutes and it appears that a motion was put forth and passed unanimously to suspend the By-laws to dispense with the second and third readings. That has already been done. In my opinion, what is before Council is just to act to adopt or not to adopt. The next move would be a motion to adopt.

Moved by Boose and seconded by Arndt to adopt T 140.

President Corcoran: Are there any comments or questions on the adoption to T 140?

Councilman Olesen: Mr. President, can we have a brief description of what these parcels are again?

President Corcoran: Sure thing, would you like me to do that Mr. Mayor?

Mayor Gillock: Mr. President, first, just to reiterate what the Law Director said – we did dispense with second and third but we didn't adopt because the funds to pay for the parcels were in the amending appropriation Ordinance which we didn't pass until after we addressed this so we couldn't adopt until we appropriated money, which has now been done. The four parcels; there are two parcels at the corner of Stoney and Barres, right next to each other and adjacent which we have looked at for a long time as an ideal location for a satellite fire station. We have the equipment, we have the manpower and now we have the land. Now we can proceed to see if we can't somehow acquire funds for a building there. We applied two years ago for funds for a new fire house and that was part of the reason we didn't get it because we didn't have a location identified. We think this will help. We also picked up the parcel which is at the entrance to South Central Park. We have a sign there. We don't own that parcel in front. We have an easement only. This will give us ownership of that parcel which will protect our interests and also gives us room to expand our tennis courts which could make them better. The last piece is the small piece right at the corner of Bainbridge and 83 which just kind of comes with the package but it will give us the ability to clean that up and make it a little bit nicer looking right at the corner of City Hall. So that is the four parcels.

President Corcoran: Any other comments or question?

Councilman Boose: Mr. President, the parcel in front of South Central that was part of the Master Plan-the Master Plan of the Parks and Rec Department that was done last year. As the Mayor said, it does allow us to expand the tennis courts. Right now there are four and for high school tennis sports they now play five. It is difficult to have five matches when there are only four courts so this will help them out and also provide more recreational facilities for our residents. On the corner there, that is adjacent to South Central Park already so it is not isolated. It does butt up against the cabin there next to Safetyville. Thank you.

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

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5096-2013.**

Yes – 6

No – 0

President Corcoran: Moving on to new business.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission report from meeting held December 10, 2013:

APPLICANT: Chris Teater, Hickory Land Holding, LLC, 37000 Center Ridge Road

OWNER: Same

REQUEST: Preliminary Plan approval for Millridge Subdivision (Revised)

LOCATION: South side of Mills Road; East of Stoney Ridge Road and West of Avon Belden Road in an R-1 District; Permanent Parcel Nos. 07-00-031-000-040 and 07-00-031-000-061

PC ACTION: **Approved by a vote of four to zero.**

Moved by Olesen and seconded by Arndt to adopt the Planning Commission action.

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

Yes – 6

No – 0

President Corcoran: The Planning Commission action has been accepted.

Clerk of Council Smith:

APPLICANT: William Nestor, C&S Industrial; DBA Impact Industries, Inc., 5120 Mills Industrial Parkway

OWNER: Same

REQUEST: Approval to construct an addition onto existing business in an I-2 District.

LOCATION: 5120 Mills Industrial Parkway in an I-2 District; Permanent Parcel No. 07-00-018-101-281

PC ACTION: **Approved by a vote of four to zero.**

Moved by Olesen and seconded by Arndt to adopt the Planning Commission action.

President Corcoran: Are there any comments or questions?

Councilman Olesen: Mr. President, I think we are always excited when business decides to expand in our community. The owner of this business believes that down the road he will be hiring more people to work at that facility also so this is a win for us.

President Corcoran: Anybody else? Yes, Mr. Boose.

Councilman Boose: Mr. President, I do know that the minutes of the Council meeting will reflect the Planning Commission recommendations but I did want to make on record for the Council meeting this evening that there were three residents of Highland Drive that did speak to opposition to this action at the Planning Commission meeting. One was an adjacent property owner and the other two were nearby. Their main concerns were the noise that comes from the plant currently and with the addition they were concerned that would move that noise closer to them. The owner of the property indicated that the new addition will be used for storage and so there won't be machines there and actually spoke to them that he would be very willing to look at different types of buffering; talk to them about – that he would be more than happy to talk to them and show them where the noise is coming from and how to make sure that the noise doesn't happen between certain hours. He seemed to be very

accommodating. Planning Commission acted on the Ordinances. There was nothing that was extraordinary in the request. There were no variances required or being requested by the company and so therefore, even though these residents did have an issue with it, Planning Commission did act accordingly. Again, we support, as Mr. Olesen indicated, when businesses want to expand in our community and hopefully add some jobs later on, it is difficult enough to bring new businesses into town but it is almost equally difficult to keep businesses that are already here and this does. He has been there quite a while. So again, I just wanted to make it for the record for this meeting, though I am in favor of this and I think it is good, there were three residents that spoke against it.

President Corcoran: Thank you Mr. Boose. Anybody else? All those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: The Planning Commission action has been accepted.

Ordinances and Resolution Submittals

Clerk of Council Smith:

Introduced by Mayor Gillock

T 145-2013 A RESOLUTION DECLARING INTENT TO PROCEED WITH ELECTION ON THE QUESTION OF A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES OF THE LORAIN PUBLIC LIBRARY SYSTEM, INCLUDING THE OPERATION OF A BRANCH LIBRARY LOCATED IN THE CITY OF NORTH RIDGEVILLE.

Moved by Olesen and seconded by Boose to suspend By-laws to give T 145 a first reading this evening.

President Corcoran: Are there any comments or questions?

Councilman Boose: Yes, Mr. President, I have a question – is there a timing issue of having this get to the County so do we need to move this forward?

President Corcoran: Mr. Mayor?

Mayor Gillock: I think we have the same time constraints that we do with T 147. You have to have your issues to the Board of Elections at least ninety days in advance of election day which is February 5th. We don't have to adopt this tonight, but we want to keep up and move it along. I think they would like to have it by; their attorney would like to have it adopted by January 20th I think. They don't want to be right up against the date. They have the same time constraints we do.

Law Director Crites: There is an exhibit that requires some signatures, so it would be nice to get it adopted in late January and give an opportunity to our Assistant Clerk of Council to obtain requisite signatures, but we would be fine.

Councilman Boose: Very good. Thank you.

President Corcoran: All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: T 145 will have its first reading this evening. T 146.

Clerk of Council Smith:

Introduced by Councilwoman Johnson
T 146-2013 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4999
Amended 2013, ORDINANCE NO. 5044-2013 AND ORDINANCE NO. 5088-2013 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 suspend the By-laws to give T 146
Amended a first reading this evening.

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

President Corcoran: T 146 Amended will have its first reading this evening.

Mayor Gillock: Mr. President, I would like to return to T 140 to consider adding the emergency
clause so we can take that out of this year's budget.

President Corcoran: Okay, let's bring T 140 back to the floor.

Moved by Mayor Gillock and seconded by Boose to add the emergency clause to T 140
in order to get it done in this year's budget.

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

President Corcoran: So now we have adopted T 140 with the emergency clause.

RECESS:

President Corcoran: That brings us to the recess portion of our meeting, would anyone like a
recess?

Moved by Butkowski and seconded by Arndt to dispense with the recess.

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

Yes – 6

No – 0

President Corcoran: Moving on then to first readings. We have T 147 first.

FIRST READINGS:

Clerk of Council Smith:

Introduced by Mayor Gillock

T 147-2013 A RESOLUTION DETERMINING TO SUBMIT TO THE ELECTORS THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF IMPROVING CENTER RIDGE ROAD, LEAR NAGLE ROAD AND CERTAIN OTHER DESIGNATED INTERSECTING STREETS AND GARDEN STREET AND A NEW SINTA RUN IN THE CITY'S STREET SYSTEM BETWEEN CERTAIN TERMINI, IN COOPERATION WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF OHIO AND OTHERWISE, BY GRADING, CONSTRUCTING, RECONSTRUCTING AND REHABILITATING THE PAVEMENT BASE, BRIDGES, CULVERTS, CURBS, DRIVEWAY APPROACHES, RETAINING WALLS, SIDEWALKS AND BICYCLE PATHS, SANITARY SEWERS, WATER MAINS AND STORM SEWERS AND OTHER DRAINAGE IMPROVEMENTS, WIDENING AND REALIGNING, ADJUSTING MANHOLES AND CATCH BASINS, PREPARING THE SURFACE AND SURFACING AND RESURFACING, AND ACQUIRING AND INSTALLING STREET LIGHTING AND TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE IN CONNECTION THEREWITH.

Moved by Mayor Gillock and seconded by Arndt to dispense with the second and third readings for T 147.

President Corcoran: 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 147.

Moved by Olesen and seconded by Butkowski to add the emergency clause to T 147 for the immediate preservation of the public health, safety and welfare of this City and for the further reason that this Resolution is required to be immediately effective so to enable the

City to proceed timely with the filing of the materials necessary for the submission of the question of the bond issue to the electors at the election.

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 of T 147 with the emergency, are there any comments or questions?

Councilman Boose: Mr. President, since we didn't have the opportunity to talk about this in committee; would it be appropriate to have the Auditor, Engineer or the Mayor talk about why this is the best solution for this because I think the rest of us need to understand anytime we are going to be putting something on the ballot? Again, \$30 per year for a \$100,000 home sounds like a good deal but it would be nice to understand why this course of action is the best.

President Corcoran: Well, I believe that this Resolution just gives us the opportunity to put it on the ballot, but first it has to clear the County before we do that because it requires a separate piece of legislation, correct, to do that. As that being said, Mr. Mayor?

Mayor Gillock: All this one does is certify to us what millage would be necessary to generate \$8 million in revenues towards doing this project. I can kind of answer Mr. Boose's question. When we started many, many years ago, as I said, and we met with Ken Wright, who is now retired, we said we wanted to widen a road using federal funds. ODOT has a fourteen step process that you have to go through. For major projects, it is twenty-four. This is a minor project to them because it is about three miles long and it is a straight road. It is fairly simple. This is not like a high level bridge or widening the Interstate from Columbus to Cleveland. As you work through the fourteen step process and everything that needs to be done; if you are using federal funds, you go through NOACA and you can get eighty percent for most of your projects and you have to pay twenty percent. If you use ODOT safety funds such as we are using at the intersection of Lear Nagle, Lorain and Cook Road, which they have identified as a safety problem, we can get ninety/ten money. In other words, they put up ninety percent and we would have to pay ten percent. On land acquisition, we have to pay the first \$50,000 and then NOACA will split the remaining obligation fifty/fifty. Once you get through all that, then we begin applying for different grants that might be available. For example, on the land acquisition on Lear Nagle, our portion is about \$340,000 - \$350,000, but we are applying for a \$250,000 grant and if we get that grant, it is going to bring that down. We also have one more huge block we have to clear - an application to the turnpike to use turnpike dollars on Center Ridge Road. That is probably about \$13,000,000. When the Governor brought his turnpike bond issue forward and said they were going to borrow a billion dollars for Northeast Ohio, ours was touted as one of the ones that would be funded and moved forward. The Governor supports it and ODOT and the TRAC Commission support it. However, the turnpike also has to vote on it and they don't want to vote on it until next spring because it is a 2016 physical year project and with their first billion, they only had enough funds to fund 2014-2015 projects. So that still needs to be voted on but everyone all along has said we support it. Generally, when you are

doing projects with state and federal money; once you start spending money on them as we have been doing for ten years, then they are going to finish them.

The last thing I will say is when we were recapping these numbers and they continually change as we get a grant or this cost comes up – that is kind of why you wait until kind of the last minute; you don't want to, but you don't have any choice. When we boiled the numbers down, as I said, we were at about \$6.6 million and we are asking for \$8 million. When we do the \$6.6 million, there is no real contingency built in there for cost overruns and unknown changes so I added a ten percent contingency on the \$6.6 million and that brought us up to \$7.3 million and an additional ten percent takes us to the \$8 million. Once we get the numbers certified, we will have to do another Resolution; since this one will just certify the millage, it made more sense to read the other one on three evenings to give people time to hear it and be more transparent reading that three times. This one just certifies the number. We will then get it on the ballot. The key thing you need to know is, if we pass it, it authorizes us to borrow \$8 million to meet our obligations. If our costs come in lower than that that will be all we have to borrow and that will be all we have to pay back. We don't go out immediately and borrow \$8 million. We only borrow what we need and what we are required to use. We kind of built some safeties in there, but we wanted to keep it as reasonable as we could. Paying twelve percent I think is really good for the City. We got a lot of grant money and we have a lot of people working for us and with us that have assumed some costs and I think from a cost standpoint, we have a really good project-two projects together. They are both really important and if we can get both of those done and our portion is only twelve percent, I think we have done really well.

Auditor Costin: Just to further compliment or supplement what the Mayor said: this is a twenty year obligation that we would need to repay. So what we are actually borrowing is the rate necessarily to fund the debt service over twenty years. Now there are several ways we can do that, but to make it simplest; we pay that debt back over a level term including principal interest so the annual debt service payments are about the same. So what we are passing is the average millage necessary to pay that off over twenty years. That annual debt service, I believe from memory, will be around \$595,000 or something like that. So our current income tax, 1%, brings us around \$8 million and that is a permanent income tax but to pass any additional income taxes, we would need a vote of the people; those are typically, I believe, five years. This is a debt obligation that is going to be funded over twenty years. This is the type of debt that makes sense for this type of obligation and that is also what you were asking.

Councilman Boose: Thank you very much.

President Corcoran: Thank you gentlemen. On the vote, unless there were any other questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Resolution number 1293-2013.**

Yes – 6

No – 0

President Corcoran: T 145.

Clerk of Council Smith:

Introduced by Mayor Gillock

T 145-2013 A RESOLUTION DECLARING INTENT TO PROCEED WITH ELECTION
ON THE QUESTION OF A RENEWAL TAX IN EXCESS OF THE TEN-MILL
LIMITATION FOR CURRENT EXPENSES OF THE LORAIN PUBLIC
LIBRARY SYSTEM, INCLUDING THE OPERATION OF A BRANCH
LIBRARY LOCATED IN THE CITY OF NORTH RIDGEVILLE.

President Corcoran: T 146 Amended.

Clerk of Council Smith:

Introduced by Councilwoman Johnson

T 146-2013 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4999
Amended 2013, ORDINANCE NO. 5044-2013 AND ORDINANCE NO. 5088-2013 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 146 Amended.

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 146 Amended.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 146
Amended in order to meet year-end budget.

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 of T 146 Amended with the emergency, are there any
comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5097-
2013.**

Yes – 6 No – 0

President Corcoran: That brings us to the end of our first readings. Moving on to second readings. We have T 141.

SECOND READINGS:

Clerk of Council Smith:

Introduced by Mayor Gillock; First reading 12/02/2013

T 141-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ENTER INTO AN AGREEMENT WITH AFSCME LOCAL 3442 FOR AN EXTENSION OF THE CURRENT COLLECTIVE BARGAINING AGREEMENT.

President Corcoran: Mr. Law Director, did you have a comment?

Law Director Crites: Yes, and the comment would be that unless we want to hold a special meeting, I would request that a motion be made to dispense with the third reading and pass this this evening with the emergency clause-the reason being is this is the agreement and Council's action authorizing the agreement which will enable us to continue to pay the people that work in City Hall and the streets. So I think it is very important that we do so. That definitely serves the health, welfare and safety of the residents.

Moved by Olesen and seconded by Butkowski to dispense with the third reading for T 141.

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 141.

Moved by Olesen and seconded by Butkowski to add the emergency clause to T 141 so the matter is resolved and people get paid.

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 of T 141 with the emergency, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5098-2013.**

Yes – 6 No – 0

President Corcoran: T 142.

Clerk of Council Smith:

Introduced by Mayor Gillock; First reading 12/02/2013

T 142-2013 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS
Amended OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES
FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2014 AND ENDING MARCH 31, 2014.

Moved by Johnson and seconded by Butkowski to dispense with the third reading for T 142.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, yes I would like to first thank the Auditor's office for moving forward and trying to make some changes to the temporary Ordinance; the temporary appropriation for the first quarter of 2014. I still do not think, however, it has gone far enough. Chris and I had some conversation late this afternoon about it. What I am concerned about is the General Fund. The original Ordinance request two weeks ago showed that forty-nine percent of our 2014 estimated receipts going towards this temporary appropriation for the first quarter. I am concerned that almost half of our anticipated General Fund may be used for that. The amended by substitution numbers bring those numbers down from forty-nine percent to forty-six percent, but again, they should be more in line with twenty-five or thirty-five percent. A year ago when we looked at this same Ordinance for the first quarter of 2013, that percentage was thirty-five percent not forty-six percent. The main reason for that is going into 2013 we had anticipated a budget of over \$13 million. Right now, that budget is anticipated to be around \$10 million, \$10 million five. So there is a lot less money to divide that money into and that is why it is forty-six percent. I do understand that we don't always spend all the money that is appropriated but again, I think it is the wrong message to send that if you appropriate it then it can be spent, otherwise, there is no reason to appropriate it. I know that in February we will have appropriation meetings and we will be more precise and go over what our priorities are and rectify this situation but I am going to have to vote no on the temporary appropriations for the first quarter because I still don't think that it-in the General Fund section specifically; it doesn't come down far enough to address the issues we are having; specifically the amount of money that we are anticipating to have. Thank you.

President Corcoran: Thank you Mr. Boose. Mr. Mayor?

Mayor Gillock: Mr. President, I just wanted to respond. I think the Councilman is looking at appropriations from the wrong direction and I don't agree with him. The fact that we have appropriated funds does not mean that we have approved it to be spent. It means we have authorized funds to be spent on these items, but we still have a purchase order system that we have to go through. Someone has to request that expenditure, we do a purchase order and the auditing department certifies whether that money is available or not but if it is not available, we

do not spend it. On the other side, when we do get to appropriations in the end of February, we appropriate for the entire year; although we have not collected the money for the entire year. As Chris said earlier – we get about \$8 million a year in income tax revenues which means we would have January and February revenues. We would have about \$1.2 million but we are appropriating the entire \$8 million and we don't have it yet and we won't spend it unless we do get it. So all we are doing is appropriating money. If we appropriate forty-nine percent or fifty percent of the anticipated expenditures, that is okay. If we were appropriating \$14 or \$15 million when we were anticipating that we were only going to have \$10 million, that might be a different story, but we are way below what our annual revenues are anticipated to be. We don't spend money we don't have. I think you have to look at it that way. We are using the taxpayers' dollars wisely and conservatively and spending them appropriately. Thank you.

President Corcoran: Thank you Mayor. Mr. Costin?

Auditor Costin: Yes, I would also like to add, as I discussed with Mr. Boose; this is the same way that we have calculated the temporary Ordinance for many years. Any major projects that would require over \$50,000 per Ohio Revised Code would also require a separate Ordinance. Because we have done this consistently; Mr. Boose is correct, we have to look at our total situation in terms of our carry over balances as we do every year at appropriation meetings, but I don't think that it is the prerogative of the Auditor's office, by itself, to make those types of reductions. So as we discussed earlier today, what we do is set aside monies there that if something comes up between now and permanent appropriations that Council chooses to expend, we wouldn't necessarily have to continue to amend the temporary appropriations. We aren't doing anything different other than the utilities, the telephones, the copier leases. We appropriate those for the entire year so we can simplify the procedures for the department heads by issuing one simple, once a year, what is called a super blanket order. Therefore, I would suggest that Council consider passing this as it has been traditionally calculated and we will roll up our sleeves in February. Once we have final unencumbered balances and once we have a final estimated revenue, then we know what we have to work with as we have historically in the past and then Council will have the best information to make their decisions on the balance for the year or really for the entire year of 2013 in the passage of the permanent appropriations that will replace these temporary appropriations.

President Corcoran: Thank you Mr. Costin. Anybody else?

Councilman Boose: Can I respond?

President Corcoran: Yes you may. Is there anybody else?

Councilman Boose: I understand totally what the Auditor and the Mayor are saying, I would only just reflect on what we did last year. Last year we appropriated the temporary appropriation at thirty-five percent, not forty-six percent. There is a reason why we did that and that is because it is more in line with four months of a year of expenses in the General Fund versus six months of the year. That is my only comment. Thank you.

President Corcoran: Thank you Mr. Boose. Last chance for comments?

Councilwoman Butkowski: Mr. Chairman, I just want to say as long as I have been on Council we have had no major problems with our appropriations in our spending. I think we are doing a very good job making sure we don't spend too much money. So I don't have too much concern whether we are budgeting forty percent or thirty-five percent. He watches every dollar we spend and don't think we will be going over our budget regardless of how it happens. He wins awards for his accounting and so I am not really too concerned about it. Thank you Mr. Costin.

Auditor Costin: The other thing I might note is last year our expenditures were higher in the General Fund because our levy revenues were reduced. If you remember, we spoke about it in appropriation meetings; we were caught by surprise when we had a seven percent reduction in our valuation which means now that the fire, ambulance and police levies collected less money. As a result of that, the General Fund had to absorb the expenditures that were not available to be paid out of those levy funds. Now this year, the valuation has increased and accordingly now we are going to move those expenditure from the General Fund back over to the levy funds. This would result in the total expenditures in the General Fund to be less. I believe the total expenditures in 2014 in the temporary are very similar in terms of total dollars as we had in 2013. Adjusted by an anticipated pay increase that may or may not occur – it is currently in negotiations with AFSCME and certain other factors that we are aware of including the potential cost of those bargaining's and we also have a \$100,000 contingency this year, which I don't recall if we had that last year as well. We may not be comparing apples to apples when we look at temporaries as a percentage of the total year-to-date. Follow?

Councilman Boose: I do, but I don't see the numbers. I've asked for the numbers and those were the numbers that I was given by your office.

Auditor Costin: Those are the numbers and (inaudible) that is why they have gone down.

Councilman Boose: Also, but the income went down as well. The anticipated income – receipts from \$13.5 to \$10.5. That is what I got from your office.

Auditor Costin: But what you are comparing Mr. Boose is a percentage of expenditures, are you not? Not as a percentage of the revenue.

Councilman Boose: No, that is the revenue. The \$10.5 in the General Fund.

Auditor Costin: I thought you; I misunderstood. I thought you did a percentage of expenses, total years appropriations.

Councilman Boose: I actually took the expenses that are in this temporary appropriations and divided it into anticipated income of \$10.5 million. That is where I get the forty-six percent. Last year we had \$13.5.

Mayor Gillock: \$10.5 is very conservative; part of that is the eleven month income tax collection but we have \$8 million on income tax revenue. Our property taxes (inaudible).

Auditor Costin: Again, all I would say is that in terms of the appropriation amounts, they are consistent with what we have done in the past and any additional adjustments to the final appropriations is a prerogative of City Council.

President Corcoran: Thank you Mr. Costin. T 142 Amended. We have the emergency clause that has already been added. It was moved and seconded and Mr. Boose had a no vote. So will the Clerk, please call the roll?

Councilman Boose: And the questions is?

President Corcoran: The question is on the adoption with the emergency. Clerk, please call the roll.

Clerk of Council Smith: The measure passed and becomes **Ordinance number 5099-2013.**
Yes – 5 No – 1 (Boose)

President Corcoran: T 143.

Clerk of Council Smith:

Introduced by Councilwoman Johnson
T 143-2013 AN ORDINANCE REPRESENTING REIMBURSEMENT OF
ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY OF
NORTH RIDGEVILLE, OHIO.

Moved by Mayor Gillock and seconded by Olesen to dispense with the third reading for T 143.

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 Johnson to adopt T 143.

Moved by Butkowski and seconded by Johnson to add the emergency clause to T 143 in order to disburse these funds before year-end.

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 of T 143 with the emergency, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5100-2013.**

Yes – 6 No – 0

President Corcoran: T 144.

Clerk of Council Smith:

Introduced by Councilwoman Johnson

T 144-2013 A RESOLUTION APPROVING ADVANCES AND ADVANCE
REPAYMENTS OF VARIOUS FUNDS, AND TRANSFERS FROM THE
GENERAL FUND, OF THE CITY OF NORTH RIDGEVILLE, OHIO.

Moved by Arndt and seconded by Boose to dispense with the third reading for T 144.

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

Yes – 6 No – 0

Moved by Arndt and seconded by Boose to adopt T 144.

Moved by Arndt and seconded by Boose to add the emergency clause to T 144 to facilitate payment of these funds prior to year-end.

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 of T 144 with the emergency, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Resolution number 1294-2013.**

Yes – 6 No – 0

THIRD READINGS: None.

MEETING ANNOUNCEMENTS:

President Corcoran: We have a Swearing in ceremony of At-Large Council members on Monday, December 23, 2013 at 7:00 P.M. in Council Chambers. City Council Organizational meeting on Monday, January 6, 2014 at 6:30 P.M. in Council Chambers. Next regular Council meeting on Monday, January 6, 2014 at 7:30 P.M. in Council Chambers.

ADJOURNMENT:

President Corcoran: I wish everyone a Merry Christmas and happy New Year. Seeing no other business to bring before the City this evening, this meeting is adjourned. The meeting was adjourned at 8:40 P.M.

Approval of minutes:

A stylized handwritten signature, possibly reading 'K-E', enclosed within a circular loop.

PRESIDENT OF COUNCIL

A cursive handwritten signature, appearing to read 'George E. Lindle'.

CLERK OF COUNCIL