

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING DECEMBER 15, 2003**

CALL TO ORDER: 8:00 P.M.

President of Council Bernadine Butkowski: I would like to call this City Council meeting to order. We will have the Invocation by Mr. Swindig followed by the Pledge of Allegiance.

INVOCATION: lead by Council Member Allen Swindig.

PLEDGE OF ALLEGIANCE: by all.

President of Council Butkowski: Before we get started tonight, could we have a moment of silence for Robert Yourkiewicz, an employee of the French Creek Wastewater Treatment Plant that passed away today. Thank you and may he rest in peace.

Before we get started, we have to fill the Council-at-Large seat left vacant by Safety-Service Director Denny Johnson. I will need a motion to suspend the By-Laws to fill his vacant seat tonight.

motion by Swindig, 2nd by Buescher

President Butkowski: Is there any discussion?

Council Member Pagel: Madame Chairman, we don't have to fill it.

President Butkowski: Thank you, Mrs. Pagel.

President Butkowski: Is there any other discussion? Please call the roll on suspending By-Laws for the nomination to fill the seat.

Yes, 6 No, 0

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

President Butkowski: Nominations are open.

motion by Swindig to nominate Andy Young for the vacant Council seat, 2nd by Olesen

President Butkowski: Is there any other nominations? Nominations are closed. Please call the roll.

Yes, 6 No, 0

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

President Butkowski: Andy Young, would you please come forward and Mr. Eric Zagrans, the Law Director, will be swearing you in.

Law Director Eric Zagrans administered the oath of office to Andrew Ralf Young.

President Butkowski: Thank you. Please be seated, Mr. Young.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Ronald Arndt, Andy Young and President of Council Bernadine Butkowski.

Also, present were Mayor David Gillock, Law Director Eric Zagrans, Engineer

Larry Griffith, Auditor Chris Costin and Clerk of Council Chuck Norris.

motion by Pagel, 2nd by Swindig to suspend By-Laws to play the tape of the amended appropriations

Yes, 7 No, 0

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

MINUTES - Corrections and Approval:

Regular Council Minutes of December 1, 2003

motion to approve by Arndt, 2nd by Pagel

President Butkowski: Are there any discussions or corrections? Please call the vote.

Yes, 5 No, 0 Abstain, 2 (Olesen, Young)

Clerk of Council Norris: Motion is approved by a vote of five, zero, two abstentions.

Special Council Minutes of December 4, 2003

motion to approve by Arndt, 2nd by Swindig

President Butkowski: Is there any discussion? Please call the vote.

Yes, 5 No, 0 Abstain, 2 (Pagel, Young)

Clerk of Council Norris: Motion is approved by a vote of five, zero, two abstentions.

COMMITTEE REPORTS:

President Butkowski: We have no committee reports tonight. Yes, Mr. Olesen?

Council Member Olesen: I would like to ask Council to suspend By-Laws tonight to introduce an oral report from the Buildings and Lands Committee on Special Development Districts.

motion by Olesen, 2nd by Pagel to suspend By-Laws to have an oral committee report

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

President Butkowski: Give us your report.

Council Member Olesen: We looked over two pieces of legislation. All Council Members had a copy of these for special development districts and this was revised by the outside attorney and Mrs. Pagel and I thought that the revisions were excellent with one exception and we did leave one phase in as explained in the Work Session, in the second section. With that in mind, I would like to suspend By-Laws to give this a first reading tonight.

Council Member Pagel: Point of order, Madame Chairman. On the motion it should be to give it attention tonight in new business as opposed to first reading. I believe he probably could make the motion to have a first reading but, it would be to give it a T number and new business.

President Butkowski: Yes, It has to be placed on the agenda to give it a T number. Is that the motion that you want to make.

Council Member Olesen: Yes, that's fine.

motion by Olesen, 2nd by Pagel to give the two Special Development District legislation their T numbers and to be put on the agenda under new business.

President Butkowski: Discussion? Please call the roll.

Yes, 6 No, 1 (Buescher)

President Butkowski: Could you assign a T number, please.

Clerk of Council Norris: Motion is approved by a vote of six, one.

Council Member Olesen: Madame Chair, the first one is adding special development districts as a new zoning classification and the second one is the other.

Clerk of Council Norris: The T number on the first is T 152. The second is T 153 and that's on an ordinance adopting procedures for a special development district.

President Butkowski: Is that correct, Mr. Olesen? Is that the two?

Council Member Olesen: Yes, that's correct, thank you.

President Butkowski: We will put those under new business.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Butkowski: We received a written report from the Mayor tonight. Mayor Gillock, would you like to read your report?

Mayor:

Mayor Gillock: I am very happy to inform you that we have received approval for our 2004 Recycling Grant in the amount of \$86,600 from the Lorain County Solid Waste Management District. This is the twelfth consecutive year in which we have received a grant, and the 12 year total is nearly \$1,000,000. This will allow us to continue our yard waste recycling program, the Middle School aluminum can and recycling program, sixth grade recycling program, as well as other continuing programs. In addition, this grant will enable us to replace our chipper for the Service Department, as well as replace the aluminum can collection trailer used by the Fire Department. And by the way, those proceeds from the cans benefit victims in local hospital burn units.

We received a grant in the amount of \$260,000, a grant not a loan, for the second phase of the Case Road reconstruction, which is the north end of Case. This is 65 percent of the total estimated cost for this job.

The door to the Mayors office has been blocked open, and the recording devices on City Hall phones has been disconnected.

Safety-Service Director Johnson and I have begun meeting with city employees. Their input is already helping us to streamline processing and doing away with paperwork. They have also provided a number of suggestions that we will be reviewing to improve how we do business. On other note, I would request of the Chair that we adjourn into Executive Session, after Lobby, to discuss personnel.

President Butkowski: Thank you Mr. Mayor. Are there any questions on the report or of the Mayor. We'll go onto the Safety-Service Director's Report. We did receive a report from him.

Would you like to give your report.

Safety-Service Director:

Safety-Service Director Johnson: Thank you, Madame Chairman. I want to apologize for the abbreviate. I'm still getting my feet wet in this job but, I will read the report.

Since taking the position of Safety-Service Director on December 2, 2003, I've been meeting City employees and reviewing policies and procedures in an effort to open communications between Council, Administration and the public. I can report that goal is well underway and encourage members to contact departments directly, or work through my office as you feel necessary.

I have attached reports from:

Service Department Activity Report for November 24, 2003 through December 7, 2003;
and Police Department Activity Report for November 2003.

I will continue attaching reports from departments who report to the Safety-Service Director as they become available.

President Butkowski: Are there any questions of Mr. Johnson's report? Moving on, we do not have a report from the Law Director or Engineer.

AUDITOR'S REPORT:

Auditor's Written Financial Report for November 2003

motion by Swindig, 2nd by Pagel to approve

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

Auditor Costin: Comments for the record. Madame Chairman, I would request that T 145, T 146, T 147, T 148, T 149 be passed tonight to be in placed for business starting January 1. I would request that the amended appropriation ordinance that I disseminated before you tonight, to replace what you have been given previously, be introduced and also placed under new business for passage tonight with the emergency. That concludes my comments.

motion by Pagel to suspend By-Laws to place the amended appropriations ordinance on the agenda under new business, 2nd by Buescher

President Butkowski: Is there any discussion? We have to give it a T number.

Clerk of Council Norris: T number will be 154.

President Butkowski: Please call the roll.

Yes, 7 No, 0

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

OTHER REPORTS:

President Butkowski: Please note:

Police Department Support Car 2003 Annual Report

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for November 2003

Clerk of Council Norris:

Planning Commission Report to Council of Regular Meeting December 9, 2003:

APPLICANT: Kathryn Kothe, Ten Point 0 Gymnastics & Fitness Center, Inc.
 707 Washington Avenue, Elyria, Ohio 44035
OWNER: Robert P. Graham, Midway TW LLC, 150 Freedom Court, Elyria
REQUEST: Construct 110 foot by 136 foot Gymnasium Facility/Offices/Pool to
 include partial 2nd floor of 3960 square feet, total 18,920 sq.ft.
LOCATION: Taylor Industrial Parkway, in I-3
 Permanent Parcel No. 07-00-047-000-098
PC ACTION: Approved and referred to the Board of Zoning and Building Appeals for
 usage

 motion to approve by Olesen, 2nd by Young.

President Butkowski: Is there any discussion? Mrs. Pagel?

Council Member Pagel: I would like to ask of the Law Director, how would this impact the adult entertainment district that's been targeted for this area?

Law Director Zagrans: We have not study that issue at all nor have been asked to. If that is a concern of Council, I would suggest that Council direct the Law Department to give some analysis to that point.

President Butkowski: Mrs. Pagel, do you have some concern?

Council Member Pagel: I believe it would probably be a first come, first serve basis. They have a plan in place and we possibly could go forward with the adult entertainment ordinance identifying the area and then leave it up to what it would be in the future if any adult entertainment system comes in. I believe this is a very nice thing to have on Taylor Parkway and that is my concern.

Law Director Zagrans: Madame President, I would share Mrs. Pagel's concern and also her point about this being a good thing to have on Taylor Parkway. I don't know the distances involved because we haven't analyzed the question and that's why I say, if there is a concern, I would suggest that it be looked into.

President Butkowski: My only statement on this as a Council person is, these people want to do this now, we don't have any applicants or anything. When the time comes, if we have a applicant, then they will have to fit in and abide by the rules in place. We don't have the ordinance for that district yet. So, I think it's premature to be concerned about it at this point. Is there any other discussion? Mayor Gillock?

Mayor Gillock: I would just say that neither the adult ordinance or this application involves rezoning and this property is properly zoned for this occupancy. This is a conditional use requiring approval by the Board of Zoning but, it has nothing to do with the actual zoning. It's approved for it so, I believe Planning properly did their job and it's Council's obligation to consider that and vote on that. I don't think it has an impact on the adult cabaret.

President Butkowski: Thank you, Mayor Gillock. Is there any other discussion? Please call the roll.

Yes, 7 No, 0

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

APPLICANT: Alltel Ohio, Inc., Engineering Department, Elyria, 44035
OWNER: Park Trails, Inc., Pine Ridge Mobile Homes, 3645 Warrensville Center, Shaker Heights, 44122.
REQUEST: Placement of telephone switching equipment to upgrade telecommunication services.
LOCATION: 6610 Lear Nagle Road, in R-1, Pine Ridge Mobile Home Park, Permanent Parcel No. 07-00-009-120-152
PC ACTION: Approved contingent upon placement of the equipment as far back as possible and no less than ten feet from the right-of-way; and landscaping is to the City's satisfaction

motion to approve by Olesen, 2nd by Young

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

APPLICANT: Alltel Ohio, Inc., Engineering Department, Elyria, 44035
OWNER: Oster Construction, Inc.; John Pasela, 6150 Park Square Drive, Suite A, Lorain, 44053.
REQUEST: Placement of telephone switching equipment to upgrade telecommunication services.
LOCATION: Block A of Stone Creek Estates Subdivision No.1, Stoney Ridge Rd., Permanent Parcel No. 07-00-032-000-181.
PC ACTION: Approved contingent upon landscaping to the City's satisfaction

motion to approve by Arndt, 2nd by Olesen

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

APPLICANT: Alltel Ohio, Inc., Engineering Department, Elyria, 44035
OWNER: FJD Properties, LLC; Frank J. Dettore, 37000 Center Ridge
REQUEST: Placement of telephone switching equipment to upgrade telecommunication services.
LOCATION: Block OOO of Meadow Lakes Subdivision No. 4, in PCD, Permanent Parcel No. 07-00-032-000-070.
PC ACTION: Approved contingent upon landscaping approved by City
motion to approve by Young, 2nd by Arndt

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

OLD BUSINESS:

NEW BUSINESS:

Mayor Gillock: Madame President, I have several nominations I would like to make this evening.

motion by Mayor to nominate Bruce Roubaud to the Fair Housing Board for the term beginning July 4, 2003 and ending July 5, 2006, 2nd by Olesen

President Butkowski: Is there any discussion? Mayor Gillock?

Mayor Gillock: Mr. Roubaud is a North Ridgeville resident. He served in the Coast Guard, District Executive for the Boy Scouts of America, was a Senior Territorial Manager for a large pharmaceutical company and has a Bachelor's Degree from Akron State University. He was unable to be here tonight. I believe he would make an excellent representative for the Fair Housing Board.

President Butkowski: Thank you. Is there any other discussion? Please call the roll.

Yes, 7 No, 0

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

Mayor Gillock: Madame President, I would like to nominate Michael Francu, who is with us this evening, to the Parks and Recreation Commission for the term beginning December 15, 2003 and ending December 14, 2006.

motion by Mayor Gillock, 2nd by Swindig

President Butkowski: Is there any discussion?

Mayor Gillock: I would just say that I have served on that Board with Mr. Francu and I look forward to him serving another term.

President Butkowski: Thank you. Is there any other discussion? Call the roll.

Yes, 7 No, 0

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

Mayor Gillock: I would like to nominate Chuck Bowman to the Board of Zoning and Building Appeals for the term beginning January 1, 2004 and ending December 31, 2007. Mr. Bowman is serving on that Board now.

motion by Mayor Gillock, 2nd by Pagel

President Butkowski: Is there any discussion? Mayor Gillock?

Mayor Gillock: He's been on the Board before. He's been on other commissions. Many of you know Chuck, he does an excellent job.

President Butkowski: Thank you. Is there any other discussion? Please call the roll.

Yes, 7 No, 0

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

Mayor Gillock: I would like to nominate of Jim Yost to the Civil Service Commission for the term beginning January 1, 2004 and ending December 31, 2009.

motion by Mayor Gillock, 2nd by Olesen

President Butkowski: Is there any discussion?

Mayor Gillock: Madame President, Mr. Yost is Chairman of the Civil Service Commission now and has served on that for several years and I would like him to continue on that.

President Butkowski: Is there any other discussion? Please call the roll.

Yes, 7 No, 0

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

motion by Mayor Gillock to nominate Chris Rangus to the Planning Commission for the term beginning January 1, 2004 and ending December 31, 2007, 2nd by Buescher

President Butkowski: Is there any discussion?

Mayor Gillock: Mr. Rangus is with us this evening. He works for South Shore Electric. Many of you probably know Chris because he has attended several of our meetings. I believe he belongs to the union there and has been very involved and I think would make a good member for Planning Commission.

President Butkowski: Is there any other discussion? Mr. Young?

Council Member Young: I support Chris Rangus this evening but, also I understand that he's taking Pat Dreger's seat. I also would like to urge the Mayor to consider Pat Dreger for another nomination or position because she has served the City well in many different capacities. I urge the Mayor to consider her in the future. Thank you.

President Butkowski: Thank you, Mr. Young. Is there any other discussion? Please call the roll.

Yes, 7 No, 0

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

**T 145-2003 A RESOLUTION AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO
PROVIDE CERTAIN AMENITIES TO CITY EMPLOYEES AND VISITORS.**

motion by Pagel to suspend By-Laws to give this a first reading, 2nd by Swindig

President Butkowski: Is there any discussion? Mr. Costin?

Auditor Costin: Two items, first of all section two contains a typographical error. The word extend should be expend and for the benefit of Council and viewers, this actually is the unwritten policy that we have in place at this time. The Auditor of State, through recent communications to government entities, has requested that we formalize matters like this by legislative resolution. That is why it is before you tonight via the Finance Committee.

President Butkowski: Mr. Arndt?

Council Member Arndt: I guess, Mr. Costin gave me some insight. I just wondered if this was something that would, routinely, have been an administrative decision by the Mayor and when

we extend funds for these amenities, do we have any kind of a budget or some stop gap or just some kind of a guide line on how we might use these dollars?

Auditor Costin: Yes, they're actually limited to what Council budgets in the general line items of office supplies and expense. However, it's included with other office supplies. We don't break out categories to the fine detail of rubber bands and staples and so forth. But, the general category would include these types of amenities which are customary in City government.

President Butkowski: Thank you, Mr. Costin. Is there any other discussion? Please call the roll on the suspension of By-Laws to give this a first reading tonight.

Yes, 7 No, 0

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

**T 146-2003 AN ORDINANCE AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO
PROVIDE ADDITIONAL COMPENSATION TO SALARIED EMPLOYEES
FOR THE 2004 CALENDAR YEAR.**

motion by Pagel, 2nd by Swindig to suspend By-Laws to give this a first reading tonight.

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

**T 147-2003 AN ORDINANCE AMENDING SECTION 14(c) OF ORDINANCE NUMBER
2698-92 OF THE CITY OF NORTH RIDGEVILLE, OHIO, RELATING TO
THE ALLOCATION OF INCOME TAX FUNDS.**

motion by Pagel, 2nd by Swindig to suspend By-Laws to give this a first reading tonight

President Butkowski: Is there any discussion? Mr. Arndt?

Council Member Arndt: This question is of the Auditor. Is it my understanding, this has happened in the past year, am I correct?

Auditor Costin: Two thousand three, yes correct. There was an ordinance that changed our split to 95, five, which means 95 percent of the income tax collections transferred, would be to the general fund and five percent would be to capital projects. This would be the second year that it's been necessary to do that so that we could balance the general fund budget.

Council Member Arndt: Understood. My question is, where do we see ourselves going in the near future? Let's say, 2005, 2006?

Auditor Costin: Mr. Arndt, that would have to be addressed. We probably don't have enough time at this meeting to transcend into that area but, I'm sure, the Finance Committee and Council will be briefed as soon as the new Council is appointed in January to be discussing that very issue.

President Butkowski: Thank you, Mr. Costin. Is there any other discussion? Please call the roll on the suspension of the By-Laws to give this a first reading tonight.

Yes, 7 No, 0

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

T 148-2003 AN ORDINANCE PROVIDING ADDITIONAL COMPENSATION FOR THE AUDITOR FOR THE PURPOSE OF THE EFFECTUATION OF THE ANNUAL CONVERSION OF THE CITY'S ANNUAL FINANCIAL STATEMENTS AND OTHER RELATED SERVICES.

motion by Buescher, 2nd by Swindig to suspend By-Laws to give this a first reading tonight

President Butkowski: Is there any discussion? Please call the roll.

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

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

T 149-2003 AN ORDINANCE AMENDING ORDINANCE 3767-2002 REGARDING CONSTRUCTION OF THE WEST CENTER RIDGE SEWERS FROM RACE ROAD WEST TO THE CORPORATION LINE, BY INCREASING THE AMOUNT FROM \$45,000.00 TO \$70,000.00.

motion by Swindig, 2nd by Pagel to suspend By-Laws to give this a first reading tonight

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

T 150-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE CONSTRUCTION OF AN EMERGENCY BACKUP POWER SYSTEM FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM TO PREPARE SPECIFICATIONS, BID DOCUMENTS, BID AWARD AND CONSTRUCTION MANAGEMENT, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, IN THE APPROXIMATE AMOUNT OF \$207,000.00.

motion by Swindig, 2nd by Pagel to suspend By-Laws to give this a first reading tonight

President Butkowski: Is there any discussion? Under the second whereas, in the last sentence, the first word there is left, it should be lift and after number three, left should be changed to lift. These are lift pumps not left pumps. typographical error. Is there any other discussion? Please call the roll on the suspension of By-Laws to give this a first reading tonight.

Yes, 7 No, 0

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

T 151-2003 AN ORDINANCE AMENDING ORDINANCE NO. 3208-97, WHICH ESTABLISHED A COMPUTER SERVICES DEPARTMENT.

motion by Swindig, 2nd by Pagel to suspend By-Laws to give this a first reading tonight.

President Butkowski: is there any discussion? Please call the roll.

Yes, 7 No, 0

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

Mayor Gillock: I would like to make a motion to suspend By-Laws to enter as new business the ordinance that was passed out this evening in regards to connection of service for water tap-ins and have the Clerk assign a T number to that.

President Butkowski: That's the one that revises Section 1046.

Clerk of Council Norris: The T number is 155.

 motion by Mayor Gillock, 2nd by Olesen to give T 155 a first reading tonight

President Butkowski: Would you please read the ordinance.

T 155-2003 AN ORDINANCE AMENDING SECTION 1046.04, CONNECTION OF SERVICE; PERMIT REQUIRED; TAP-IN AND OTHER CHARGES, OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES.

President Butkowski: Motion was made and seconded to give this its first reading. Is there any discussion on this ordinance.

Council Member Pagel: Point of order. The motion is to recognize it as new business.

President Butkowski: As new business, I'm sorry. Is there any discussion on making this new business tonight?

Mayor Gillock: We have an ordinance on the books now that automatically increases the water tap-in fee by three percent per year that was added to the ordinances years ago and that ordinance expires January 1 of 2004. This ordinance extends that automatic three percent annual increase to the year January 2025. If we don't pass this, we would have to renegotiate the tap-in increase every year rather than have it done automatically. That is all this does.

President Butkowski: Is there any other discussion making this for new business tonight?

Please call the roll on adding this to the agenda tonight.

Yes, 7 No, 0

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

Mayor Gillock: Madame President, I would like to make a motion to give T 155 a first reading tonight. We don't have to adopt it tonight but, I want to give it a first reading so we can get it on schedule to adopt it in January when the other one expires.

Council Member Pagel: Point of order. First of all we still have T 152, T 153 and T 154 that need to be as new business yet than, 155 will be read as new business so, we can consider it at that time to then make it a first reading.

Mayor Gillock: You can't give it a first reading unless you suspend By-Laws to give it a first reading.

Council Member Pagel: Correct but, we can do it in the appropriate order.

Mayor Gillock: All we've done at this point is add it as new business.

Council Member Pagel: Correct.

Mayor Gillock: You can do it in any order you want and the motion is on the floor.

President Butkowski: The motion is on the floor so, let's continue and we can go back to the

other numbers. We have this one and the motion is on the floor to give it a first reading.

motion by Gillock, 2nd by Olesen to. . .

Council Member Pagel: Point of order Madame Chairman, I still have to disagree. It still hasn't been read as new business. Parliamentary procedure is, read it as new business then make your motion to have a first reading. We can't do a first reading until we recognize it as new business and read it as new business.

President Butkowski: Mayor Gillock, your motion was to read it.

Mayor Gillock: I made a motion to give it a first reading. You've already adopt it and you probably should refer to your Law Director but, you've already adopted the motion and passed it to put it on the agenda. You're now making a motion to give it its first reading.

Law Director Zagrans: As I understand what Mrs. Pagel wants, she simply wants it, now that it's on as new business, to have the Clerk read the title again and then go to Mayor Gillock's motion. I don't know that that's really necessary but, it's up to the Chair if you want to do that.

President Butkowski: We'll have the Clerk read T 155.

Clerk of Council Norris:

T 155 AN ORDINANCE AMENDING SECTION 1046.04, CONNECTION OF SERVICE;
PERMIT REQUIRED; TAP-IN AND OTHER CHARGES, OF THE NORTH
RIDGEVILLE CODIFIED ORDINANCES.

President Butkowski: Thank you. Mayor Gillock, would you please restate your motion.
motion by Mayor Gillock to suspend By-Laws to give T 155 a first reading this evening,
2nd by Buescher

Yes, 7 No, 0

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

T 152-2003 AN ORDINANCE ADDING SPECIAL DEVELOPMENT DISTRICT AS A
NEW ZONING CLASSIFICATION.

motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Olesen

President Butkowski: Is there any discussion?

Council Member Buescher: Madame President, for any of the good that these pieces of legislation are partially intended to accomplish, the fact remains that these complicated pieces of legislation like no other zoning classification have the potential to restrict property owners in the sale of their properties, eliminating the right to obtain the best and highest use which can be obtained under their current zoning classification. The legislation gives the City unlimited power over property rights and ownership by tying up the ability for property owners to sell properties while a plan is being accepted and placed in motion. It targets the most valuable areas of the City. Anyone can request the rezoning. Property owners will have no control over requests for rezoning by outsiders or the City itself. A single approval by the Planning Commission and City Council will set the process in motion. The legislation makes it easy to control many or all areas throughout the City by simple additions or amendments to the attached map which now includes a very large area near the I-480 interchange and the Ridgeview Shopping Center. The outside legal counsel hired by City Council makes it clear that he is

making sure that the zoning procedures are followed according to the City Charter. He is responding to the legalities to the legislation itself. He states that it is Council's responsibility to set policy. When first consulted, he warned about the potential for abuse that exists down the line and those concerns remain. Based on those concerns and my responsibilities to property owners throughout the City and based on the fact that the outside counsel has validated my concerns, I cannot in good conscious vote to approve the Buildings and Lands Committee report or the two pieces of legislation which are before us this evening. I caution City Council to carefully consider the possible legal ramifications to property owners and the City itself. This is serious legislation. There are three new members of Council who will be expected to vote on these pieces of legislation shortly after they take office. They need to be fully aware of what they are voting for.

President Butkowski: Thank you, Mrs. Buescher. Is there any other discussion? Mr. Olesen?

Council Member Olesen: Just a brief comment, the Clerk of Council's office will not consider any rezoning unless the property owner signs off on it. So, that's just protection.

Council Member Buescher: Madame President, if that's not contained in the legislation, I don't see how she can do that. The outside counsel has stated that the property owners do not have to petition, that anyone can petition and Council can approve, without the consent of the property owners.

President Butkowski: Is there any other discussion? Mrs. Pagel?

Council Member Pagel: This specifically states also, that this follows our existing Zoning Code so, I believe Mrs. Buescher has a problem with our Zoning Code, at this time, as far as what you do that exists with anything being rezoned. We are simply following the existing code. We have worked very hard on this and I believe it is a very good piece of legislation and we have followed everything that Mrs. Buescher has proposed as far as sending it to counsel and we have followed counsel's suggestions on it. In fact, requesting that we adopt his amendments to this legislation. I think I have heard the residents say they wanted their properties protected and I believe through this we have protected their properties.

President Butkowski: Thank you, Mrs. Pagel. Is there any other discussion? Mr. Young?

Council Member Young: I have also reviewed over the special development district zoning ordinance and I think it will actually increase the value of properties throughout the City because our City is in dire need of areas where we can develop some light industry in order to ease the tax burden of the homeowners. We're fast approaching becoming a bedroom tax similar to Bay Village with our tax rates way to high and I have a feeling that this will allow us to bring in the light industry, much needed, in order to avoid that predicament. Also, the homeowners will have a say through the Planning Commission if they organize and show up to the Planning Commission. I'm sure the Planning Commission members will listen to their concerns. Thank you.

President Butkowski: Thank you, Mr. Young. Is there any other discussion? Please call the roll.

Yes, 6 No, 1 (Buescher)

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

**T 153-2003 AN ORDINANCE ADOPTING PROCEDURES FOR SPECIAL
DEVELOPMENT DISTRICTS.**

motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Olesen
President Butkowski: Is there any discussion? Please call the roll.

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

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

**T 154-2003 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 3883-
2003, 3888-2003, 3946-2003 AND 3957-2003 FOR THE CITY OF NORTH
RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2003
AND ENDING DECEMBER 31, 2003.**

motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by
Buescher

President Butkowski: The proper T 154 that we are using tonight is the one Mr. Costin passed
out to you tonight. It is not the one that you received in your packet. Is there any other
discussion on this? Please call the roll.

Yes, 7 No, 0

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

CORRESPONDENCE:

Clerk of Council Norris:

1) Received a certified letter from Zakee A. Rashid, Vice-President and General Manager of
Comcast, Cleveland System sharing their goals and progress. Announcing price adjustments of
certain analog and digital cable television service levels. Customers will be notified by a letter
and a bill message.

2) Received from Lorain County Auditor Mark Stewart the Certificate of Estimated
Property Tax Revenue that would be produced by 2.00 mills for ambulance and EMS services.

3) Received from Lorain County Auditor Mark Stewart the Certificate of Estimated
Property Tax Revenue that would be produced by 1.50 mills for ambulance and EMS services.

4) Received from Lorain County Auditor Mark Stewart the Certificate of Estimated
Property Tax Revenue that would be produced by 1.75 mills for ambulance and EMS services.

LOBBY:

President Butkowski: We now move into our Lobby session. Anyone who is interested in
speaking tonight will have three minutes. Please fill out the proper documentation in the back
with your name and address before you come up to speak. First person, Mr. Zagrans

Eric Zagrans, Meadow Lane Court, Elyria, stated that he anticipates submitting to Mayor

Gillock, his resignation as Law Director sometime during the month of January 2004. Expressed his appreciation for the opportunity to serve as Law Director for the last five years.

President Butkowski: Is there anyone else who wants to come and speak in Lobby tonight? Seeing none, I would like to ask for a motion to go into executive session.

motion by Buescher, 2nd by Swindig to go into executive session

President Butkowski: Any discussion? Please call the roll.

Yes, 5 No, 0

President Butkowski: Before we adjourn to executive session, we will also have the recess at the same time. Adjourned to executive session and recess.

RECESS: and Executive Session from 8:55 P.M. to 9:10 P.M.

FIRST READINGS:

T 115-2003 AN ORDINANCE AMENDING ORDINANCE 3659-2001 BY REVISING SECTION 405.4 - DOWNSPOUTS, OF THE OHIO BUILDING OFFICIALS ASSOCIATION ONE, TWO, AND THREE FAMILY DWELLING CODE OF 1996.

First Reading

T 121-2003 AN ORDINANCE CREATING A NEW OVERLAY ZONING
REVISED DISTRICT TO BE DESIGNATED THE ADULT ENTERTAINMENT
DISTRICT, AE-1.

First Reading

T 129-2003 AN ORDINANCE AMENDING NRCO SECTION 1228.06 POST-TYPE
STREET LIGHTING INSTALLATIONS.

First Reading

T 130-2003 AN ORDINANCE ADDING NEW PROVISIONS TO THE CODIFIED
ORDINANCES OF THE CITY OF NORTH RIDGEVILLE REGULATING
EXTERIOR LIGHTS TO MINIMIZE OBJECTIONABLE LIGHTING AT
PROPERTY LINES.

First Reading

T 132-2003 AN ORDINANCE REPEALING NRCO CHAPTER 1426, NATIONAL
ELECTRIC CODE.

First Reading

T 145-2003 A RESOLUTION AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO

990-2003 PROVIDE CERTAIN AMENITIES TO CITY EMPLOYEES AND VISITORS.

First Reading

motion by Pagel, 2nd by Swindig to suspend second and third readings

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

motion by Pagel, 2nd by Swindig to add the emergency for grounds of financial
from the Auditor

President Butkowski: Any discussion? Please call the roll on the emergency.

Yes, 7 No, 0

Clerk of Council Norris: Approved by a vote of seven to zero. T 145 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 145 is adopted with the emergency by a vote of seven to zero and
becomes permanent Resolution No. 990-2003.

Permanent Resolution No. 990-2003

T 146-2003 AN ORDINANCE AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO
3971-2003 PROVIDE ADDITIONAL COMPENSATION TO SALARIED EMPLOYEES
FOR THE 2004 CALENDAR YEAR.

First Reading

motion by Swindig, 2nd by Pagel to suspend second and third readings

President Butkowski: Is there any discussion? Please call the roll on the suspension.

Yes, 7 No, 0

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

motion by Buescher, 2nd by Swindig to adopt

President Butkowski: Is there any discussion? Mr. Swindig?

motion by Swindig to add the emergency per the Auditor with finances, 2nd by
Pagel

President Butkowski: Any discussion? Please call the roll on the emergency.

Yes, 7 No, 0

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

President Butkowski: Please call the roll on the adoption of T 146 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 146 is adopted by a vote of seven to zero with the emergency and
becomes permanent ordinance 3971-2003.

Permanent Ordinance No. 3971-2003

T 147-2003 AN ORDINANCE AMENDING SECTION 14(c) OF ORDINANCE NUMBER
3972-2003 2698-92 OF THE CITY OF NORTH RIDGEVILLE, OHIO, RELATING TO

THE ALLOCATION OF INCOME TAX FUNDS.

First Reading

motion by Pagel, 2nd by Swindig to suspend second and third readings

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

motion by Pagel, 2nd by Swindig to add the emergency because of financial

President Butkowski: Is there any discussion on the emergency? The only thing that I wanted to add in here, is it is unfortunate that we have to do the 95, five split again this year because of financial problems. This split should be 85, 15 so that we have money to go into capital improvements but, due to the finances of the City and the Country and we have had to go one more year with 95, five. This will only be for one more year and hope that we don't have to do this again. Is there any other discussion? Call the roll. on the emergency, please.

Yes, 7 No, 0

Clerk of Council Norris: Emergency is approved seven to zero.

President Butkowski: Call the roll on the adoption of T 147 with the emergency.

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

Clerk of Council Norris: Motion is approved six, zero with one abstention. T 147 becomes permanent ordinance 3972-2003 with the emergency.

Permanent Ordinance No. 3972-2003

T 148-2003 AN ORDINANCE PROVIDING ADDITIONAL COMPENSATION FOR THE
3973-2003 AUDITOR FOR THE PURPOSE OF THE EFFECTUATION OF THE
 ANNUAL CONVERSION OF THE CITY'S ANNUAL FINANCIAL
 STATEMENTS AND OTHER RELATED SERVICES.

First Reading

motion by Pagel, 2nd by Swindig to suspend second and third readings

President Butkowski: Is there any discussion? Please call the roll.

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

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

motion by Pagel, 2nd by Swindig to add the emergency for the reason of finances

President Butkowski: Is there any discussion? Please call the roll.

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

President Butkowski: Please call the adoption of T 148 with the emergency.

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

Clerk of Council Norris: T 148 is adopted with the emergency by a vote of six, zero, one abstention and becoming permanent ordinance 3973-2003.

Permanent Ordinance No. 3973-2003

T 149-2003 AN ORDINANCE AMENDING ORDINANCE 3767-2002 REGARDING
3974-2003 CONSTRUCTION OF THE WEST CENTER RIDGE SEWERS FROM RACE
ROAD WEST TO THE CORPORATION LINE, BY INCREASING THE
AMOUNT FROM \$45,000.00 TO \$70,000.00.

First Reading

First Reading

motion by Swindig, 2nd by Pagel to suspend second and third readings

President Butkowski: Is there any discussion? Please call the roll on the suspension.

Yes, 7 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

motion by Pagel, 2nd by Swindig to add the emergency because of financial

Yes, 7 No, 0

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

president Butkowski: Please call the roll on the adoption of T 149 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 149 is adopted with the emergency by a vote of seven to zero and
becomes permanent ordinance 3974-2003.

Permanent Ordinance No. 3974-2003

T 150-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE CONSTRUCTION OF AN
EMERGENCY BACKUP POWER SYSTEM FOR THE FRENCH CREEK
WASTEWATER TREATMENT PLANT, AND TO NEGOTIATE AND ENTER
INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM TO
PREPARE SPECIFICATIONS, BID DOCUMENTS, BID AWARD AND
CONSTRUCTION MANAGEMENT, TOGETHER WITH THE NECESSARY
APPURTENANCES AND WORK INCIDENTAL THERETO, IN THE
APPROXIMATE AMOUNT OF \$207,000.00.

First Reading

T 151-2003 AN ORDINANCE AMENDING ORDINANCE NO. 3208-97, WHICH
ESTABLISHED A COMPUTER SERVICES DEPARTMENT.

First Reading

T 152-2003 AN ORDINANCE ADDING A SPECIAL DEVELOPMENT DISTRICT AS A
NEW ZONING CLASSIFICATION.

First Reading

T 153-2003 AN ORDINANCE ADOPTING PROCEDURES FOR SPECIAL
DEVELOPMENT DISTRICTS.
First Reading

T 154-2003 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 3883-
3975-2003 2003, 3888-2003, 3946-2003 AND 3957-2003 FOR THE CITY OF NORTH
RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2003
AND ENDING DECEMBER 31, 2003.

First Reading In Full

motion by Swindig, 2nd by Pagel to suspend second and third readings

President Butkowski: Is there any discussion? Yes, Mr. Costin?

Auditor Costin: For the record I would like to indicate that is the ordinance that was replaced this evening.

President Butkowski: This is the ordinance that was passed out to you tonight rather than the one that was in your packet.

Auditor Costin: Correct. Thank you.

President Butkowski: Any other discussion? Please call the roll on the suspension.

Yes, 7 No, 0

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

motion by Swindig, 2nd by Pagel to adopt

motion by Swindig, 2nd by Pagel to add the emergency for financial reasons

President Butkowski: Is there any discussion? Please call the roll on the emergency.

Yes, 7 No, 0

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

President Butkowski: Please call the roll on the adoption of T 154 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 154 is adopted with the emergency by a vote of seven to zero and becomes permanent ordinance 3975-2003.

Permanent Ordinance No. 3975-2003

T 155-2003 AN ORDINANCE AMENDING SECTION 1046.04, CONNECTION OF
SERVICE; PERMIT REQUIRED; TAP-IN AND OTHER CHARGES, OF THE
NORTH RIDGEVILLE CODIFIED ORDINANCES.

First Reading

SECOND READINGS:

motion by Pagel, 2nd by Buescher to suspend By-Laws to recognize the T 138 that was passed out tonight as a substitution for the resolution that was in the packet and carried over from last week, 2nd by Buescher

President Butkowski: Will the Clerk read the new one that was passed out:

Clerk of Council Norris: T 138, a resolution, pursuant to sections 5705.19, 5705.191 and 5705.192 of the Ohio Revised Code, declaring the necessity of and submitting to the electors the question of a replacement tax levy for two (2) mills in excess of the ten (10) mill limitation for the purpose of continuing to provide and maintain ambulance services and emergency medical services, including a paramedic program.

Mayor Gillock: Madame President, I believe the resolution the Clerk read is not the amended resolution.

President Butkowski: He did not read the correct one. I handed it to him but, I did not take the clip off before I handed it too him. The substitute legislation is for the 1.75 mills and you have that resolution in front of you. Please be sure that you are looking at the one that has the 1.75 in the second whereas.

Council Member Swindig: Madame Chairman, I have one thing with the substitute resolution. We do not have the ballot language on that resolution.

Mayor Gillock: This came from Squire, Sanders and Dempsey.

Council Member Swindig: If you look at the one we're replacing on the back we have the ballot language, the way it goes to the Board of Elections to go onto the ballot. The replacement one does not have the ballot language.

President Butkowski: Mr. Swindig, I will ask you to, after he reads it, add the ballot language to the new amended one that we just receive so that we have it attached. I will ask someone for a resolution. Andy?

Council Member Young: I believe we have to amend the substitution with the ballot language as we would prefer that it be read. It's important, again, I think everybody knows that we got to get it certified.

Auditor Costin: Madame Chairman, I believe that's under Section 4.

President Butkowski: Section four on the new one, reads that the Clerk of Council is hereby further directed to certify a copy of this resolution together with the resolution it refers to in this preamble. I think you are looking at the one from the last meeting. The original T 138. On the one that we had from the last meeting, it's on page two, section four and that is going to have to be added to this one in order to have the ballot language on there. We will have to be sure to change it to make it 1.75 mills.

Mayor Gillock: The resolution does change it to 1.75 and does direct that it be delivered to the Board of Elections. This was prepared by Squire, Sanders and Dempsey so, I don't know if that ballot language is required to be a part of the resolution or not.

Auditor Costin: I'm not an attorney either and I am sorry our Law Director's left but, I know in speaking with Squires, he quoted me ballot language out of the Revised Code and I think that, perhaps, what you can do is direct that the proper ballot language be added to reflect the intention of the purpose of the resolution. I believe your Board of Elections is going to do that any way.

President Butkowski: Thank you Mr. Costin. We will add a section to state that the proper. . .

Council Member Young: We actually have to amend the substitution with the section with the

proper language.

President Butkowski: Yes, we have to amend, you're right. We'll have to make an amendment to add that section for the proper ballot.

Council Member Young: I'll move to amend it to add a section with the proper ballot language from the old ordinance with the 1.75 revision.

motion by Young, 2nd by Pagel to add a section for the proper ballot language

President Butkowski: Is there any discussion?

Council Member Olesen: Madame President, I think the public should be aware that three numbers were discussed here, 1.75 and 1.50 and when the new city evaluation came in, we needed a 1.75 to get the money we need at the minimum levy.

President Butkowski: Thank you, Mr. Olesen, yes. Let's take a vote on this substitution that we have put in a new section.

Council Member Young: Madame President, point of order. We have to actually vote on the amendment first and then we vote on the substitution.

President Butkowski: Didn't you make a motion to. . .

Council Member Young: To amend the substitution.

President Butkowski: We have to vote on the amendment. I want to vote on that but, I want him to read the correct one to us that we have amended. Motion was made and seconded by Mrs. Pagel to add this section amendment to T 138. Any more discussion? Please call the roll on the amendment.

Yes, 7 No, 0

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

President Butkowski: Please read the T 138, the amended T 138 for the 1.75.

Clerk of Council Norris: T 138, substitution:

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF NORTH RIDGEVILLE THE QUESTION OF THE REPLACEMENT OF A PORTION OF AN EXISTING 2.0-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR AMBULANCE SERVICE AND EMERGENCY MEDICAL CARE AND TO MAINTAIN A PARAMEDIC PROGRAM AND TO EQUIP AND TO OPERATE THE SAME, PURSUANT TO SECTIONS 5705.191 AND 5705.192 OF THE REVISED CODE.

President Butkowski: Is there any discussion? This is for the 1.75 mill levy with the addition of section seven. Is there any discussion on that? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 138 substitution is approved by a vote of seven to zero.

T 138-2003 A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF
991-2003 NORTH RIDGEVILLE THE QUESTION OF THE REPLACEMENT OF A
 PORTION OF AN EXISTING 2.0-MILL TAX LEVY FOR THE PURPOSE OF
 PROVIDING FOR AMBULANCE SERVICE AND EMERGENCY MEDICAL
 CARE AND TO MAINTAIN A PARAMEDIC PROGRAM AND TO EQUIP
 AND TO OPERATE THE SAME, PURSUANT TO SECTIONS 5705.191 AND

5705.192 OF THE REVISED CODE.

Second Reading

motion by Pagel, 2nd by Swindig to suspend third reading

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion? Mr. Swindig?

motion by Swindig to add the emergency, the reason for the emergency is the
December 18 deadline that it has to be at the Board of Elections, 2nd by Arndt

Yes, 7 No, 0

Clerk of Council Norris: Emergency is approved seven to zero.

President Butkowski: Please call the roll on T 138 with the emergency.

Yes, 7 No, 0

Clerk of Council Norris: T 138 is adopted by a vote of seven to zero and becomes permanent
resolution 991-2003.

Permanent Resolution No. 991-2003

T 120-2003 AN ORDINANCE REGULATING ADULT CABARETS.

First Reading

THIRD READINGS:

Clerk of Council Norris:

T 135-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS

3976-2003 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
MANNER PRESCRIBED BY LAW FOR THE CONSTRUCTION OF THE
WEST CENTER RIDGE SANITARY SEWER IMPROVEMENT, AND ENTER
INTO CONTRACT(S) FOR EASEMENTS, REMOVAL OF UTILITY POLES,
AND VARIOUS OTHER EXPENSES, NOT TO EXCEED \$2,750,000.00.

Third Reading

motion by Pagel, 2nd by Olesen to adopt

President Butkowski: Is there any discussion? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: T 135 is adopted by a vote of seven to zero and becomes permanent
ordinance 3976-2003.

Permanent Ordinance No. 3976-2003

T 136-2003 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
3977-2003 AGREEMENT WITH THE UNIONS REPRESENTING CITY EMPLOYEES
TO MAKE BENEFITS AND WAGES RETROACTIVE TO THE INITIAL
DATE OF THE COLLECTIVE BARGAINING AGREEMENTS.

Third Reading

motion by Swindig, 2nd by Olesen to adopt

President Butkowski: Is there any discussion?

motion by Swindig to add the emergency to show true faith to the employees, 2nd
by Olesen

President Butkowski: Is there any discussion? Please call the roll on the emergency.

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

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

President Butkowski: Please call the roll on T 136 with the emergency.

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

Clerk of Council Norris: T 136 is adopted with the emergency by a vote of six, zero, one
abstention and becomes permanent ordinance 3977-2003.

UNFINISHED BUSINESS:

President Butkowski: I have some unfinished business tonight. Tonight's the last Council meeting for Council Member Josanne Pagel. I'd like to thank her for all her work. She is done representing Ward III and her help on the Council for the last two years. It's been my pleasure to work with you and thank you for all your help you have given the Buildings and Lands Committee, the Council and the City. Best wishes to all your endeavors.

Council Member Pagel: Thank you, Madame Chairman.

President Butkowski: Also, I'd like to extend to the residents of the City, a happy and safe holiday season. I hope you can all spend a little extra time with your loved ones. Merry Christmas and a Happy New Year.

Council Member Buescher: Madame President, I would also like to echo your comments about Mrs. Pagel. It has been a pleasure and you basically said exactly what I wanted to say and she will certainly be missed by all of us.

President Butkowski: Thank you, Mrs. Buescher.

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Council Organizational Meeting Friday, January 2, 2004 at 8:00 P.M.

Next Council Work Session Monday, January 5, 2004 at 7:30 P.M.

Next Regular Council Meeting Monday, January 5, 2004 at 8:00 P.M.

Public Hearings to be held Tuesday, January 20, 2004. The individual hearings will be held in the following order beginning at 7:15 P.M.:

- 1) T 115-2003
- 2) T 120-2003
- 3) T 121-2003

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
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- 4) T 129-2003
- 5) T 130-2003
- 6) T 132-2003

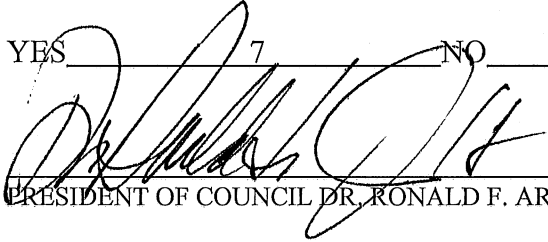
ADJOURNMENT:

 motion to adjourn by Olesen
President Butkowski: Meeting adjourned.

Meeting adjourned at 9:44 P.M.

MOTION _____ Young _____ 2ND _____ Olesen _____ DATE _____ January 5, 2004 _____

YES _____ 7 _____ NO _____ 0 _____ ABSTAIN _____ 0 _____



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS