

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING DECEMBER 17, 2007**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order the North Ridgeville Municipal Council meeting dated Monday, December 17, 2007. If you will all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members, Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Gayle Manning and President Ronald Arndt.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin and Clerk of Council Charles Norris.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Council has before it this evening:

Public Hearing Minutes of December 3, 2007 re: T 146-2007

 moved by Olesen, seconded by Butkowski to approve the Public Hearing minutes dated December 3, 2007 regarding T 146

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 5 No, 0 Abstain, 2 (Buescher, Jaenke)

Clerk of Council Norris: Minutes are approved by a vote of five, zero and two abstentions.

Council Minutes of regular meeting held December 3, 2007

 moved by Butkowski, seconded by Manning to approve the Council minutes of the regular meeting held December 3, 2007

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 5 No, 0 Abstain, 2 (Buescher, Jaenke)

Clerk of Council Norris: Minutes are approved by a vote of five, zero and two abstentions.

Clerk of Council Norris: Council will also, please note the:

Planning Commission Minutes of regular meeting held December 11, 2007.

President Arndt: We now come to the Mayor and Director's report section of our meeting. The Chair invites our Mayor and the Directors the opportunity to share with Council their oral reports. We would like to begin tonight with our Mayor, Mr. Gillock.

MAYOR AND DIRECTORS REPORTS:

• **Mayor:**

Mayor Gillock: Good evening Mr. President, Council Members, North Ridgeville residents, guests and visitors. I am happy to report that the gypsy moth suppression treatment conducted last May was very successful. According to a letter I received last week from David Atkins from the Ohio Department of Agriculture, they were able to reduce the egg mass population per acre by 96.6 percent and the goal is 80 percent. This does not mean that defoliation will never occur again. We need to keep an eye on the park and we may wish to treat it again. However, this first application was much more effective than we had hoped for and for the time being, our park is safe.

This morning at 9:00 A.M., we officially became part of the West Com Fire Dispatch System and West Com assumed the dispatching duties. Joining with Rocky River, Bay Village, Westlake, and Fairview Park, we now share dispatching services for our Fire Department and have more effective total dispatch coverage as well as giving us the ability to put into service a third emergency paramedic squad. This will substantially reduce the number of times we have to call Avon for medical service. In addition, Central Dispatch will better enable our fire coverage as they will immediately know all units that are available and what is needed; ensuring a faster response when additional units need to be dispatched.

Finally, on behalf of the residents of North Ridgeville, I would like to formally thank Dr. Ron Arndt and Gayle Manning for their services these last few years as Council Members. It takes a special person to give up so much time to get involved and hear complaints for so little pay. Anyone, regardless of political affiliation, who serves as Council Member, certainly cares about their City and we all owe you a debt of gratitude. Thank you for your service and good luck in your future endeavors in whatever you should choose to do. Along a similar line, I would like to thank Dr. Norris for his services for the last few years as Council Clerk. I'll conclude with Merry Christmas and Happy Holidays to all our residents. See you all next year.

President Arndt: Thank you, Mr. Mayor. We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. I have a few requests tonight. T 160 being first. I would like that passed tonight with the emergency. This ordinance is for the purchase of a digital recorder that will be used by both safety forces. The current recorder that is being used by the Fire Department has become unreliable and that is the reason for the emergency. We need to try and get this replaced as soon as possible.

President Arndt: Mr. Johnson, if I may for a minute. That is T 160 under our first readings?

Safety-Service Director Johnson: I believe so, yes.

President Arndt: Did I hear you say you would like that passed with the emergency?

Safety-Service Director Johnson: Correct and the reason would be to replace the unreliable recorder that is being used by the Fire Department right now.

I am also requesting T 166 and T 167 be passed tonight without the emergency. These are the last of our employee agreements and we would like to get them in place and move on.

Mayor Gillock: Mr. President, in discussions with the Auditor, prior to the meeting, in which Mr. Johnson was not there, we agreed that these ordinances be introduced, but we don't want to pass them yet. There is still some work that needs to be done on these.

Safety-Service Director Johnson: I will withdraw my request.

Finally, I would like to join the Mayor in thanking Council for a very productive term and a very cooperative two years. A special thanks to my friends who are leaving Council this year, Council Clerk Dr. Norris, Council-At-Large Gayle Manning and Council President Dr. Arndt. North Ridgeville is a better community as a result of your service and I want to personally thank you. That concludes my report.

President Arndt: Thank you, Mr. Johnson. We, now have the opportunity to hear from our Engineer, Mr. Griffith.

- **Engineer:**

Engineer Griffith: Thank you, Mr. President. During the last Council meeting I mentioned the reoccurring problem of refuse on the stream bank. When Randy Speidel of the Engineering Department investigated this particular problem, he noticed at least eight other locations along the same bank where the problem existed. Since we then knew about the situation, notices were also sent to the other offenders as well. Now, some of the neighbors are upset with the original person who notified us. Come on people, you got caught in a wrong. Stop blaming others for your shortcomings and stand up like responsible adults and correct the situation. On that note, have a Merry Christmas and a Happy New Year.

President Arndt: Thank you. We now have the opportunity to hear from our Auditor, Mr. Costin.

• **Auditor:**

Auditor Costin: Thank you, Mr. President. I have several items to go over with you. The first of which will be the financial report that I request your passage.

Auditor's Written Financial Report for November 2007

 moved by Boose, seconded by Buescher to approve the Auditor's Written Financial
 Report for November 2007

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by
no. Any abstentions?

 Yes, 7 No, 0

Auditor Costin: Thank you. As you know now, this is the time of the year during our final Council meeting, when we have some year end financial house cleaning. I would request that Council consider suspending the By-Laws and passing tonight, T 165, which is under ordinances and resolutions. That represents our temporary appropriation ordinance for the first quarter of next year, until we do our final appropriations in March.

President Arndt: Did you want these adopted, Mr. Costin, with the emergency?

Auditor Costin: Yes, sir. I would like them passed with the emergency. Under first readings, you will find T 163. That is the final amended 2007 appropriation ordinance. Now, what I would like to do, when we get there, is have you suspend the By-Laws and pass it tonight. However, in front of each of you was another ordinance. One has a yellow dot to the left and that is actually an ordinance meant to replace this one. The reason for it is, that we originally; to make cloture, completed our updated resources using information available through October 31 and we prepared this amended ordinance. The Department decided to go ahead and check our November up-to-date receipts and we discovered that we were going to be under in a couple of areas. So, the new ordinance in front of you with the yellow dot includes those new incorporations. There are actually reductions in a couple of areas. What I would like to do, since I have a couple of other things to discuss now, is answer any questions on any of these ordinances when they have received their first reading. Again, I request that you suspend your By-Laws and pass T 163 as replaced by the ordinance that you have in front of you.

Next is T 164. That also is under first readings. That represents the reimbursement of administered expenses. Again, we do that each December and it represents the reimbursement to the General Fund for expenses incurred on behalf of other funds and other businesses that are approved in that ordinance.

Now, what inadvertently should have been and did not find its way into first readings, is T 170. A resolution that authorizes interfund advances and transfers. That is the second ordinance that is on your desk. It was inadvertently omitted. I discussed this with Paula this afternoon. This

was all discussed in Finance Committee meetings and so, it should be under first readings. If you could add that to your agenda.

 moved by Boose, seconded by Buescher to suspend the By-Laws tonight to give T 170 its first reading

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, I noticed, and I don't know if this is right or wrong, but at the end it says transfers for the year 2006.

Auditor Costin: I thought we fixed that. It should state 2007.

President Arndt: So that everyone understands, the resolution that we are referring to, T 170 is for transfers for the year 2007. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Auditor Costin: Thank you. As a recap, I would request that Council pass tonight with the emergency T 163, T 164, T 165 and T 170.

Finally, I would like to thank Councilman Dennis Boose and Councilman Dr. Ron Arndt for assisting us with our employee search for the Deputy Auditor position to replace our current Deputy Auditor, who will be soon retiring. I wish to present to you, Mrs. Teresa A. Machovina Mike, who is with us tonight. If she could please stand. I recommend her appointment to the position of Deputy Auditor.

 moved by Boose, seconded by Buescher to appoint Teresa A. Machovina Mike to the position of Deputy Auditor pursuant to North Ridgeville Codified Ordinance 232.02 to replace the current Deputy Auditor who is retiring; which appointment will run concurrent with that of the current Deputy Auditor until her retirement on or about February 16, 2008 and to approve the initial compensation of the new Deputy Auditor at the entry level per City Ordinance 4439-2007 and to welcome Mrs. Mike to the City of North Ridgeville

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Auditor Costin: I thank you. Congratulations to Mrs. Mike, we look forward to having her join our team and that concludes my report.

President Arndt: Thank you, Mr. Costin. Dr. Norris if you would continue on with our other reports please.

• **Other Reports:**

Clerk of Council Norris: Council will note under other reports is the:

Mayor's Court Monthly Report for November 2007;
Police Department Support Car Report for November 2007;
Fire Department Report for November 2007; and the

Planning Commission Report of regular meeting December 11, 2007:

APPLICANT: John Crook, Ridgecar Company, LLC, 27500 Detroit Road, Suite 300,
 Westlake, Ohio 44145

OWNERS: Donald Pitts, Leo and Mary Ann Pitts, 39797 Butternut Ridge Road,
 Elyria, Ohio 44035; Richard and Allene Hebebrand, 232 Hawthorne
 Street, Elyria, Ohio 44035, The Schumacher Co., 412 Lake Avenue, NE,
 P.O. Box 676, Massillon, Ohio 44648

REQUEST: Approval to construct a 37,000 square foot multi-tenant commercial
 building adjacent to renovated 32,686 square foot existing shopping center
 (Ace Hardware) and a 6,000 square foot out parcel tenant building with
 new site work

LOCATIONS: 34941 - 34953 Center Ridge Road, 34977 Center Ridge Road and 35075 -
 35111 Center Ridge Road in a B-3 District
 Permanent Parcel Nos. 07-00-016-104-142, 07-00-016-104-003, and 07-
 00-021-119-064

PC ACTION: Postponed application until the next regular meeting by a vote of five to
 zero

President Arndt: Since the action by the Planning Commission was to postpone, there is no action for Council to take tonight because it will come back again when the Planning Commission makes their final recommendation. Dr. Norris, if you would please read our Council Committee Report.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Norris: We have one Council Committee Report. It is:

STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT #4194 dated December 11, 2007. Members of Council, we have considered the matter of hiring a consultant to create a sidewalk plan for the entire City and recommend that this request be approved and proper legislation be drawn.

Signed by: Chairperson Butkowski, Members Buescher and Manning
 moved by Butkowski, seconded by Manning to approve the Streets, Sidewalk and Bridges
 Committee Report #4194

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, this is a start of planning for sidewalks in North

Ridgeville. This consultant will be brought up in appropriations as well as the cost. Hopefully, it will be included in next year's budget to get us started on a long project.

President Arndt: All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Council Member Boose: Mr. President, on September 4, 2007 my request for a full review by Council of the PCD ordinance, North Ridgeville Codified Ordinance 1279 was referred to the Building and Lands Committee. I formally request that this matter be reassigned to the Building and Lands Committee as 90 days has passed and no official action has been taken.

President Arndt: Your request is granted. We now move to the correspondence section of our meeting and we have four pieces. Dr. Norris if you will begin with our first.

CORRESPONDENCE:

Clerk of Council Norris:

(1) Received a memo from Mayor Gillock regarding a meeting held with representatives from Ohio Edison on complaints, our growth and their review of the system and future plans.

(2) Received a memo from Council Member Olesen submitting a safety summary compiled by Police Chief Thomas.

(3) Received a letter from the Director of the Ohio E.P.A., Chris Korleski, regarding the water pollution control loan fund draft 2008 program management plan.

(4) Received a letter from Chris Thomas, Director of Time Warner Cable Government and Media Relations giving notification of contract expiration dates of certain networks.

President Arndt: We now move to new business with one piece; if you would begin with that Dr. Norris.

NEW BUSINESS:

Clerk of Council Norris:

Parks & Recreation Commission request to expend \$4,800 to install storm drains in South Central Park

 moved by Butkowski, seconded by Boose to approve the Park and Recreation

 Commission request to expend 4,800 to install storm drains in South Central Parks

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, I think we have already approved 4,000 dollars, so actually, according to the letter from Mr. Spaulding, we only have to approve 800 more dollars. President Arndt: That is correct. Would you like to amend?

 moved by Butkowski, seconded by Boose to amend the motion to approve the Park and Recreation Commission request to expend an additional 800 dollars to install storm drains in South Central Park

Auditor Costin: Mr. Chairman, just as a point of clarification, I request if she could add, the additional 800 dollars, so that we don't go back and eliminate what we have approved.

Council Member Butkowski: Right. It is an additional 800 dollars because he needs a total of 4,800 dollars and we have already approved 4,000 dollars. We need the approval on the additional 800 dollars.

President Arndt: Is there any discussion? All those in favor, signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

President Arndt: We now come to the audience participation section of our meeting or our lobby.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: The Chair invites any member of our audience tonight, if they choose, to speak and address your City Council. We ask that you step up to the lectern to the right of Mrs Buescher. Before you do so, please fill out the lobby form that you can find in the back of the room because it gives us the opportunity to contact you personally should there be a need for any individual follow up. When you do come forward, please clearly state your name and your address and limit your comments to three minutes. Ladies and Gentleman the lobby is now open.

 moved by Arndt, seconded by Jaenke to suspend our By-Laws tonight to dispense with recess

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

President Arndt: That means we move now, into our ordinance and resolution section of the meeting and Dr. Norris if you will begin with T 165.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

Clerk of Council Norris:

T 165-2007 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2008 AND ENDING MARCH 31, 2008.

 moved by Boose, seconded by Jaenke to suspend By-Laws tonight to give T 165 its first reading

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

T 166-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4073-2004 PROVIDING FOR WAGES AND FRINGE BENEFITS FOR THE CHIEF AND ASSISTANT CHIEF OF THE NORTH RIDGEVILLE FIRE DEPARTMENT.

Mayor Gillock: Mr. President, just for clarification regarding T 166 and 167. Generally, when we finish with the Union negotiations, we review these contracts with the Chiefs. We are just now getting to these. That is all these are. They are the three year renewal contracts for the Police and Fire Chiefs. We want to give you and the Auditor some time to take a look at them. That is all they are. We can allow them to work their way through, at least until the next meeting. Thank you.

President Arndt: Thank you, Mr. Mayor.

T 167-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4074-2004 PROVIDING FOR WAGES AND FRINGE BENEFITS FOR THE POLICE CHIEF AND NON-BARGAINING UNIT CAPTAIN.

T 168-2007 AN ORDINANCE AMENDING NRCO SECTION 1272.06 LOT AND YARD REQUIREMENTS.

T 169-2007 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

 moved by Mayor Gillock, seconded by Boose to suspend our By-Laws tonight to give T 169 its first reading

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, I just had a question as to whether or not this needs to be passed by emergency this evening and if so, why?

Mayor Gillock: Yes, these are outstanding asphalt invoices that we've already used and ordered. We need to get these paid. Purchase orders were not issued originally. Therefore, this is just catch up. These need to be approved and paid for within 30 days. We need to pass it tonight, but I don't believe we need the emergency. Right, Mr. Auditor?

Auditor Costin: We don't need the emergency unless we intend to pay it this month. It should be

passed within 30 days. However, no, it does not need the emergency.

President Arndt: Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: That concludes all of our ordinance and resolution submittals. Dr. Norris, if you would begin with our first reading starting with T 142.

• **First Readings**

Clerk of Council Norris:

T 142-2007 AN ORDINANCE AMENDING NRCO CHAPTER 1294 SUPPLEMENTARY
4485-2007 REGULATIONS BY INCREASING THE SETBACK REQUIREMENTS FOR
 CENTER RIDGE ROAD.

First Reading

moved by Mayor Gillock, seconded by Olesen to dispense with the second and third readings tonight on T 142

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I think we discussed this once before. This is just to maintain adequate setbacks on Center Ridge Road in anticipation of future widening of that road, so we don't have new buildings being constructed, which would become a problem at that time. We would like to get this passed as soon as possible just to avoid that happening as well as give us more ammunition when we discuss with representatives in trying to obtain funding, that we are trying to move forward with this project.

President Arndt: Thank you, Mr. Mayor. Any other discussion? Dr. Norris, would you take roll please.

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: The motion is approved by a vote of six, zero and one abstention.

moved by Olesen, seconded by Jaenke to adopt tonight T 142

President Arndt: Is there any discussion? Please take roll.

Yes, 6 No, 0 Abstain, 1 (Buescher)

Clerk of Council Norris: Motion is approved by a vote of six, zero and one abstention and T 142 becomes permanent ordinance number 4485-2007.

Permanent Ordinance No. 4485-2007

T 158-2007 AN ORDINANCE AMENDING DEPARTMENT HEAD SALARY
4486-2007 ORDINANCE NO. 4439-2007 BY REPLACING EXHIBIT A WITH A
 REVISED EXHIBIT A.

First Reading

moved by Manning, seconded by Butkowski to amend T 158 to read effective December 1, 2007

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, I would like to understand the reasoning as to why we are backdating this a whole year when 4439-2007 wasn't discussed until the meeting on October 23, 2007.

Auditor Costin: Mr. Chairman, I'd like to respond. First of all, the amendment that she is asking for effective December 1, 2007, I believe, should be inserted in section one after Exhibit A comma. The reason for this, Mr. Boose; if you remember, there was one employee we discussed in Finance, Data Processing, that was discussed and should have received an increase. We discussed it and approved it. We forgot about it and it fell through the cracks. We did appropriate it. We felt a moral obligation to go ahead and pass that to be effective this year as opposed to the other two ordinances, where they popped up on the agenda, which we weren't aware and didn't appropriate for them. What we are going to do is include those in appropriations during the first quarter of next year, once we determine what we think those estimates are for the additional costs, as you were referring to the Police and Fire ordinances that we just discussed. This one has been appropriated and I think it was the intention of the Finance Committee to have it passed in this calendar year.

Council Member Boose: I don't have an issue with that, but there was another employee that was also to be included in that and I don't see them included in this because it is specific to the Data Processing Administrator.

Auditor Costin: This is the Data Processing Administrator.

Council Member Boose: Right and there was one other employee that was talked about that was supposed to also be compensated accordingly.

Auditor Costin: I am drawing a blank as I don't know who you are referring to.

Council Member Boose: I don't want to say the name, but I am disappointed that, that wasn't included in this because I brought that person specifically up and it was agreed to during the Committee meeting.

Auditor Costin: The only thing I would say is that I don't know if that was part of the existing ordinance. The problem with this one was that we had to create a new position and without talking to you about what you are referring to, I am not sure that we didn't take care of it.

Council Member Boose: My only request would be that, once we can bring this ordinance back for this particular employee for this particular position, that the same consideration be given as far as backdating it, so that person could have the same consideration as was approved in Committee.

Auditor Costin: That is up to Council. To the best of my understanding, I believe that all Council's wishes have already been transacted. I don't know if that one would require a new position. If it didn't require a position, then we would have already taken care of it by including it in appropriations and would be covered by an existing position. In this particular case, we couldn't pay until we created the new position within the ordinance and that is the difference.

President Arndt: For clarification purposes, we have a motion on the floor by Mrs. Manning and a second by Mrs. Butkowski to amend tonight T 158 by placing effective December 1, 2007 under section one at the end of Exhibit A and separated by a comma. Is there any other discussion? There being none, will the Clerk please take roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

 moved by Manning, seconded by Butkowski to dispense with the second and third readings tonight on T 158 as amended

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

 moved by Manning, seconded by Butkowski to adopt tonight T 158

 moved by Manning, seconded by Butkowski to add the emergency tonight to T 158 as amended in order to make a commitment to an employee

President Arndt: Is there any discussion? Will the Clerk please take roll?

Yes, 6 No, 1 (Boose)

Clerk of Council Norris: The emergency is approved by a vote of six to one.

President Arndt: In addition, we have a motion on the floor by Mrs. Manning and a second by Mrs. Butkowski to adopt tonight T 158 as amended with the emergency. Is there any discussion? Will the Clerk please take roll.

Yes, 7 No, 0

Clerk of Council Norris: T 158 is adopted with the emergency and becomes permanent ordinance 4486-2007.

 Permanent Ordinance No. 4486-2007

T 160-2007 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4487-2007 RIDGEVILLE TO PURCHASE A DIGITAL RECORDER FROM THE STATE
 CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT
 WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER
 PRESCRIBED BY LAW, NOT TO EXCEED \$26,500.00.

 First Reading

 moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 160

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

 moved by Olesen, seconded by Butkowski to adopt tonight T 160

 moved by Olesen, seconded by Butkowski to add the emergency tonight to T 160 because this is a vital piece of equipment for our safety forces

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed

by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Olesen and a second by Mrs. Butkowski to adopt tonight T 160 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 160 is adopted with the emergency becoming permanent ordinance number 4487-2007.

Permanent Ordinance No. 4487-2007

T 161-2007 A RESOLUTION SUPPORTING THE PRESERVATION OF CUSTOMER CHOICE THROUGH OHIO ELECTRIC GOVERNMENTAL AGGREGATION.
First Reading

T 163-2007 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4380-
4488-2007 2007, 4405-2007, 4433-2007 AND 4465-2007 FOR THE CITY OF NORTH
RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2007
AND ENDING DECEMBER 31, 2007.

First Reading

moved by Butkowski, seconded by Olesen to amend T 163 by substitution

President Arndt: Is there any discussion?

Auditor Costin: Yes, Council. I would like to bring your attention to page six. There was a manual correction. You should see it written in as 92,120 with my initials to the left. That replaced 92,440, which actually represented the total of those two numbers. How that happened, I'm not sure, but the number should read, under 320, it should read 92,120 and that is what we will be passing tonight for the record. Thank you.

President Arndt: Thank you. Does anyone on Council have any questions of that correction by our Auditor? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Butkowski, seconded by Buescher to dispense with the second and third readings tonight on T 163

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Butkowski, seconded by Olesen to adopt tonight T 163

President Arndt: Is there any discussion?

moved by Butkowski, seconded by Olesen to add the emergency tonight to T 163 because this has to be done by the end of the year.

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mrs. Butkowski and a second by Mr. Olesen to adopt tonight T 163 with the emergency. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 163 is adopted with the emergency becoming permanent ordinance number 4488-2007.

Permanent Ordinance No. 4488-2007

T 164-2007 AN ORDINANCE REPRESENTING REIMBURSEMENT OF
4489-2007 ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY
 OF NORTH RIDGEVILLE, OHIO.

First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 164

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Jaenke to adopt tonight T 164

moved by Boose, seconded by to Jaenke add the emergency in order that we pay these within the current fiscal year

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose and a second by Mr. Jaenke to adopt tonight T 164 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 164 is adopted with the emergency becoming permanent ordinance number 4489-2007.

Permanent Ordinance No. 4489-2007

T 170-2007 A RESOLUTION AUTHORIZING INTERFUND ADVANCES AND
1119-2007 ADVANCE REPAYMENTS AND TRANSFERS FOR THE YEAR 2007.

First Reading

moved by Boose, seconded by Jaenke to dispense with the second and third readings tonight on T 170

President Arndt: Is there any discussion?

Auditor Costin: Yes, I would just like to, if I could Mr. President, provide some explanation. Some of these things like this ordinance and the one before, we have to wait until the very last minute so we know how much those advances and reimbursements need to be. We have

discussed these during Finance Committee meetings and really it is a result of the Auditor of State recommendations, that we have these things in place regardless of whether we are a Chartered City or not. That is the explanation of why we have this housekeeping in the last meeting in December, so that we can have a more specific amount for you. Thank you.

President Arndt: We appreciate that explanation, Mr. Costin; because I suspect for people sitting in the audience who might be potentially falling asleep and for those who might be watching wondering, good Lord, why is all of this stuff being passed by emergency. Your explanation clearly articulates that a lot of this must come at this time of the year and during this meeting, so that we can accurately have a correct accounting of those funds. I appreciate that. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 170

moved by Boose, seconded by Butkowski to add the emergency tonight to T 170 so that the interfund advances and advance repayments and transfers can take place before the fiscal year ends

President Arndt: All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Boose and a second by Mrs. Butkowski to adopt tonight T 170 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 170 is adopted with the emergency becoming permanent resolution number 1119-2007.

Permanent Resolution No. 1119-2007

T 165-2007 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS
4490-2007 OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES
FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2008 AND ENDING MARCH 31, 2008.

First Reading

moved by Butkowski, seconded by Olesen to dispense with the second and third readings tonight on T 165

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Butkowski, seconded by Olesen to adopt tonight T 165

moved by Butkowski, seconded by Olesen to add the emergency in order to get the appropriations in for current expenses prior to the end of the year

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Finally, we have a motion on the floor by Mrs. Butkowski and a second by Mr. Olesen to adopt tonight T 165 with the emergency. Any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 165 is adopted with the emergency becoming permanent ordinance number 4490-2007.

Permanent Ordinance No. 4490-2007

T 169-2007 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

1120-2007 First Reading

moved by Boose, seconded by Butkowski to dispense with the second and third readings tonight on T 169

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Boose, seconded by Butkowski to adopt tonight T 169

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 169 is adopted and becomes permanent resolution number 1120-2007.

Permanent Resolution No. 1120-2007

President Arndt: That concludes all of our first readings for the evening. However, despair not, because we have only one second reading coming up. Dr. Norris?

• **Second Readings**

Clerk of Council Norris:

T 156-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4454-2007 REGARDING THE IMPROVEMENT OF THE CITY'S SANITARY AND STORM SEWER SYSTEMS AND WATER MAINS ON DYKE AVENUE AND THE SURROUNDING AREA BY INCREASING THE AMOUNT FROM \$250,000.00 TO \$271,000.00.
Second Reading

President Arndt: That concludes our second readings. We move now into our third readings beginning Dr. Norris with T 145.

• **Third Readings**

T 145-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4422-2007 WHICH
4491-2007 AMENDED CHAPTER 1024, SIDEWALKS.

Third Reading

moved by Boose, seconded by Jaenke to adopt tonight T 145

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 145 is adopted and becomes permanent ordinance number 4491-2007.
Permanent Ordinance No. 4491-2007

T 146-2007 AN ORDINANCE REINSTATING THE RIGHT TO PLANT TREES WITHIN
4492-2007 THE MUNICIPAL RIGHT-OF-WAY.

Third Reading

moved by Olesen, seconded by Manning to adopt tonight T 146

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 146 is adopted and becomes permanent ordinance number 4492-2007.
Permanent Ordinance No. 4492-2007

T 154-2007 AN ORDINANCE CREATING THE FULL-TIME POSITION OF ASSISTANT
4493-2007 CITY ENGINEER.

Third Reading

moved by Manning, seconded by Olesen to adopt tonight T 154

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, I continue to have reservations in regards to approving a new position and salary scale of an Assistant Engineer under T 154 and T 155 respectively. You will recall my reservations during our Finance Committee Meeting on October 23, as I believe this position should be considered with all others during our upcoming appropriation meetings in February or March 2008. However, I approved the request in Committee to allow continued discussion on the topic considering the stipulation prior to my vote. While I agree that an Assistant Engineer may be needed, there are numerous other additions to our City staff that are needed as well. When this position will cost the City approximately 96,000 dollars annually; when you consider wages, retirement, workman's comp, medicare, and hospitalization, we need to fully understand the implications of our actions. That is why I have recommended and continue to recommend that we delay our decision on this specific request until we can properly evaluate and prioritize this request with all the others. Earlier this year, in May, the Finance

Committee met to review a total of 13 potential new positions for a total of almost 700,000 dollars in annual cost. This was in addition to 22 proposed salary increases and in addition to step increases for another 100,000 dollars. After much discussion, we were only able to approve seven of the 13 new requests, because we did not have the funding to approve all of them. It was a difficult decision as all of the requests before the Committee were needed. But, as the appropriation process provides, we were able to prioritize the requests in their entirety. Again, if we looked at each of these requests individually, it would have been difficult to say no to any one of them. However, when you only have so much money to spend, you have to make the tough decisions in order to stay within your budget. Allow me to remind you that the Assistant Engineer position was one of the requests that we considered and did not approve. Since that Finance Committee in May, the need for additional staffing continues to grow. In September, the Service Department provided us with the information about a similar size town in Ohio, which suggests that our current Service Department continues to be undermanned in trying to handle our storm water inflow and infiltration problems. This will likely mean additional staffing requests next year. In addition, information recently provided by our Police Chief show the number of Sworn Officers in our City is less than other cities of similar size. Again, another additional staffing request for next year, especially, since we were not able to approve their original request this year. We have not yet had the discussion regarding our current Economic Coordinator Public Sector Solutions versus a Full-Time Economic Developer. Again, a Full-Time Economic Developer would require substantial funding. Now, of the Service Department, Police Department, Economic Developer and the other positions that we did not approve this year and those new positions for which we have yet to learn about, which one might have a higher priority than an Assistant Engineer? The answer, we really don't know because we haven't considered them all, only the Assistant Engineer. Do we need an Assistant Engineer? Most probably. Is this position the highest priority of any of the other needed staff additions or equipment needs within our City? We just don't know. That is why I strongly recommend that we delay our decision on this specific request until we can more properly evaluate and prioritize this request with all the others. Appropriation meetings are in less than three months. I would hate to have to deny a more deserving, addition to staff next year because of the decision we make today. Let's allow ourselves the opportunity to make the most informed decision possible by waiting for the appropriation meetings. Thank you.

President Arndt: Thank you, Mr. Boose. Is there any other discussion?

Council Member Butkowski: After listening to Mr. Boose, he is right. We have the appropriations and we do get a whole list of people that want new positions. Now, they have been reviewed and a certain amount were approved at appropriations. Now, what is then to stop all of those that got turned down to keep coming back piece meal? Why are we having appropriations? Why are we discussing these? We made a budget for the year, we should stick to that budget or this is going to keep going on and on and on. Anyone that gets turned down, they are going to come back and keep asking for another employee. There are once in a while times, when there is an emergency and I understand that and I do understand that the Engineering

Department needs an employee, but since we are very close to appropriations now, why don't we hold this back until we get into appropriations and then decide with the money that is available, because we don't know what will be available next year at this point and it's December 17.

Council Member Olesen: Mr. President, I think that we also want to keep in mind that Mr. Griffith has made some sounds about retiring and needs someone in that Department to train to our method of doing things. I don't know if Larry has a date that he will be retiring. He hasn't announced that date at this point. I do know that we need someone in there that can take his place when he does leave. I think that was part of our discussion on this position also.

Mayor Gillock: Mr. President, we have discussed this needed position and we have prioritized it. I understand what Mr. Boose is saying, but as we went through the year, we looked at the needs and what was discovered was that we need to fill this position now. As we recognized that, we have done some interviewing. We know that there are some people who are available now, who might not be available later and if we wait until the appropriation process, which takes place in late February, early March and we pass the legislation, you are looking at possibly March and April. Now, by the time you go through the interview process again and hire someone, you have lost another half a year and we can't afford to wait. We need this person now. I'm prepared to make a motion to add the emergency clause, because we need to get this person on board as soon as we can. Hopefully, at the start of the year. Thank you.

Safety-Service Director Johnson: I would like to add that Mr. Griffith's position as City Engineer is a salary position. He is paid a flat salary. All the other positions that were brought up can be covered by overtime. Mr. Griffith's job is also covered by overtime, but for free. We have been unfair with him and his position for quite some time now. His car is the last car to leave City Hall almost every day. We have burned him out pretty well. He has been very good about it and he's tried hard, but he needs help. He needs help badly and I think we need to supply that help. He has been asking for at least two years now for an Assistant.

President Arndt: Thank you, Mr. Johnson. Mrs. Manning?

Council Member Manning: Also, Mr. President, when we had discussed this during the Finance Committee meeting, one of the things that we brought up was the fact that we are outsourcing much of the Engineer work and by getting an Assistant Engineer in here, it will almost cover the cost of his salary, eventually, after he gets trained.

President Arndt: Thank you, Mrs. Manning. Is there any other comments or discussion?

Council Member Boose: Just a couple of things. One, I agree that Mr. Griffith does an outstanding job and I'm not sitting here saying that we don't need an Assistant Engineer, but again, we haven't had the discussion with all the other Department Heads about their other needs as to what might be the most important at this time. I don't remember during the discussion that not being able to outsource would pay for Larry's position and if that is true, I'd like the Administration to say so. Finally, just to have a replacement for Larry to train, that would be a great opportunity. If that was the main reason we were doing it and I don't think it is, I don't think that we have those kinds of funds to have that type of luxury. Again, I am not here to tell you that we don't need it, I just think we need to review it appropriately.

President Arndt: Any other discussion? As a reminder for everyone, we have a motion on the floor by Mrs. Manning and a second by Mr. Olesen to adopt tonight T 154.

 moved by Mayor Gillock, seconded by Jaenke to add the emergency tonight to T 154 in order to get this person on board as soon as we can, mostly to save money in the long run for the City and to address some of the projects that Larry needs to work on that we need to get done

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 5 No, 2 (Boose, Butkowski)

Clerk of Council Norris: Emergency is approved by a vote of five to two.

President Arndt: In addition, we have a motion on the floor by Mrs. Manning and a second by Mr. Olesen to adopt tonight T 154 with the emergency. Is there any discussion? Will the Clerk, please take roll.

 Yes, 6 No, 1 (Boose)

Clerk of Council Norris: Motion to adopt is approved by a vote of six to one and T 154 becomes permanent ordinance 4493-2007.

 Permanent Ordinance No. 4493-2007

T 155-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4439-2007 BY
4494-2007 INCLUDING THE FULL-TIME POSITION OF ASSISTANT CITY
 ENGINEER, AND TO CREATE AND ESTABLISH A WAGE RATE FOR
 THIS POSITION.

 Third Reading

 moved by Jaenke, seconded by Manning to adopt tonight T 155

President Arndt: Is there any discussion?

 moved by Mayor Gillock, seconded by Olesen to add the emergency tonight to T 155 in order to be able to pay the position

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

 Yes, 5 No, 2 (Boose, Butkowski)

Clerk of Council Norris: Emergency has been approved by a vote of five to two.

President Arndt: In addition, we have a motion on the floor by Mr. Jaenke and a second by Mrs. Manning to adopt tonight T 155 with the emergency. Is there any discussion? Will the Clerk, please take roll.

 Yes, 6 No, 1 (Boose)

Clerk of Council Norris: T 155 is adopted with the emergency and becomes permanent ordinance number 4494-2007 and is approved by a vote of six to one.

 Permanent Ordinance No. 4494-2007

T 157-2007 A RESOLUTION DECLARING THE CITY'S INTENTION TO WAIVE OR
1121-2007 MODIFY THE SEWER INTERCEPTOR FEE FOR NEW DEVELOPMENT
 IMPROVEMENTS WHICH ARE FOUND TO BENEFIT THE CITY.

Third Reading

moved by Jaenke, seconded by Manning to adopt tonight T 157

President Arndt: Is there any discussion?

moved by Mayor Gillock, seconded by Olesen to add the emergency for health, safety and welfare of our residents

Mayor Gillock: Mr. President, I'd like to explain the purpose of this ordinance. As an incentive, Valore Builders agreed to pay for and install a sewer line from approximately Mills Road up to the Snider Lift Station, where he is putting in a development. The benefit to the City is that this will allow us to take the Snider Lift Station out of service and he will be installing the sewer at his cost and not ours. Within the last month, we had a problem with the Snider Lift Station where both pumps quit working. We had our back trucks down there manually processing sludge. Both motors are failing at the same time and our efforts to locate another motor resulted in not being able to get one until January. We were prepared to start pulling motors to see what was the matter with them. When the motors are installed, they slide down rails. The rails in the middle have already rusted and are gone. We were quite fearful of pulling those motors. We were in dire straights. We weren't sure what was going to happen. When we started through the safety lock down procedure, it was found that the electrical was modified and jerry-rigged over the years. There are no plans for it. Fortunately, we found an electrical malfunction that we were able to repair and get pump A back on line. The second pump is still supplementing the first one, but it works intermittently. If we don't get this Snider Lift Station fixed soon, we are going to have to expend more money than it is going to cost us to install a gravity feed to replace this. We are talking in orders of almost a half of a million dollars. So, it is imperative, from our stand point that we get this sewer up there as soon as we can in order to take the Snider Lift Station out of service and have a much more reliable sewer service for our residents in that area. Thank you.

President Arndt: Thank you, Mr. Mayor. Is there any other discussion? As a reminder, we have a motion on the floor by Mayor Gillock and a second by Mr. Olesen to add the emergency for the reason stated by our Mayor. Is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Finally, we have a motion on the floor by Mr. Jaenke and a second by Mrs. Manning to adopt tonight T 157 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 157 is adopted with the emergency becoming permanent resolution number 1121-2007.

Permanent Resolution No. 1121-2007

President Arndt: That concludes our third readings for the evening. We have one piece of old business. Dr. Norris?

OLD BUSINESS:

T 150-2007 AN ORDINANCE APPROVING THE FINAL PLAT OF PIONEER RIDGE
4495-2007 PCD, PHASE 6, FOR RECORDING PURPOSES ONLY.

 moved by Manning, seconded by Jaenke to adopt tonight T 150

President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Clerk of Council Norris: T 150 is adopted becoming permanent ordinance number 4495-2007.
 Permanent Ordinance No. 4495-2007

Mayor Gillock: Mr. President, I have one item. I'd like to go back to T 142. We adopted that this evening. In my enthusiasm, if you want to call it that, to continue working on Center Ridge Road and get this done, I failed to see the part that says we have a public hearing scheduled on this for January 22. We really can't adopt it until we have the hearing. We will correct it on the next agenda. I don't believe there is anything we can do on that tonight.

President Arndt: Thank you, Mr. Mayor for the heads up. That completes our old business, leaving us to item number 14, our upcoming meeting announcements and for the very last time, our Dr. Norris gets to blurt out what is coming next.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Council Organizational meeting to be held Monday, January 7, 2008 at 6:00 P.M.

Next Regular Council Meeting Monday, January 7, 2008 at 7:30 P.M. in Council Chambers

Public Hearing to be held Tuesday, January 22, 2008 at 7:20 P.M. re: T 142-2007

ADJOURN:

 moved by Butkowski to adjourn

Meeting adjourned at 8:47 P.M.

MOTION Butkowski 2ND Buescher DATE January 7, 2008

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL BERNADINE BUTKOWSKI



CLERK OF COUNCIL VINCENT T. FARRELL