

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING JULY 21, 2014**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, July 21, 2014 regular Council meeting.

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, Bernadine Butkowski, Roseanne Johnson, and President Kevin Corcoran.

Absent was Councilman Terrence Keenan.

Also present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin and Deputy Clerk Donna Tjotjos.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the Public Hearing meeting minutes of July 7, 2014 regarding the 2015 Tax Budget. Are there any comments or questions regarding those minutes?

Moved by Olesen and seconded by Butkowski to accept the Public Hearing meeting minutes of July 7, 2014.

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

Yes – 6

No – 0

President Corcoran: You have before you the Council meeting minutes of July 7, 2014. Any objections or corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: We have the Special Council meeting minutes of July 10, 2014 regarding Resolution T 71. Are there any objections or corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Flood and Drainage Control minutes of April 22, 2014, the Board of Zoning and Building Appeals minutes of July 3, 2014 and the Planning Commission minutes of July 8, 2014.

LOBBY:

President Corcoran: That brings us to the lobby session of our meeting. This is your opportunity to address Council. If you should choose to do so, please step up to the podium; state your name and address for the record. You will be given three minutes to speak on the topic of your choice. With that being said, we call up Nita Morrison first.

Nita Morrison of 34939 Northview Circle introduced herself as one of the trustees of the Northview Circle Home Owners Association and spoke regarding the sanitary sewer flooding that has occurred within her condominium neighborhood. She stated that during the Committee Meetings of the Whole, discussions were held, but were not related to the Northview Circle area specifically. She asked if there were any solutions for the Northview Circle/Jaycox area. She wanted it on record that she is opposed to the sewer line extension application for Harvest Ridge Church and the 24 homes tying into the sewer lines.

President Corcoran: Mrs. Morrison, I think you are missing some information and I think the best place for you to get that information is Engineering. Is there anybody else that would like to address Council this evening?

Charlotte Corridoni of 35046 Gina Drive asked for direction on our website in which she could send questions via email to specific departments. She asked for direction on whom to contact for public records relating to the collections of tap in fees for over the last 20 years.

President Corcoran: Sir?

Roy Cook of 36745 Chestnut Ridge Road spoke his concerns related to the lot adjacent to his property; owned by Community Health Partners, which has not been maintained at all this year. He stated he lodged a complaint, but did not see resolve.

Mayor Gillock: Mr. President, I did not hear the address Mr. Cook is speaking on.

President Corcoran: It is the Community Healthcare Partners property.

Roy Cook stated that it is on the south side of Chestnut Ridge road and he lives at 36745 Chestnut Ridge Road.

Mayor Gillock: West of the alternate 83?

Roy Cook responded yes.

Mayor Gillock: I'll look into it.

President Corcoran: Is there anybody else that would like to address Council this evening? Thank you. Moving on to the Administrator's reports. We have Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. Several things to go over this evening and I will try to be brief. First, each Council person received at your desk a copy of the CAFR. I want to thank Chris Costin and his staff for the work they have done on this. This is available to the general public from my office and it will also be on our website. It is our annual financial

statement, but there is also a wealth of information besides the financial data that you might be interested in. As Council knows, we again passed our audit with flying colors. We are glad to have that report completed.

Secondly, Council may be aware that we went to Fact-Finders with our Police unions. There are actually three unions. There are the Dispatchers, the Patrolman and the Officers. The issue was to simply decide whether they received a two percent increase or a three and a half percent increase. The Fact-Finder ruled in the City's favor giving them two percent. In an unusual situation, the unions voted today. The Dispatcher's union voted to accept the report. The other two unions voted to reject the report. We will be going to reconciliation for those two unions.

Moved by Mayor Gillock and seconded by Johnson to accept the Fact Finder's report in order to ratify the support of the decision to give the Police unions a two percent increase.

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

Yes – 6

No – 0

Mayor Gillock: Next, on my list, is T 81 for expenditure of funds for property owners for easements. As we purchase the easements that we need on Lear Nagle, we have to write the checks and ODOT got us a little bit ahead of schedule here in signing the contracts with the property owners prior to our writing the purchase order. So, I would ask that T 81 be passed this evening with the emergency to pay those property owners.

Next, as Council knows, we have had a lot of discussion about code red, emergency alerts and other type of notification systems. We have been working with the Lorain County Emergency Management Agency for over six months as they looked at a system put out by Inspiron Logistics known as Wireless Emergency Notification System. We have to do a little bit more to get some information, but at this point, we believe it gives us all the information we need in terms of the ability to work with landlines, mobile devices, voice and text messaging, email, pagers and desktop alerts. For example, besides storm weather alerts and other emergencies, it will give us the ability to notify two blocks in the City alerting them of a boil order. It will allow us to drill down to that detail. This is being paid for entirely or if not entirely it would be a small investment on our part. Most of this is being paid for by the County. You will be getting information on that as it is implemented, but we think that will give us the ability to communicate with our residents as we need. A couple other items as I wanted to respond to in regards to the Board Member from Northview. I didn't get your name, I'm sorry, but just some issues you may not be aware of. You mentioned the \$4 million dollar plan that Council is working on and that is a storm water management project to manage storm water and not sanitary. It could help if it kept water out of the sewer systems. Along Center Ridge Road, we will be creating four new detention ponds which there are none there now; along with the storm sewers being installed. Those detentions should help in the same way by keeping storm water out of the sanitary. Recently, Council raised the sanitary sewer rates which directly impact the sanitary system. Right off the bat, when we start collecting that money, we will sign the contract

to investigate the EQ Basin project. The study itself is \$50,000. The EQ Basin could be a couple million or more. So, we want to make sure that it does what we think it will do and will work before we spend that kind of money, but with increasing the base rate in the sanitary sewer charge, will give us some funds to start addressing some of those types of issues. In response to Charlotte's question about the website, if you click on Contact Us, you will come up with a list of Department Heads, Council, and Administration by name, title and phone number. In the first column where the name is, if you just click on the name, it will immediately come up with an email. If you click on David Gillock, it comes up with an email to me. There is also at the bottom where you can email all Council members by clicking down there. That function is there. It is in small print, so it might be a little easier if it was bigger print, but it is there. We do get emails quite often in which we do respond to. Take a look at that and hopefully, that will give you the ability to communicate with us. Lastly, I needed to get the address of the gentleman who spoke and we will look into that property on Chestnut. I know our contractors are running a little bit behind. We have another one on Chestnut and that is why I wanted to know because we contracted with the contractor last week and he will get there sometime this week. It has been posted for two weeks, so give him time to get there, but we will look into this one too. Thank you and that concludes my report.

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

B. Safety-Service Director: Thank you Mr. President. Sitting to my left is Robin Wangler. She actually brought Scott in tonight for the meeting. For those of you who did not know, last week he broke his other collar bone, had surgery last Friday and Robin is his taxi driver tonight. This is the first time I've actually met Robin so, welcome to the City of North Ridgeville and thanks for bringing Scott here.

Dispensing with the fun stuff to the more fun stuff, we continue to clean ditches. Last week, the Mayor had set up, what is a very difficult meeting to set up and that is with the Army Corp of Engineers. Probably, he started about two or three weeks ago to set this meeting and if you've heard the horror stories about the Army Corp coming out, we actually had a face to face meeting with the Army Corp of Engineering last week. We had another meeting today via a conference call with individuals down in Columbus of which that person attended and set it up to not only grant programs but programs that possibly the City of North Ridgeville could apply for. Now recognizing that this could take some time, that does not mean that we're not going to move forward as we have funds to do so and as she has stated that as they move out, they can kind of back funds into us as we are moving forward and looking at the mitigation side too of purchasing homes and what can be done and so, we are looking at all the angles that we can both from the Federal and State Government and I know that the Mayor is going to be speaking with the State EMA person here in the next week. So, you might think that it is sunny outside, but it is actually raining in our offices. So, we're thinking of rain all the time as to where we are moving forward on storm water management as well as sewer water management as we move forward. That concludes my report this evening.

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

C. Engineer: Thank you Mr. President. We recently awarded the Chestnut Ridge phase three contract which runs approximately from Bainbridge to the Turnpike Bridge to Specialized Construction. The process for this phase is different than the previous phases. They are going to have a special machine that will run down the road and the machine will grind up the old asphalt, add material to the grindings and leave in its path a drivable recycle layer and they will drive on that recycle layer for about a week. Any kind of soft spots, they will become aware of during that week tryout period, will be repaired and two final layers of virgin asphalt will be placed on top of that. They are starting right away, but visibly starting around September 1st where you will start to see machines and things being done. Everything will be completed within 30 days hopefully. Another project on the horizon is the Manchester Circle waterline replacement. The local bidder on this was Charles Acres. I have not had a preconstruction meeting with them yet and I don't have a formal schedule, but they are currently finishing up on the Cornell Avenue waterline and they just plan on moving directly over to Manchester Circle. So, I anticipate them starting soon on that one. That concludes my report.

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

D. Auditor: Mr. President, just a couple of brief things in addition to the CAFR that the Mayor mentioned that is front of you this evening, you also should have received the June 2014 Financial report and that brings us totally up to date.

I would request Council consider passing with the emergency tonight T 72, which is the advances and transfer resolution. The reason for that is that we did appropriate these funds earlier in the year during appropriations. The reason for the transfer to the Street Department is obvious with the winter we had, but we were kind of holding back to see if we didn't get additional monies into the Street fund from normal sources of gas taxes and license taxes, but we have not and when you have an opportunity to look at your June balances, you'll see that the Street Department has a positive \$60,000 dollar balance going into July, but with encumbrances, we are in a \$30,000 negative position. So, we will need to pay those bills and I would ask that, that transfer resolution be adopted with the emergency so we can keep on paying these expenses on a timely basis. That concludes my report, request and comments. Have a good evening.

President Corcoran: Thank you.

E. Other Reports:

President Corcoran: Please note the June 2014 Fire Department Monthly report, the June 2014 Mayor's Court Monthly report, and the June 2014 Police Department Monthly report.

COUNCIL COMMITTEE REPORT(S): None

CORRESPONDENCE:

President Corcoran: There are no Council Committee Reports, but we have a piece of correspondence.

Deputy Clerk Tjotjos:

- 1). Received from the Auditor of State, David Yost, the State Audit Report which included the North Ridgeville Comprehensive Financial Report for the Year End 2013.

OLD BUSINESS: None

NEW BUSINESS:

President Corcoran: Moving on to New Business.

Deputy Clerk Tjotjos:

Planning Commission recommendations from meeting held July 8, 2014:

APPLICANT: Chris Taylor, Pikeview Materials, LLC, 7719 Race Road

OWNER: Race Road, LLC, 37000 Center Ridge Road

REQUEST: Approval to operate existing temporary structure as a permanent facility and to install additional asphalt pavement in an I-2 District.

LOCATION: 7719 Race Road in an I-2 District.

Permanent Parcel No. 07-00-034-000-134

PC ACTION: **Postponed application until regular meeting scheduled August 12, 2014.**

President Corcoran: With that postponement, we will not be taking any action on that. Second Planning Commission report.

Deputy Clerk Tjotjos:

APPLICANT: Randall S. Smith, Davison Smith Certo Architects, 26031-B Center Ridge Road, Westlake, OH 44145

OWNER: Thomas Kelly, 33256 Center Ridge Road

REQUEST: Approval to construct a 6,510 square foot addition to existing structure

LOCATION: 33290 Center Ridge Road in a B-3 District.

Permanent Parcel No. 07-00-008-114-019

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

Moved by Olesen and seconded by Boose to accept 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: That has been accepted. Liquor Permit request.

Liquor Permit Request:

Deputy Clerk Tjotjos:

A request for a liquor permit transfer from the Ohio Division of Liquor Control for Bradcent Ltd, DBA Our Place Restaurant & Lounge, 34160 Center Ridge Road & Patio, North Ridgeville, OH.

Moved by Butkowski 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 August 11, 2014.

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

Yes – 6

No – 0

President Corcoran: Moving on. T 72.

Ordinance and Resolution Submittals

Deputy Clerk Tjotjos:

T 72-2014 A RESOLUTION APPROVING ADVANCES OF VARIOUS FUNDS, AND TRANSFERS FROM THE GENERAL FUND, OF THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Arndt to suspend bylaws to give T 72 a first reading.

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

Yes – 6

No – 0

President Corcoran: T 72 has been added to first readings. T 73.

Deputy Clerk Tjotjos:

T 73-2014 AN ORDINANCE AMENDING SECTIONS 880.01 AND 880.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE THE MUNICIPAL INCOME TAX RATE FROM ONE PERCENT TO ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT BEGINNING JANUARY 1, 2015, TO PROVIDE FUNDS TO PAY GENERAL MUNICIPAL OPERATING EXPENSES, COSTS OF CAPITAL IMPROVEMENTS AND EQUIPMENT, INCLUDING, WITHOUT LIMITATION, PUBLIC SAFETY FACILITIES AND RELATED IMPROVEMENTS AND EQUIPMENT AND STORM WATER MANAGEMENT AND DRAINAGE IMPROVEMENTS, AND DEBT CHARGES ON SECURITIES AND OTHER OBLIGATIONS OF THE CITY.

(Introduced by Mayor Gillock)

Moved by Olesen and seconded by Arndt to suspend bylaws to give T 73 a first reading.

President Corcoran: Are there any comments or questions?

Councilman Boose: I have a question. During the 12 hours plus that we met in the Committee of the Whole, we talked a lot about infrastructure issues that the City is facing over the next five years and during that time we prioritized them and put them together and then sat down with the formidable task in trying to determine how we fund these things. Several things came up and two of which are new tax requests for residents to consider. At the last meeting I talked about how I thought having two new tax requests for residents on the ballot at the same time was not advised and for several reasons. T 71 which we will look at later this evening and we saw at our last meeting, is for \$8 Million dollars of a \$67 Million dollar project and it is about a 12 percent of the City's throw in. If you count the \$1.7 Million we have already paid, that comes close to 15 percent and so, to get 85 cents on the dollar for that is a pretty good deal; especially when we have spent decades of time and money and already \$1.7 Million in trying to get that project through and then we learned in the meetings, that not only will it widen the road and help with the primary reason of that whole project to reduce traffic accidents and for safety reasons, but it will also, as the Mayor indicated earlier this evening, install storm water sewers, which Center Ridge does not have and four new detention basins, which are not there either. Those two things alone should help tremendously in helping our storm water management issues from Center Ridge Road to both the south and north of it and will help Northview Circle. No doubt about it. I believe that the Mayor has been on record and I'm sure he'll correct me if I'm wrong that if you had to put a new tax request to the residents, this would be the one that he would support and that others he would consider supporting as long as this one was on there too, because of what I stated earlier. When I look at this, I don't believe that two new tax levies at the same time are in our best interest and I'll tell you why. First, we've already gone and said we are going to increase our sewer rate an additional 3 percent on top of the automatic 3 percent that we normally have. Two, we have dramatically increased the monthly sewer fee. Understanding that we have, for the next couple of years, also reduced the solid waste fee, which goes to our trash hauling to help compensate for that and three, we are in the process of instituting a new storm water management fee that will be charged monthly, again, to help address a lot of these infrastructure issues in regards to storm water management and sewer management. When you add the new tax request for Center Ridge Road and Lear Nagle, though minimally somewhere around \$30.00 per year for a home value of \$100,000, that is a lot to ask residents to do and to ask them to consider also a City Income Tax Increase on top of that, I think is asking too much. You have several things that are going to happen. One, you are going to find those people that are going to vote no anyways no matter what it is. The rest of those people are going to do one of several things. They are either going to consider both and perhaps vote for both; consider both and perhaps vote against both; or consider both and choose and when they choose, they may not vote for both. They may vote for one or the other and when you already have a certain number of people who are going to vote no anyways, that makes it hard for both of those things to pass and I for one think that they both need to be, but I also am a realist and think that there is only so much we can ask our residents to pay for. The one thing we have to do also is we have to have a plan to market these to our community. There are two main reasons why the Center Ridge Road and Lear Nagle Road levy didn't pass the first time was one, we had extremely low

voter turnout and two, I really don't think the residents understood what they were going to be getting for the cost of it, which was extremely reasonable and so, we need to understand that we need to educate people about this levy and then we also need to educate people about the income tax and that is difficult. I for one, have been in the Auditor's office and have been one of the most vocal people on Council over the last several years of trying to identify how we can help our General Fund. Because it is either one of three things. You either cut expenses; you either add income or do both and this is one way to address that. We've been talking about a tax increase for years. I just don't think that this election is the time to do it and so, because of those reasons, I won't be voting for the income tax measures on T 73, 74 or 75. Thank you.

President Corcoran: Are you finished?

Councilman Boose: Yes, I am.

President Corcoran: Because I was waiting for the question you said you had.

Councilman Boose: Question or comment.

President Corcoran: With that speech we are left at T 73. We had the motion and we had a second. Now, could you please take the roll. All those in favor say yes. All those opposed say no.

Deputy Clerk Tjotjos: Measure has passed by a vote of five to one.
Yes – 5 No – 1 (Boose)

President Corcoran: T 73 has been added to first readings. T 74.

Deputy Clerk Tjotjos:

T 74-2014 A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 880.01 AND 880.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE THE MUNICIPAL INCOME TAX RATE FROM ONE PERCENT TO ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT BEGINNING JANUARY 1, 2015, TO PROVIDE FUNDS TO PAY GENERAL MUNICIPAL OPERATING EXPENSES, COSTS OF CAPITAL IMPROVEMENTS AND EQUIPMENT, INCLUDING, WITHOUT LIMITATION, PUBLIC SAFETY FACILITIES AND RELATED IMPROVEMENTS AND EQUIPMENT AND STORM WATER MANAGEMENT AND DRAINAGE IMPROVEMENTS, AND DEBT CHARGES ON SECURITIES AND OTHER OBLIGATIONS OF THE CITY.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Arndt to suspend bylaws to give T 74 a first reading.

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

Deputy Clerk Tjotjos: Measure passed by a vote of five yes and one no.
Yes – 5 No – 1 (Boose)

President Corcoran: T 74 has been added to first readings. T 75.

Deputy Clerk Tjotjos:
T 75-2014 AN ORDINANCE AMENDING SECTION 880.15 OF THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER
TO INCREASE THE CREDIT FOR TAXES PAID TO ANOTHER
MUNICIPALITY.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Olesen to suspend bylaws to give T 75 a first reading.

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

Deputy Clerk Tjotjos: Measure passed by a vote of five yes and one no.
Yes – 5 No – 1 (Boose)

President Corcoran: T 75 has been added to first readings. T 76.

Deputy Clerk Tjotjos:
T 76-2014 AN ORDINANCE AMENDING N.R.C.O. CHAPTERS 1264 -B-1
NEIGHBORHOOD BUSINESS DISTRICT, 1266 - B-2 *CENTRAL BUSINESS
DISTRICT*, AND 1272 - B-5 *ARCHITRCTURAL BUSINESS DISTRICT* BY
REMOVING RESIDENTIAL DWELLINGS AS PERMITTED OR
CONDITIONAL USES IN THE CITY OF NORTH RIDGEVILLE'S BUSINESS
DISTRICTS.

(Introduced by Councilman Keenan)

President Corcoran: I REFER THIS LEGISLATION TO BUILDINGS AND LANDS
COMMITTEE.

President Corcoran. T 77.

Deputy Clerk Tjotjos:
T 77-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5146-2014
MAINTENANCE TECHNICIAN PAY SCALE TO CORRECT AN
ADMINISTRATIVE ERROR.

(Introduced by Administrative Committee)

President Corcoran. T 78.

Deputy Clerk Tjotjos:

T 78-2014 AN ORDINANCE AMENDING N.R.C.O. 1042 *FRENCH CREEK SEWER DISTRICT REGULATIONS* AND ESTABLISHING UPDATED FEES AND PROVISIONS FOR OUTSIDE WASTE AND SEPTAGE WASTE HAULERS TO THE FRENCH CREEK WASTEWATER DISTRICT.
(Introduced by Mayor Gillock)

President Corcoran: T 79.

Deputy Clerk Tjotjos:

T 79-2014 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN THE PIONEER RIDGE PHASE 8 SUBDIVISION AT WATERBURY, AND DEDICATING THEM FOR PUBLIC PURPOSES.
(Introduced by Mayor Gillock)

President Corcoran: T 80.

Deputy Clerk Tjotjos:

T 80-2014 PID NO. 97103 PROJECT NAME: BRIDGE INSPECTION PROGRAM SERVICES AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE INSPECTIONS.
(Introduced by Mayor Gillock)

Mayor Gillock: Mr. President.

President Corcoran: Yes, Mr. Mayor.

Mayor Gillock: No need to rush this but I just thought I would give a little bit of an explanation. We bear the responsibility to inspect bridges throughout the City and we usually spend about \$18,000 a year doing this. The State has a new program that we can use next year. We won't be able to do it this year, but by entering into this agreement with ODOT, they will perform the bridge inspections for us at no cost. That is what this is about.

President Corcoran: Thank you, Mr. Mayor. T 81.

Deputy Clerk Tjotjos:

T 81-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CERTAIN PROPERTY OWNERS FOR RIGHT-OF-WAY ACQUISITIONS FOR THE LEAR NAGLE ROAD WIDENING PROJECT.
(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Butkowski to suspend bylaws to give T 81 a first reading.

President Corcoran: All those in favor say yes.

Councilman Boose: Mr. President, can I ask a question?

President Corcoran: Certainly.

Councilman Boose: I have a couple. First of all, are we going to be asked to approve each one of these easement purchases as the project moves forward or is this something special because they came in before the purchase orders?

Mayor Gillock: We approved legislation to pay all these. You did that during the last meeting and two meetings ago. We delayed. These were done before the purchase orders were written. Hopefully, this was the only one. I'm not going to guarantee it.

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

Yes – 6

No – 0

President Corcoran: T 81 has been added to first readings. T 82.

Deputy Clerk Tjotjos:

T 82-2014 A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS THE QUESTION OF ISSUING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$8,000,000 FOR THE PURPOSE OF IMPROVING CENTER RIDGE ROAD, LEAR NAGLE ROAD AND CERTAIN OTHER DESIGNATED INTERSECTING STREETS, 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.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Boose to suspend bylaws to give T 82 a first reading.

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 82 has been added to first readings.

Councilman Arndt: Mr. President, with regard to T 82; I don't know whether I direct this question to you or to the Mayor, but do we want to adopt this tonight or does this need to pass with the emergency so it can get on the ballot?

President Corcoran: Yes we do, but we'll do that after first reading.

Mayor Gillock: Mr. President, I wanted to give you some numbers. When we talked about this earlier, we were a little bit fuzzy on the total numbers because they do change quite constantly. So, I had the Engineering Department bring me up to date as closely as we could and I would tell you that on Center Ridge Road, as of this month, we have already spent, \$1,056,000 dollars and what we would still need to fund out of this property levy is \$3,704,294 dollars. On Lear Nagle, we have spent \$624,990 dollars and we still will basically owe \$3,711,411 dollars. So, the remainder, if you add them together, the total that will be owed is about \$7,500,000 dollars to fund the actual construction and that is what that \$8 Million is for. The total for the two projects has been revised slightly and is now \$64,843,971 dollars. At this point, our portion is about 14 percent, which originally we said 12 to 12.5. We are now at 14. That happens when you negotiate land as the cost will go down and cost of materials change, but those are the most recent numbers.

President Corcoran: That is the end of new business. We are at the recess portion of our meeting. Would anybody like a recess.

RECESS:

Moved by Arndt and seconded by Boose to bag the recess.

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

Yes – 6

No – 0

President Corcoran: Moving on now to first readings. We have T 67.

FIRST READINGS:

Deputy Clerk Tjotjos:

T 67-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH CT CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES, NOT TO EXCEED \$183,500.00, FOR A GRIT

REMOVAL SYSTEM AT THE FRENCH CREEK WASTEWATER
TREATMENT PLANT.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings tonight on T 67.

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

Yes – 6

No – 0

Mayor Gillock: This is for the engineering. This has been appropriated. The grit removal system is an important part of the French Creek Plant. We need to get this engineered and get it out to bid so we can make those repairs in a timely manner. We don't need to add the emergency, if it is adopted tonight.

Councilwoman Johnson: Mr. President, is it too late to ask for a recess? I thought Mr. Arndt was going to ask for a recess.

President Corcoran: You would like a recess, then?

Councilwoman Johnson: Five minutes, if you don't mind.

President Corcoran: Okay, let's finish voting on T 67.

Moved by Boose and seconded by Olesen to adopt T 67.

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

Deputy Clerk Tjotjos: Motion passed by a vote of six to zero and becomes **ordinance number 5155-2014**.

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to proceed into recess for five minutes.

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

Yes – 6

No – 0

Meeting recessed at 8:17 P.M.

Meeting resumed at 8:23 P.M.

President Corcoran: Called the meeting back to order with the first reading of T 70.

Deputy Clerk Tjotjos:

T 70-2014 A RESOLUTION OF SUPPORT FOR OHIO PUBLIC WORKS COMMISSION PRIORITIES.

(Introduced by Mayor Gillock)

President Corcoran: T 72.

Deputy Clerk Tjotjos:

T 72-2014 A RESOLUTION APPROVING ADVANCES OF VARIOUS FUNDS, AND TRANSFERS FROM THE GENERAL FUND, OF THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Boose to dispense with the second and third readings tonight on T 72.

President Corcoran: There was a request by the Auditor that we add the emergency clause.

Moved by Corcoran and seconded by Boose to add the emergency clause to T 72 in order to finance the current operations and to pay the bills already outstanding.

President Corcoran: Are there any questions or comments on the emergency clause? All those in favor say yes. All those opposed say no.

Yes – 6

No – 0

President Corcoran: A motion was made by Johnson and seconded by Boose to dispense with the second and third readings tonight for T 72 now with the emergency clause.

Yes – 6

No – 0

Moved by Johnson and seconded by Boose to adopt T 72 with the emergency clause.

President Corcoran: Are there any comments or questions?

Councilwoman Johnson: Mr. President, may I add that the emergency clause is being added so that we can pay the expenses on a timely basis for our Street Construction and Repair fund?

President Corcoran: Certainly. On the adoption, Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion passed by a vote of six yes and zero no and becomes **resolution number 1308-2014**.

Yes – 6

No – 0

President Corcoran: Moving on to T 73.

Deputy Clerk Tjotjos:

T 73-2014 AN ORDINANCE AMENDING SECTIONS 880.01 AND 880.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE THE MUNICIPAL INCOME TAX RATE FROM ONE PERCENT TO ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT BEGINNING JANUARY 1, 2015, TO PROVIDE FUNDS TO PAY GENERAL MUNICIPAL OPERATING EXPENSES, COSTS OF CAPITAL IMPROVEMENTS AND EQUIPMENT, INCLUDING, WITHOUT LIMITATION, PUBLIC SAFETY FACILITIES AND RELATED IMPROVEMENTS AND EQUIPMENT AND STORM WATER MANAGEMENT AND DRAINAGE IMPROVEMENTS, AND DEBT CHARGES ON SECURITIES AND OTHER OBLIGATIONS OF THE CITY.

(Introduced by Mayor Gillock)

Moved by Corcoran and seconded by Arndt to add the emergency clause to T 73 for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to enable the City to timely commence collection of the City's income tax at the increased rate provided for in this ordinance commencing January 1, 2015 and thereby to continue to provide services and capital improvements critical to the safety and well-being of the residents of the City.

President Corcoran: On the emergency clause being added to T 73? Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion passed by a vote of five yes and one no.

Yes – 5 No – 1 (Boose)

Moved by Corcoran and seconded by Arndt to postpone further action on T 73 until the date certain as the first meeting in December or on the first date allowable by law after certification of the election results.

Law Director Crites: This is simply because we want to allow for the possibility that there may be a reason, not one that I have awareness now that we want to act on this before that meeting by Special Meeting and that would allow us that opportunity.

President Corcoran: So, on the motion to postpone. Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion passed by a vote of four yes and two no.

Yes – 4 No – 2 (Boose, Olesen)

President Corcoran: T 74.

Deputy Clerk Tjotjos:

T 74-2014 A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 880.01 AND 880.03 OF THE CODIFIED ORDINANCES

OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE THE MUNICIPAL INCOME TAX RATE FROM ONE PERCENT TO ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT BEGINNING JANUARY 1, 2015, TO PROVIDE FUNDS TO PAY GENERAL MUNICIPAL OPERATING EXPENSES, COSTS OF CAPITAL IMPROVEMENTS AND EQUIPMENT, INCLUDING, WITHOUT LIMITATION, PUBLIC SAFETY FACILITIES AND RELATED IMPROVEMENTS AND EQUIPMENT AND STORM WATER MANAGEMENT AND DRAINAGE IMPROVEMENTS, AND DEBT CHARGES ON SECURITIES AND OTHER OBLIGATIONS OF THE CITY.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Corcoran to dispense with the second and third readings for T 74.

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

Deputy Clerk Tjotjos: Motion has been approved by a vote of five yes and one no.

Yes – 5 No – 1 (Boose)

Moved by Arndt and seconded by Corcoran to adopt T 74.

Moved by Arndt and seconded by Corcoran to add the emergency clause as it necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this resolution must be effective at once in order to place this question on the ballot at an election on November 4, 2014.

President Corcoran: Are there any comments or questions on adding the emergency clause to T 74? Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion on the emergency has been approved by a vote of five yes and one no.

Yes – 5 No – 1 (Boose)

President Corcoran: It has been moved by Arndt and seconded by Corcoran to adopt with the emergency clause.

Deputy Clerk Tjotjos: Motion to adopt with the emergency has been approved by a vote of five yes and one no and becomes **resolution number 1309-2014**.

Yes – 5 No – 1 (Boose)

President Corcoran: At the request of the Law Director, he asked that he chime in on what we are doing right now and so, please Mr. Law Director.

Law Director Crites: Thank you Mr. President. As much as I like to hear myself speak, it was actually at the request of our Auditor to give a brief summary of what we are doing here in this process. As simple as I can put it, Council met during a Committee of the Whole meeting and decided it was necessary to continue to meet the demands of the City's operating expenses and to

fight back the generation of a deficit, as well as to bring needed safety improvements namely to wit a Fire Station to ask the residents to increase the income tax rate. Council can't do that per the provisions in our Charter. Only the electorate can do that and the way that it happens is Council entertains the ordinance, T 73 to increase the tax rate, which we have done tonight and that is why it has been postponed until a date after the election. T 73 is the ordinance raising the income tax rate for the residents of the City of North Ridgeville. It has been read. The emergency has been added for the obvious reason that if the electorate ratifies the request to increase, it will need to go into effect as soon as possible to meet the January 1 deadline. The second legislation is a resolution to submit the issue to the electors. That resolution needs to be passed with the emergency to get the issue to the Board of Elections in a timely manner to put it in front of the voters so that they might answer the question that Council has decided to ask them and that is do you not agree with us that we should raise the income tax rate in order to meet the demands of running the City. Finally, you will have T 75, which is the ordinance increasing the tax credit for the residents of the City. That piece of legislation will be read, the readings will be waived and it will be passed tonight without the emergency. Please note though, as this is a common source of confusion, in the last section of this piece of legislation is the language that was deliberately included there by our outside counsel who drafts this legislation for us at Squires, Sanders and Dempsey which serves to make that piece of legislation ineffective until the electorate ratifies the question as to whether or not to raise the taxes. In summary, if the voters do not vote to increase the income tax rate, T 75 will never go into effect and therefore the credit will not be raised. Thank you, Mr. President.

President Corcoran: Moving on to T 75.

Deputy Clerk Tjotjos:

T 75-2014 AN ORDINANCE AMENDING SECTION 880.15 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE THE CREDIT FOR TAXES PAID TO ANOTHER MUNICIPALITY.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Olesen to dispense with the second and third readings for T 75.

President Corcoran: Are there any questions or comments?

Mayor Gillock: Mr. President.

President Corcoran: Yes, Mr. Mayor.

Mayor Gillock: While the Law Director has explained how this works and when it would become effective, I wanted to go into a little bit of detail on what it is actually about. We currently have a tax credit of 10 percent for when you live in North Ridgeville and work in another community; we give you that 10 percent credit. If the income tax is passed, we will raise that credit to 100 percent subject to a .95 percent limitation, but basically what this does is if you work here and live in another city that has at least a one percent income tax, you're not going to see an increase.

Law Director Crites: Mayor that was stated backwards.

Mayor Gillock: My apologies let me restate it. If you live in North Ridgeville and work in another city, you will not see a tax increase because by raising the credit it will offset the tax payment increase. So, you will break even. If you live here and work here, you will be subject to the tax increase. So, we want to make that very clear because it is always an issue when you work in another city, you are paying taxes to two cities. You are not going to see a tax increase. Thank you.

President Corcoran: Thank you Mayor.

Auditor Costin: Mr. President.

President Corcoran: Yes, Mr. Costin. Please.

Auditor Costin: Based on some preliminary information we received from the Regional Income Tax Agency, this would affect approximately; let me say it another way. Approximately 17 percent of our residents work in the city, which means 83 work out of the city. So, if they work outside of the city; as long as they are working in a city where the tax rate is .95 percent or higher, as the Mayor said, there will be no affect. They are back to a .95 percent. It gets better. For those that are living in other cities and work here, when we raise their income tax, the majority of the communities around us, give credits and will result also in no increase to them as well. The city is doing this in such a way as all the other cities do. They increase the workplace income tax rate and provide a credit to its residents. So, because the city tax rate in the city of North Ridgeville has been so low compared to those around us, it really is the least unfair tax; let's put it that way that the city can propose. In that, 87 percent of our residents won't be affected and of those that will be affected is only because their tax rate is now below .95 percent, which means this brings them up to help share similarly to those that are already paying a higher tax rate somewhere. In reality, this is the fairest way of doing it and the vast majority of our residents will wind up paying no additional tax. Thank you.

President Corcoran: Thank you. The question on the floor was the dispensing of the second and third readings for T 75. Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion passes by a vote of five yes and one no.
Yes – 5 No – 1 (Boose)

Moved by Arndt and seconded by Olesen to adopt T 75 tonight.

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

Deputy Clerk Tjotjos: Motion has been approved by a vote of five yes and one no and becomes **ordinance number 5156-2014.**
Yes – 5 No – 1 (Boose)

President Corcoran: T 81.

Clerk of Council Smith:

T 81-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
CERTAIN PROPERTY OWNERS FOR RIGHT-OF-WAY ACQUISITIONS
FOR THE LEAR NAGLE ROAD WIDENING PROJECT.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to dispense with the second and third
readings for T 81.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 81.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 81 in
order that these funds be paid since the offers have already been negotiated.

President Corcoran: Are there any questions or comments on the emergency clause to T 81? All
those in favor say yes. Those opposed say no.

Yes – 6

No – 0

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 81 with
the emergency clause. Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion has been approved by a vote of six yes and zero no and becomes
resolution number 1310-2014.

Yes – 6

No – 0

President Corcoran: T 82.

Deputy Clerk Tjotjos:

T 82-2014 A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE
ELECTORS THE QUESTION OF ISSUING BONDS IN THE
AGGREGATE PRINCIPAL AMOUNT OF \$8,000,000 FOR THE
PURPOSE OF IMPROVING CENTER RIDGE ROAD, LEAR NAGLE
ROAD AND CERTAIN OTHER DESIGNATED INTERSECTING
STREETS, 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
THERE TO, AND ACQUIRING REAL ESTATE AND INTERESTS IN
REAL ESTATE IN CONNECTION THEREWITH.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Olesen to dispense with the second and third readings
for T 82.

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

Deputy Clerk Tjotjos: On the motion to dispense with the second and third reading for T 82 has
been approved by a vote of six yes and zero no.

Yes – 6

No – 0

Moved by Arndt and seconded by Olesen to adopt T 82.

Moved by Arndt and seconded by Olesen to add the emergency clause to T 82 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 to enable the City
to proceed timely with the filing of this Resolution and other materials with the Board of
Elections in order to submit the bond issue to the electors on November 4, 2014.

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

Yes – 6

No – 0

President Corcoran: It was moved by Arndt and seconded by Olesen to adopt T 82 with the
emergency clause. Clerk, please call the roll.

Deputy Clerk Tjotjos: Motion has been approved by a vote of six to zero and becomes
resolution number 1311-2014.

Yes – 6

No – 0

President Corcoran: That is the end of first readings. There are no second readings.

SECOND READINGS: None

President Corcoran: Moving on to our one third reading. We have T 34 Amended.

THIRD READINGS:

Deputy Clerk Tjotjos:

T 34-2014 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1444 *BUILDING*
Amended *PERMITS AND FEES* AND CHAPTER 1446 *REGISTRATION OF*
CONTRACTORS, BY ADJUSTING VARIOUS FEES TO REFLECT CURRENT
COSTS.

(Introduced by Mayor Gillock; Referred to Administrative Committee on 4/21/14; Heard by Admin on 5/15/14; Report accepted on 6/5/14; Amended by Substitution during First Readings on 6/16/14; Second Reading on 7/7/14)

Moved by Olesen and seconded by Butkowski to adopt T 34 Amended.

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

Deputy Clerk Tjotjos: Motion has been approved by a vote of six to zero and becomes **ordinance number 5157-2014.**

Yes – 6

No – 0

President Corcoran: That is the end of third readings.

MEETING ANNOUNCEMENTS:

President Corcoran:

- Next regular Council meeting on **Monday, August 4, 2014 at 7:30 P.M.** in Council Chambers.

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 8:48 P.M.

Approval of minutes:

A stylized, handwritten signature in black ink, consisting of a large, looped 'C' followed by a horizontal line.

PRESIDENT OF COUNCIL

A handwritten signature in black ink, appearing to read 'George E. Smith'.

CLERK OF COUNCIL