

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING DECEMBER 1, 2003**

CALL TO ORDER: 8:00 P.M.

President of Council Pro-Tem Bernadine Butkowski: I would like to call this City Council meeting to order. We will have the Invocation by Nancy Buescher and the Pledge of Allegiance.

INVOCATION: lead by Council Member Nancy Buescher.

PLEDGE OF ALLEGIANCE:

President of Council Pro-Tem Butkowski: Tonight, the seat of President, Council-at-Large, has been vacated by Mayor Gillock. We need to elect a new President of Council. At this time I'm opening the floor for nominations.

Council Member Swindig: Madame Chairman, I nominate you, as President of Council for the rest of this term.

Council Member Buescher: Second.

President of Council Pro-Tem Butkowski: Are there any other nominations? Nominations are closed. Call the vote

Yes, 5 No, 0

Clerk of Council Norris: Mrs. Butkowski is appointed President of Council by a vote of five to zero.

President Butkowski: Next, because the Council-at-Large seat has been vacated by Mr. Gillock, we need to fill that seat. I'm opening nominations for Council-at-Large seat.

Council Member Pagel: Madame Chairman, I nominate Dr. Ron Arndt.

Council Member Johnson: I second that nomination.

President Butkowski: Are there any other nominations? Nominations are closed. Please call the vote.

Yes, 5 No, 0

Clerk of Council Norris: Dr. Arndt is approved by a vote of five to zero.

President Butkowski: Dr. Ron Arndt, would you step forward and we'll have a swearing in by Prosecutor Jeff Manning.

Lorain County Prosecutor Jeff Manning swore in Ronald F. Arndt for the position of Council Member-at-Large.

President Butkowski: Thank you. Please be seated. Roll call.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Denny Johnson, Ronald Arndt and President of Council Bernadine Butkowski.
Absent was Council Member Bob Olesen.

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 appropriations tape

Yes, 6 No, 0

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

President Butkowski: Would you please start the tape. Thank you.

MINUTES - Corrections and Approval:

Public Hearing Minutes of November 17, 2003 re: T 125-2003

Public Hearing Minutes of November 17, 2003 re: T 126-2003

Public Hearing Minutes of November 17, 2003 re: T 91-2003

Public Hearing Minutes of November 17, 2003 re: T 95-2003

motion to approve the four public hearing minutes by Pagel, 2nd by Johnson

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

Yes, 4 No, 0 Abstain, 2 (Buescher, Arndt)

Clerk of Council Norris: Motion is approved four to zero, two abstentions.

Regular Council Minutes of November 17, 2003

motion to approve by Pagel, 2nd by Johnson

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

Yes, 4 No, 0 Abstain, 2 (Buescher, Arndt)

Clerk of Council Norris: Motion is approved four to zero, two abstentions.

President Gillock: Please note:

Planning Commission Minutes of regular meeting November 12, 2003;

Civil Service Commission Minutes of regular meeting November 18, 2003;

Parks and Recreation Commission Minutes of Regular meeting October 22, 2003; and

Board of Zoning and Building Appeals Minutes of regular meeting November 20, 2003.

COMMITTEE REPORTS:

1) SAFETY COMMITTEE REPORT #4209 We have considered the matter of cats and recommend that no legislation be drawn at this time due to the unenforceable nature of impounding cats. It would be logistically and physically impossible to impound all cats.

Signed: Chairperson Josanne K. Pagel, Members Robert W. Olesen and Allen C. Swindig.

motion to accept by Pagel, 2nd by Swindig

President Butkowski: Are there any discussions?

Council Member Pagel: Madame Chairman, our responsibility is to write and pass ordinances that reflect on the governance of the City. You cannot pass an ordinance that cannot be enforced by the police force or by the dog warden or the animal control officer. Therefore, we thought at this time, even looking at other cities ordinances, that we just could not write an ordinance at this

time that could be enforced to collect all the cats. It doesn't mean that in the future, the future Council, next year and the years to come may be able to find a way to do that. At this time we just could not find anything that could be acceptable.

President Butkowski: Thank you Mrs. Pagel. Is there any other discussion? Please call the vote.

Yes, 6 No, 0

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

2) SAFETY COMMITTEE REPORT #4210 We have considered the matter of Police Car Support Program, T 113-2003. The committee is still investigating their options for the Police Car Support Program.

Signed: Chairperson Josanne K. Pagel, Members Robert W. Olesen and Allen C. Swindig.
motion to accept by Pagel, 2nd By Swindig

President Butkowski: Is there any discussion?

Council Member Pagel: Madame Chairman, we are working very closely with the Police Chief on this and we want to make sure that all the bases are covered, that we can provide a service, some support car service without breaking budget. So, we're still working on it.

President Butkowski: Is there any other discussion? Call the vote.

Yes, 6 No, 0

Clerk of Council Norris: The report is accepted by a vote of six to zero.

3) BUILDINGS & LANDS COMMITTEE REPORT #4212 We have considered the matter of Special Development Districts and propose the two attached ordinances:

1) An ordinance adding Special Development District as a new zoning classification;
and

2) An ordinance adopting procedures for Special Development District;

And recommend that this request be approved for review by special legal counsel and returned to Council within seven days.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel
motion by Pagel to accept, 2nd by Johnson

President Butkowski: Is there any discussion?

Council Member Pagel: Madame Chairman, as the chairperson of this committee, Mr. Olesen is not here, I've been asked to speak on this, we have taken the original ordinance as it sat from a couple of years ago and we have refined it according to the suggestions from the outside counsel. We are asking now, at this time, for it to go back to that outside counsel and amend this to say ten days as opposed to seven days as per requested by the outside counsel. We have a balance of thirteen hundred twenty for that legal counsel that we had approved previously so, I believe he will have more than enough money to review it a second time to make sure that all the T's are crossed and the I's are dotted.

motion by Pagel to amend to change seven days to ten days, 2nd by Johnson

President Butkowski: Discussion? A vote on the ten days.

Yes, 6 No, 0

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

President Butkowski: Take the vote.

Yes, 6 No, 0

Clerk of Council Norris: The amended report is accepted by a vote of six to zero.

4) BUILDINGS & LANDS COMMITTEE REPORT #4213 We have considered the matter of 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

And recommend that this request be approved and T 115-2003 be adopted as written.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel

motion by Pagel, 2nd by Johnson to accept

President Butkowski: Is there any discussion? Call the vote.

Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of five to zero, one abstention.

5) BUILDINGS & LANDS COMMITTEE REPORT #4214 We have considered the matter of T 120-2003, an ordinance regulating adult cabarets

And recommend that this request be approved and T 120-2003 be adopted as written.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel

motion by Pagel, 2nd by Johnson to accept

President Butkowski: Any discussion?

Council Member Pagel: Madame Chairman, this is the Council being proactive on a discussion on an item that we know may eventually come or may not come to North Ridgeville but, we want to proactive on it instead of reactive.

President Butkowski: Any other discussion? Please call the vote.

Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of five to zero, one abstention

6) BUILDINGS & LANDS COMMITTEE REPORT #4215 We have considered the matter of T 121-2003, an ordinance creating a new overlay zoning district to be designated the Adult Entertainment District, AE-1 and recommend revising as follows:

- 1) Section 3, Subsection 1275.03 A., first sentence to read "Sexually-oriented businesses are permitted as set forth in Subsection 1275.02, provided that the proposed location is greater than 1,000 feet from the structure of each of the following:";
- 2) Section 3, Subsection 1275.03 A. (ii) to read "any residential dwelling or as such uses are similarly defined in the Zoning Code of any adjacent political subdivision,"; and
- 3) Section 4, to read "The Adult Entertainment District, AE-1 shall only be

considered for the area as shown on a map entitled "Adult Entertainment (AE-1) Overlay District" adopted as part of this ordinance and certified by the Clerk of Council, which accompanies and which, with all explanatory matters thereon, is hereby made a part of this ordinance.

And recommend that this request be approved and the T 121-2003 be adopted with the recommended revisions. A map showing the area to be considered for the Adult Entertainment District is attached to this committee report.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel
motion by Pagel, 2nd by Johnson to accept

President Butkowski: Is there any discussion? Call the vote.

Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of five to zero, one abstention

7) BUILDINGS & LANDS COMMITTEE REPORT #4216 We have considered the matter of T 129-2003, an ordinance amending NRCO Section 1228.06 Post-type Street Lighting Installations

And recommend that this request be approved and T 129-2003 be adopted as written.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel
motion by Pagel, 2nd by Johnson to accept

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

Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of five to zero, one abstention

8) BUILDINGS & LANDS COMMITTEE REPORT #4217 We have considered the matter of 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
And recommend that this request be approved and T 130-2003 be adopted as written.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel
motion by Pagel, 2nd by Johnson to accept

President Butkowski: Is there any discussion?

Council Member Pagel: Madame Chairman, this is the light pollution ordinance to try and protect the residents and to just have a little watch on how the lights are going up so they are not blasting your yards from commercial or residential properties.

President Butkowski: Thank you, Mrs. Pagel. I imagine many residents in this City will thank you in the future. Is there any other discussion? Please call the vote.

Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of five to zero, one abstention

9) BUILDINGS & LANDS COMMITTEE REPORT #4218 We have considered the matter of T 132-2003, an ordinance repealing NRCO Chapter 1426, National Electric Code
And recommend that this request be approved and T 132-2003 be adopted as written.

Signed: Chairman Robert W. Olesen and Member Josanne K. Pagel

motion by Pagel, 2nd by Johnson to accept

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

Yes, 4 No, 1 (Butkowski) Abstain, 1 (Arndt)

Clerk of Council Norris: Report is accepted by a vote of four, one with one abstention.

QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:

President Butkowski: We have no written reports. We will move on. We will have on exception on your first night, Mayor Gillock.

Mayor Gillock: Couldn't make cloture.

AUDITOR'S REPORT:

President Butkowski: Mr. Costin, the Auditor.

Auditor Costin: No report.

OTHER REPORTS:

President Butkowski: Please note:

Police Department Activity Report for October 2003;

Police Department Support Car Report for October 2003; and

Service Department Activity Report for November 10, 2003 through November 23, 2003.

Planning Commission Report:

Regular meeting of November 12, 2003

APPLICANT: Oster Construction, Inc., Villas of Avalon Subdivision No. 1

OWNER: Oster Construction, Inc., 6150 Park Square Dr., Lorain 44053

REQUEST: Revision of original approval by creation of easements to
remove encroachments from open space

LOCATION: Villas of Avalon Subdivision No. 1 in R-1

Permanent Parcel No. 07-00-043-102-046 and 07-00-043-102-011

PC ACTION: Approved

motion to approve by Pagel, 2nd by Swindig

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

Yes, 5 No, 0 Abstain, 1 (Arndt)

APPLICANT: Oster Construction, Inc., Villas of Stone Creek Subdivision No. 1

OWNER: Oster Construction, Inc., 6150 Park Square Dr., Lorain 44053

REQUEST: Revision of original approval by creation of easements to remove
encroachments from open space

LOCATION: Villas of Stone Creek Subdivision No. 1 in R-1

Permanent Parcel No. 07-00-032-000-215 and 07-00-032-000-216
and 07-00-032-000-217

PC ACTION: Approved

 motion by Pagel, 2nd by Swindig to approve

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

 Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is approved by a vote of five, zero, one abstention.

REQUEST: T 121-2003, Adult Entertainment District, AE-1, zoning legislation as
 submitted by Council October 6, 2003 for Planning Commission
 consideration and recommendation

PC ACTION: Recommends continuing to process the proposed Ordinance as written
 motion to approve by Pagel, 2nd by Swindig

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

 Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is approved by a vote of five, zero, one abstention.

REQUEST: T 133-2003, property maintenance code referred to Planning Commission
 by Council November 3, 2003 for Planning Commission consideration and
 recommendation

PC ACTION: Planning Commission recommends this Ordinance
 motion to approve by Pagel, 2nd by Swindig

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

 Yes, 5 No, 0 Abstain, 1 (Arndt)

Clerk of Council Norris: Report is approved by a vote of five, zero, one abstention.

OLD BUSINESS:

Council Member Pagel: Madame Chairman, question of legal counsel, the maintenance code that was referred to Planning Commission, Buildings and Lands did not look at that yet because we were waiting for a ruling from Planning Commission, it was also referred to legal. Is there any date on when that would be brought back or any idea when it would be reviewed by legal?

President Butkowski: Mr. Zagrans?

Law Director Zagrans: It should be reviewed and a report issued to Council before the next Council meeting.

Council Member Pagel: Thank you.

Council Member Swindig: Madame Chairman, yes, I have something in old business and we've talked about it and we've asked the residents and asked the residents on it. Last Friday, with all the rain, with the people with ditches, please rake your leaves out of your ditches so you do not flood your neighbors. Thank you.

President Butkowski: Thank you, Mr. Swindig. Is there any other old business? New business.

NEW BUSINESS:

motion by Mayor Gillock to approve Denny Johnson as Safety-Service Director, 2nd by Buescher

President Butkowski: Is there any discussion?

Council Member Swindig: Yes, Madame Chairman. I am going to vote against it because I think Mr. Johnson was elected to serve as an at-large Council Member and I think he should finish out his term. Thank you.

Mayor Gillock: Madame President, I'm making this nomination, I think Mr. Johnson will make an excellent Safety-Service Director. There's been some discussion as to whether or not there's a gray area in the Charter as to whether we do or do not have to have Council's approval. I hope by doing this it'll take any indecision or gray area out of it. That we're all on the same page, we're all in agreement and that's something, I hope, down the road that we can correct in the Charter. I look forward, I think Mr. Johnson will make an excellent Safety-Service Director and request your approval.

President Butkowski: Thank you Mr. Mayor. Mr. Swindig?

Council Member Swindig: Like I said, at this time I would not support him. After the first of the year I would support him. Thank you.

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

Yes, 4 No, 1 (Swindig) Abstain, 1 (Arndt)

Clerk of Council Norris: Mr. Johnson is approved as Safety-Service Director by a vote of four to one, one abstention.

Council Member Johnson: Madame Chair, I thank this Council for the vote of confidence and Mayor Gillock for the nomination.

motion by Mayor Gillock to nominate Rita Marie Price as Senior Center Director, 2nd by Pagel

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

Mayor Gillock: I would like to introduce Mrs. Price. She is here this evening. Would you please stand Rita? The Office of Older Adults conducted a search requesting resumes. We had a large number of applications. That office, along with the present Director screened those and reduced them to three applicants. We then met with all three applicants. I sat in with Sally Balog and the four members of the Office of Older Adults Committee and made the selection. We are very happy and very proud to recommend Rita. She is a resident of North Ridgeville for 12 years and look forward to bringing her on board and would again ask for your support.

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

Yes, 6 No, 0

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

T 137-2003 A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR,
PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO
THE CITY OF NORTH RIDGEVILLE THE TOTAL CURRENT TAX

VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY TWO (2) MILLS, FOR THE PURPOSE OF A REPLACEMENT LEVY FOR AMBULANCE SERVICES, EMERGENCY MEDICAL CARE, AND MAINTAINING, EQUIPPING, AND OPERATING A PARAMEDIC PROGRAM.

motion by Pagel, 2nd by Arndt to suspend By-Laws to give this its first reading tonight
President Butkowski: Any discussion? Call the vote.

Yes, 6 No, 0

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

T 138-2003 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..

motion by Pagel, 2nd by Swindig to suspend By-Laws to give this its first reading tonight
President Butkowski: Any discussion? Yes, Mrs. Pagel?

Council Member Pagel: Even though we will not be passing this tonight, we can move it along with a first reading.

President Butkowski: Yes, that's right. We cannot pass this one tonight. Thank you. Call the roll, please.

Yes, 6 No, 0

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

Council Member Pagel: Madame Chairman, move to suspend By-Laws to accept, recognize the three ordinances that were passed out by the Auditor tonight. We can address them one at a time if that's your pleasure. The motion is to recognize the three ordinances.

President Butkowski: To suspend By-Laws to recognize them, yes. We can group them together and the Clerk can give you the T numbers for each specific one if you want. We can group all three. Mr. Swindig?

Council Member Swindig: I think we're better off doing them one at a time.

motion by Pagel to suspend By-Laws to recognize the ordinance for 71,000 dollars, 2nd by Swindig

Yes, 6 No, 0

Clerk of Council Norris: Motion is approved by a vote of six to zero and the T number is T 140-2003.

Council Member Pagel: May we have that read please, Madame Chairman.

President Butkowski: Yes, please read it.

T 140-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$71,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING THE CITY'S SHADY DRIVE PARK COMPLEX BY CONSTRUCTING, FURNISHING AND EQUIPPING A BUILDING TO HOUSE A CONCESSION STAND, STORAGE AREAS AND RESTROOM FACILITIES AND PREPARING AND IMPROVING ITS SITE.

motion by Pagel, 2nd by Swindig to suspend By-Laws to give T 140-2003 a first reading tonight

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

Yes, 6 No, 0

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

motion by Pagel to suspend By-Laws to recognize the ordinance put before us by the Auditor for 325,000 dollars, 2nd by Swindig

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

Yes, 6 No, 0

Clerk of Council Norris: Motion is approved by a vote of six to zero and the T number is T 141-2003.

T 141-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$325,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING LEAR NAGLE ROAD AND CENTER RIDGE ROAD AND ADJACENT CITY EASEMENTS BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, WIDENING, CURBING, PAVING, CONSTRUCTING A NEW TURN LANE, SANITARY SEWERS AND SIDEWALKS AND INSTALLING AND IMPROVING TRAFFIC SIGNS, SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

motion by Pagel, 2nd by Buescher to suspend By-Laws to give T 141 a first reading tonight

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

Yes, 6 No, 0

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

motion by Pagel to suspend By-Laws to recognize the ordinance for 2,524,000 dollars that was given to us by the Auditor tonight, 2nd by Swindig

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

Yes, 6 No, 0

Clerk of Council Norris: Motion is approved by a vote of six to zero and the T number is T 142-2003.

T 142-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,524,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY CONSTRUCTING SANITARY SEWERS AND SANITARY SEWER SERVICE CONNECTIONS, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, BETWEEN CERTAIN TERMINI IN CENTER RIDGE ROAD AND ADJACENT CITY EASEMENTS.

motion by Pagel, 2nd by Buescher to suspend By-Laws to give T 142 a first reading tonight
President Butkowski: Is there any discussion? Please call the roll.

Yes, 6 No, 0

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

CORRESPONDENCE:

Clerk of Council Norris:

1) Received a letter from Kenneth R. Goerg, Executive Director of The Volunteer Action Center announcing a press conference and campaign kickoff on Friday, November 21, 2003 at 1:30 P.M. to enhance our County's emergency preparedness and community spirit by engaging volunteers who will be ready to respond to any man-made or natural disaster.

2) Received from the Public Utilities Commission of Ohio an entry in the matter of the application of Columbia Gas of Ohio, Inc. for authority to amend filed tariffs to increase the rates and charges for gas service. In the matter of the Application of Columbia Gas of Ohio, Inc. to establish the Columbia Customer Choice Program. In the matter of the regulation of the purchased gas adjustment clause contained within the rate schedules of Columbia Gas of Ohio, Inc. and related matters. In the matter of the application of Columbia Gas of Ohio, Inc. to revise its tariffs to establish a new gas transfer service.

3) Received a letter from Zakee A. Rashid, Vice President/General Manager of Comcast, Cleveland System announcing the offering of more programming to its customers in the City of North Ridgeville, subject to corporate approval.

4) Received a letter of resignation from Council at-large Member, Council President Dave Gillock effective the end of day on November 30, 2003.

5) Received a letter from Mayor-Elect David Gillock on the Senior Center Advisory Board Executive Committee and former Director's recommendation and his desire to appoint Rita Marie Price as Senior Center Director.

LOBBY:

President Butkowski: Now, we come to our Lobby portion of our meeting. You have three

minutes to speak Please give your name and address before you speak and be sure to fill out a form and leave it on the podium. Is there anyone here tonight that wants to speak? Seeing none. Recess for ten minutes.

RECESS: from 8:46 P.M. to 8:56 P.M.

President Butkowski: We will have the swearing in of Denny Johnson. May I have a motion to suspend the By-Laws.

motion by Pagel, 2nd by Buescher to have the swearing in of Denny Johnson for Safety-Service Director by Prosecutor Jeff Manning

President Butkowski: Is there any discussion? Please take a vote.

Yes, 4 No, 1 (Swindig) Abstain, 1 (Johnson)

Clerk of Council Norris: Vote is approved by a vote of four to one, one abstention.

President Butkowski: We'll have the swearing in of Denny Johnson by Prosecutor Jeff Manning.

Lorain County Prosecutor Jeff Manning swore in Dennis L. Johnson for the office of Safety-Service Director.

President Butkowski: Best wishes to our new Safety-Service Director. We will continue on with our first readings.

FIRST READINGS:

T 139-2003 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS
3967-2003 OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES
FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2004 AND ENDING MARCH 31, 2004.

First Reading In Full

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

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

Yes, 5 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Do we need the emergency?

motion by Pagel to add the emergency on the grounds of financial, 2nd by
Buescher

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

Yes, 5 No, 0

Clerk of Council Norris: Approved by a vote of five to zero.

President Butkowski: Vote on the adoption.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero and becomes permanent ordinance 3967-2003 with the emergency.

Permanent Ordinance No. 3967-2003

T 137-2003 A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR,
987-2003 PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO
THE CITY OF NORTH RIDGEVILLE THE TOTAL CURRENT TAX
VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE
THAT WOULD BE GENERATED BY TWO (2) MILLS, FOR THE PURPOSE
OF A REPLACEMENT LEVY FOR AMBULANCE SERVICES,
EMERGENCY MEDICAL CARE, AND MAINTAINING, EQUIPPING, AND
OPERATING A PARAMEDIC PROGRAM.

First Reading

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

President Butkowski: Do we have any discussion? Please call the roll.

Yes, 5 No, 0

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

motion to adopt by Pagel, 2nd by Arndt

motion by Pagel to add the emergency on the grounds that it has to go to the
Auditor and be on the ballot by December 18, 2003, 2nd by Swindig

President Butkowski: Any discussion? Please call the roll.

Yes, 5 No, 0

Clerk of Council Norris: Motion is approved by a vote of five to zero. Now, on the motion to
adopt with the emergency.

Yes, 5 No, 0

Clerk of Council Norris: T 137 is adopted with the emergency by a vote of five to zero.

Becomes permanent resolution 987-2003.

Permanent Resolution No. 987-2003

T 138-2003 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..

First Reading

T 140-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$71,000
3968-2003 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE
PURPOSE OF IMPROVING THE CITY'S SHADY DRIVE PARK COMPLEX

BY CONSTRUCTING, FURNISHING AND EQUIPPING A BUILDING TO
HOUSE A CONCESSION STAND, STORAGE AREAS AND RESTROOM
FACILITIES AND PREPARING AND IMPROVING ITS SITE.

First Reading

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

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

Yes, 5 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

motion by Pagel, 2nd by Swindig to add the emergency

President Butkowski: Is there any discussion?

Council Member Pagel: The emergency is added due to the financial bonds stating that.

President Butkowski: Call the roll on the emergency.

Yes, 5 No, 0

Clerk of Council Norris: The emergency is approved by a vote of five to zero.

President Butkowski: Roll on the adoption.

Yes, 5 No, 0

Clerk of Council Norris: T 140 is adopted with the emergency by a vote of five to zero and
becomes permanent ordinance 3968-2003

Permanent Ordinance No. 3968-2003

T 141-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3969-2003 \$325,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
THE PURPOSE OF IMPROVING LEAR NAGLE ROAD AND CENTER
RIDGE ROAD AND ADJACENT CITY EASEMENTS BETWEEN CERTAIN
TERMINI BY GRADING, DRAINING, WIDENING, CURBING, PAVING,
CONSTRUCTING A NEW TURN LANE, SANITARY SEWERS AND
SIDEWALKS AND INSTALLING AND IMPROVING TRAFFIC SIGNS,
SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE
TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK
INCIDENTAL THERETO

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, 5 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

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

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

Yes, 5 No, 0

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

President Butkowski: Roll call on the motion to adopt.

Yes, 5 No, 0

Clerk of Council Norris: T 141 is adopted by a vote of five to zero and becomes permanent ordinance 3969-2003 with the emergency.

Permanent Ordinance No. 3969-2003

T 142-2003 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3970-2003 \$2,524,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
FOR THE PURPOSE OF IMPROVING THE CITY'S SANITARY SEWER
SYSTEM BY CONSTRUCTING SANITARY SEWERS AND SANITARY
SEWER SERVICE CONNECTIONS, TOGETHER WITH THE NECESSARY
APPURTENANCES AND WORK INCIDENTAL THERETO, BETWEEN
CERTAIN TERMINI IN CENTER RIDGE ROAD AND ADJACENT CITY
EASEMENTS.

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, 5 No, 0

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

motion by Pagel, 2nd by Swindig to adopt

President Butkowski: Is there any discussion?

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

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

Yes, 5 No, 0

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

President Butkowski: Call the roll on the adoption.

Yes, 5 No, 0

Clerk of Council Norris: T 142 is adopted by a vote of five to zero becoming permanent ordinance 3970-2003 with the emergency.

Permanent Ordinance No. 3970-2003

SECOND READINGS:

Clerk of Council Norris:

T 135-2003 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 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.

Second Reading

Auditor Costin: Madame Chairman, since this is in front of us for a second reading, I would like to recommend the dollar amount be revised to two million five hundred sixty-five thousand dollars.

motion by Pagel to amend the dollar amount to \$2,565,000 dollars, 2nd by Arndt
President Butkowski: Is there any discussion? Please take the roll.

Yes, 5 No, 0

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

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

Second Reading

THIRD READINGS:

UNFINISHED BUSINESS:

President Butkowski: I have some unfinished business. An oral Finance Committee report. I need a motion for this. Request that the legislation be drawn for the annual GAAP conversion in preparation of 2003 financial statements by the Auditor.

motion to accept by Butkowski, 2nd by Swindig

President Butkowski: Please call the roll.

Yes, 5 No, 0

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

COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Next Council Work Session Monday, December 15, 2003 at 7:30 P.M.

Next Regular Council Meeting Monday, December 15, 2003 at 8:00 P.M.

Council Organization meeting Friday, January 2, 2004 at 8:00 P.M.

Lastly, there's a Finance Committee meeting on Tuesday, December 2nd at 9:00 A.M.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING DECEMBER 1, 2003**

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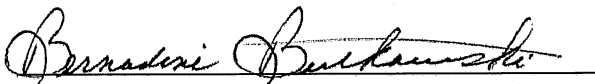
ADJOURNMENT:

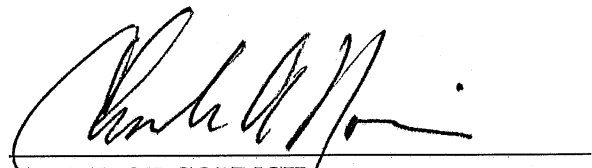
motion to adjourn by Swindig
President Butkowski: Meeting adjourned.

Meeting adjourned at 8:27 P.M.

MOTION _____ Arndt _____ 2ND _____ Pagel _____ DATE _____ December 15, 2003 _____

YES _____ 5 _____ NO _____ 0 _____ ABSTAIN _____ 2 - Olesen, Young _____


PRESIDENT OF COUNCIL


CLERK OF COUNCIL