

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING NOVEMBER 21, 2011**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, November 21, 2011 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, Bernadine Butkowski, President Pro-Tem Roseanne Johnson and President Kevin Corcoran. Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, Auditor Chris Costin, and Clerk of Council George Smith. Absent was Engineer Scott Wangler.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Council minutes of regular meeting November 7, 2011. Are there any objections or corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Planning Commission meeting minutes of 11.08.2011, Civil Service Commission meeting minutes of 11.15.2011 and Board of Zoning and Building Appeals minutes of 11.17.2011.

LOBBY:

President Corcoran: That brings us to the lobby session of the meeting, which is your opportunity to address Council. If you are going to speak this evening approach the podium and state your name and address for the record and you are limited to three minutes at a time. If you would like to address Council, the lobby session is open. Seeing nobody, we will move on to the Administrator's reports. First up, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. During this Thanksgiving season, I want to take a little liberty and thank people for what they do for all of our residents. We were to have a gentleman here this evening, who has not shown up, so I don't know if he is going to come next meeting or if he comes later in this meeting, I'll ask for some personal privilege. He wants to make a contribution to our K-9 unit for some services. I am very thankful and I wanted to bring that up, but he is not here yet. So if he does show up, I'll let you know.

Secondly, this happens quit often; we get nice letters or messages from our residents. We often get the other kind too. As I said in a Thanksgiving spirit, I just got this one and I just want to read it briefly as it really exemplifies some of the employees we do have working for us and we have great employees:

"Please excuse my hand written note. This is to the Honorable Mayor Gillock. Just wanted to commend the work the two of your City employees, Jim Radolec and Don Yacobucci who did some very tedious work on our street drainage grate. The work seemed to me to be highly professional and demonstrated the need for skill also which was not a standard job, as a sink hole has developed. The job was greeted with vigor and enthusiasm, nonetheless. My wife's family are generally in the excavation industry and their professional opinion of the work done paralleled my lay man's observation. The job appears to have been done well and the City of North Ridgeville should be proud to have people of this caliber on your staff. Respectfully, Mr. White."

We are very fortunate and thankful for the employees we do have. They do a great job day in and day out. When you see them, take a chance to tell them thank-you. Have a nice Thanksgiving.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Thank you Mr. President. I want to quite honestly thank all the residents in the Chestnut Ridge – Lear-Nagle area that put up with road construction at 5:00 A.M. in the morning the other morning. The asphalt plants were closing Friday afternoon and we were faced with Lear Nagle being left in the condition that it was prior to what it is now, which is like a super highway. It really put forth some planning on our part notifying the neighbors; notifying everyone down there as to what our thoughts were to get the job done and quite honestly, it turned out better than I could have ever expected in starting to complete that job. By Friday afternoon, probably 3:30 – 4:00 the job was done. Saturday morning, as planned, they did the striping. It turned out very well and by the first week of December, in that week there, that project should be completed. At least the road opened up. That is right Mayor. Not totally completed but at least back open.

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

C. Engineer: (Not present at the meeting)

D. Auditor:

Auditor Costin: Yes sir, thank you Mr. President. I do have a financial report that Council should have already received for the month of October. Just a heads up...this is the end of the year we are fast approaching and we will have some legislation forthcoming that will include the temporary appropriation Ordinances, an Ordinance for 2012 already, a final appropriation Ordinance will be available at the second Council meeting of December and the annual Ordinance Resolution to transfer funds between inter fund balances and repayments. So we will have three pieces of legislation. There will also be a new Resolution that we are going to talk about at the next Finance meeting that I will ask you to pass and I will explain it when it hits the floor. It has nothing to do with anything internally. It has to do with our financial reporting on our annual CAFR. So, just a heads up we will have probably four pieces of legislation in the month of December for you to look forward to. Alright? Thank you. That completes my comments.

President Corcoran: Thank you, Mr. Auditor.

E. Other Reports:

President Corcoran: Please note the October 2011 Fire Report, October 2011 Water Plant/Distribution System Monthly Operating Report, October 2011 Distribution Journal and Mayor's Court Report and October 2011 Support Car Report.

COUNCIL COMMITTEE REPORTS: None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 103-2011 A RESOLUTION OPPOSING CENTRALIZED ADMINISTRATION
AND/OR COLLECTION OF OHIO MUNICIPAL INCOME TAX.

Mayor Gillock: Mr. President?

President Corcoran: Yes, Mr. Gillock?

Mayor Gillock: Just a little bit of an explanation why I requested this. There was a discussion at the State House considering passing legislation that would have the State do all collections and distribution of municipal income tax. We are opposed to this. Most cities use RITA or CTA. We use our own people. Not to put words into Mr. Costin's mouth, but we kind of discussed this and we use to be with RITA. He told me that when we took this over, our collections were much more efficient and we collected a lot more money. We provide a great service to our residents. If they send their W-2's in, we do it for them. A lot of times they come to the window and we do them right there at the window for them. So, this is a terrific service to our residents. It is much more efficient and we also think it would have a severely negative impact on our cash flow if the State was to collect these monies and hold them to distribute back to the cities when they felt like it. So we would like to get this passed. We don't need to do it this evening, but we would like to get this passed and sent down to the State expressing our opposition. We also feel that once they get their foot in the door or their nose in the corner of the tent; collecting this wouldn't be too far down the road until they just took it over all together. We are opposed to that collection. Thank you.

President Corcoran: Thank you Mayor. I haven't heard that one before...nose in the corner of the tent. Mayor, was there a time frame we are looking at. I think Mr. Costin said as soon as possible.

Mayor Gillock: I would make a motion to suspend by-laws to give it a first reading.

Councilwoman Buescher: Second.

President Corcoran: It was moved by the Mayor and seconded by Buescher to give T 103 a first reading this evening. Any objections or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 103 is added to the first readings this evening. T 104.

Clerk of Council Smith:

T 104-2011 AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS IN
THE AMOUNT OF \$119,800.00 FOR THE CONTRACTED
PROFESSIONAL SERVICES OF CT CONSULTANTS, INC. FOR THE
ADMINISTRATION AND IMPLEMENTATION OF CHIP GRANT
FUNDS AWARDED TO THE CITY FOR THE BENEFIT OF LOW TO
MODERATE INCOME RESIDENTS.

Mayor Gillock: Mr. President?

President Corcoran: Yes Mayor?

Mayor Gillock: I would make a motion to give this a first reading this evening.
Councilman Olesen: Second

President Corcoran: It was moved by Mayor and seconded by Olesen to suspend By-Laws to give T 104 a first reading this evening. Are there any comments or questions? Mr. Mayor.

Mayor Gillock: We get this grant every two years for \$500,000 which is used to benefit lower to moderate income residents to do emergency home repair, home rehabilitation and in some cases even buying a home that needs fixing up. Let's put it that way. We received a grant and CT Consultants, for years, has been our consultant. However, they can't begin work on administering this grant until we get this passed. So, we are under the gun on this. Our Treasurer asked if we could, we would like to get this passed this evening. Thank you.

Councilman Boose: Mr. President?

President Corcoran: Mr. Boose.

Councilman Boose: I've been in discussions with the Law Director. There are several inconsistencies in the agreement that we will need to talk over at the appropriate time prior to passing.

Mr. Crites: If I may, Mr. President, pose a question.

President Corcoran: Sure.

Mr. Crites: Mr. Mayor, would the City suffer if this was passed in two weeks time?

Mayor Gillock: Uh.

Mr. Crites: I did see some inconsistencies in the form largely from the agreement. The Ordinance was not drafted by me.

Mayor Gillock: The City would not suffer, but residents needing emergency home repairs and that are depending on this would have to wait. I think the two week period is reasonable.

Mr. Crites: Frankly, I would be more comfortable with some of the...

Mayor Gillock: Although, this is the same Ordinance that we've done every two years for the last ten to twelve years, as far as I know.

Mr. Crites: I would just put forth that some of the proposed amendments, although not being operative to the essence of the agreement or the Ordinance, are substantial enough that I would be happier if they were rectified. I would hope that, if given the two weeks time, it would be very easy to come back with the amended Ordinance for the next meeting and pass it with the emergency then as long as we think it wouldn't compromise the needs of some needy member of the community. It would be impossible to do it on the floor tonight. It would be quite cumbersome.

Mayor Gillock: Alright, I wasn't sure the way that works. I don't have my calendar with me. Do you know the public hearing that the residents are scheduled at in the next two weeks? CT Consultants would not be able to participate in that.

Mr. Crites: Might I suggest this Mr. President: Councilman Boose, frankly your familiarity with the terms of this Ordinance that was not drafted by me or my office is better than mine. Because they are largely as a matter of form, not that they are not important, but they don't go to the actual true intent and purpose and meaning...

Councilman Boose: I could just tell you that the main issue is that it was cut and pasted together so that part of the agreement refers to the City as "community" and others refer to it as "City". So we can certainly just substitute "City" for "community"-that would be fine if you want to amend that.

Mr. Crites: I was going to suggest we pass what is before us tonight and then come back so that they can proceed forward. CT can have the meeting with the residents and then you and I can work on an amendment that cleans it up.

Councilman Boose: With one exception...on page...section fifteen of the agreement, under equal employment opportunity...under section fifteen B...it indicates that the consultant will receive consideration for employment with regard to race. That should be "without".

Mr. Crites: Is that a motion to amend?

Councilman Boose: I will make that motion to amend section fifteen, item B to change the word "with" to "without" to make it compliant with the Equal Opportunity Act.

Councilwoman Buescher: Second.

Mr. Crites: Again, I didn't draft that.

Mayor Gillock: The other reason it would refer to community is that title of the program is the "Community and Housing Improvement Program". So they would refer to the community or the city.

Councilman Boose: Right. It is just that it is referenced both ways. It is kind of...make it cleaner and it would be...anyways.

President Corcoran: It was moved by Boose and seconded by Buescher to amend T 104, section fifteen, B, the third line down, the "with" changed to "without". Everyone clear on that? Any comments or questions about that amendment?

Councilman Boose: All the other items, Mr. President, are grammatical or structure and we can talk about this...I just...since we are talking and we will have a discussion now...I just want to make sure that the funds for the consultant does come out of the \$500,000.

Mayor Gillock: Yes.

Councilman Boose: Thank you.

President Corcoran: So, the motion on the amendment...we had no questions or comments. So we are going to now vote. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: The amendment has passed.

Mr. Crites: We need a motion to move it to a first reading.

President Corcoran: Correct. Now on the motion to give it its first reading. Any comments or questions on that? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: T 104 is now added to the first readings. Now we are on 105.

Clerk of Council Smith:

T 105-2011 A RESOLUTION URGING THE MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE TO CONTINUE TO FUND THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) AND THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) AT A SUSTAINABLE LEVEL NECESSARY TO COMPLETE AND CONTINUE THE COMMUNITY HOUSING IMPROVEMENT AND COMMUNITY INVESTMENT STRATEGIES DEVELOPED FOR EVERY SMALL CITY AND ENTITLEMENT CITY IN THE UNITED STATES OF AMERICA.

Mayor Gillock: Mr. President?

President Corcoran: Yes Mr. Mayor?

Mayor Gillock: I might ask them to move this forward. Just as a way of explanation: we get Community Block Grant funds every year in the amount of about \$70,000 that we use to build and renovate all the bathrooms in all our parks to ADA standards. They are used for other senior, low-income programs. We would hate to see them do away with that program, so we would like to express our opposition to doing away with that program. So as soon as we get this passed, we will forward it to the appropriate parties. Thank you.

President Corcoran: Thank you Mayor.

Mayor Gillock: Make a motion to give this a first reading.

Councilman Boose: I'll second that.

President Corcoran: It was moved by the Mayor and seconded by Boose to suspend the By-laws to give T 105 a first reading this evening. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: And T 105 is on the first readings this evening. That is the end of the new business which brings us to the recess portion of the meeting.

RECESS:

Councilwoman Johnson: Move to dispense with recess.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Johnson, seconded by Butkowski to dispense with the recess. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: Moving on...first readings. First up, T 101.

FIRST READING:

Clerk of Council Smith:

T 101-2011 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT FOR THE EXCHANGE OF REAL PROPERTY.

Mayor Gillock: Mr. President?

President Corcoran: Yes Mr. Mayor?

Mayor Gillock: I would move to dispense with second and third readings.

Councilman Olesen: Second.

President Corcoran: It was moved by the Mayor and seconded by Olesen to dispense with the second and third readings for T 101.

Mr. Crites: If I may Mr. President. I can relay that I have received the title commitment from the other party for the swap which indicates the nature of the title and the history of title for the two small parcels which we are swapping for a long, linear strip. It looks in order. I am also aware of the fact that the other party to which we are entering into the swap agreement with is anxious to move forward so they can open up that block of land in the residential development by building the road. It has been requested, if possible, we move forward and pass this tonight with the emergency clause.

President Corcoran: Okay. Thank you for all that. So it was moved and seconded to dispense with the second and third readings for T 101. Any other comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Mayor Gillock: Move to adopt.

Councilman Olesen: Second.

President Corcoran: Moved by the Mayor, seconded by Olesen to adopt T 101.

Mayor Gillock: Move to add the emergency.

Councilwoman Butkowski: Second.

President Corcoran: Moved by the Mayor, seconded by Butkowski to add the emergency clause to T 101 the reason being...

Mayor Gillock: The health, safety and welfare of the citizens of North Ridgeville.

Mr. Crites: I can add to that. The citizens of the community will be benefited and in fact some will experience detriment if this is not opened up and allowed to be developed and if we do not engage in this swap, so as to protect several existing residential parcels with the buffer that is anticipated by a swap.

President Corcoran: I'm not going to repeat that. The Mayor moved and Butkowski seconded to add the emergency clause for the reasons that the Law Director stated. Any comments or questions on the emergency clause? All those in favor say yes. Those opposed say no.

Yes 7, No, 0

President Corcoran: It was moved by the Mayor and seconded by Olesen to adopt T 101 with the emergency clause. Comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). Unanimously accepted. Becomes Ordinance 4867 2011.

President Corcoran: Thank you. Now going back to T 103.

Clerk of Council Smith:

T 103-2011 A RESOLUTION OPPOSING CENTRALIZED ADMINISTRATION
AND/OR COLLECTION OF OHIO MUNICIPAL INCOME TAX.

Councilman Olesen: Move to dispense with the second and third readings.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 103. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Councilman Olesen: Mr. President, move to adopt.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to adopt T 103. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). Unanimously approved and that becomes Resolution 1244-2011.

President Corcoran: Now to T 104.

T 104-2011 AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS IN
THE AMOUNT OF \$119,800.00 FOR THE CONTRACTED

**PROFESSIONAL SERVICES OF CT CONSULTANTS, INC. FOR THE
ADMINISTRATION AND IMPLEMENTATION OF CHIP GRANT
FUNDS AWARDED TO THE CITY FOR THE BENEFIT OF LOW TO
MODERATE INCOME RESIDENTS.**

Councilman Olesen: Move to dispense with the second and third readings.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 104. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Councilman Olesen: Mr. President, move to adopt.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to adopt T 104. Any comments or questions?

Councilman Olesen: Mr. President, move to add the emergency.

Councilwoman Butkowski: Second.

President Corcoran: The reason for the emergency clause is to get the funds to be dispersed, we need CT Consultants as the consultant. Moved by Olesen, seconded by Butkowski to add the emergency clause to T 104. All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

President Corcoran: And it was moved by Olesen and seconded by Butkowski to adopt T 104, with the emergency clause, as amended. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). Unanimously accepted. Becomes Ordinance 4868-2011.

President Corcoran: T 105.

Clerk of Council Smith:

T 105-2011 A RESOLUTION URGING THE MEMBERS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE

TO CONTINUE TO FUND THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) AND THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) AT A SUSTAINABLE LEVEL NECESSARY TO COMPLETE AND CONTINUE THE COMMUNITY HOUSING IMPROVEMENT AND COMMUNITY INVESTMENT STRATEGIES DEVELOPED FOR EVERY SMALL CITY AND ENTITLEMENT CITY IN THE UNITED STATES OF AMERICA.

Councilman Olesen: Mr. President?

President Corcoran: Yes Mr. Olesen?

Councilman Olesen: Move to dispense with second and third readings.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 105. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Councilman Olesen: Mr. President?

President Corcoran: Yes?

Councilman Olesen: Move to adopt.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to adopt T 105. Any comments or questions.

Councilman Olesen: Council President?

President Corcoran: Yes?

Councilman Olesen: I think it is important that we get this message to the individuals promptly.

President Corcoran: Thank you Mr. Olesen. Any other comments? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski

(yes), Johnson (yes), Mr. Corcoran (yes). It was adopted unanimously and it becomes Resolution 1245-2011.

President Corcoran: Thank you. That is the end of the first readings. That brings us to T 94.

SECOND READINGS:

Clerk of Council Smith:

T 94-2011 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS
LOCATED IN THE PIONEER RIDGE PHASE 5 SUBDIVISION AT
WATERBURY AND DEDICATING THEM FOR PUBLIC PURPOSES.

President Corcoran: T 102.

Clerk of Council Smith:

T 102-2011 AN ORDINANCE PROVIDING FOR THE RE-DIVISION OF WARDS
WITHIN THE CITY OF NORTH RIDGEVILLE, OHIO, IN
ACCORDANCE WITH SECTION 3.1 OF THE CHARTER.

Mayor Gillock: Mr. President?

President Corcoran: Yes Mr. Mayor?

Mayor Gillock: I think we discussed at the last meeting that if we dispense with the third reading and adopt this evening without the emergency, then it would become effective December 21 which is in the guidelines of the Charter. We would not have to do the emergency at the next meeting. So I would make a motion to dispense with the third reading.

Councilman Boose: Second.

President Corcoran: Moved by the Mayor, seconded by Boose to dispense with the third reading for T 102. Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 7 No, 0

Councilman Boose: Mr. President?

President Corcoran: Yes?

Councilman Boose: Move to adopt.

Councilwoman Johnson: Second.

President Corcoran: Moved by Boose and seconded by Johnson to adopt T 102. Any comments or questions? Clerk please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). Unanimously approved and it becomes Ordinance 4869-2011.

President Corcoran: Moving on to our third readings. We have T 90.

THIRD READINGS:

Clerk of Council Smith:

T 90-2011 AN ORDINANCE AMENDING THE NORTH RIDGEVILLE CODIFIED
ORDINANCES TO ADOPT A NEW CHAPTER TITLED "WIND ENERGY
SYSTEM REGULATIONS".

Councilman Olesen: Move to adopt.

Councilwoman Butkowski: Second.

President Corcoran: Moved by Olesen, seconded by Butkowski to adopt T 90. Any comments or questions?

Councilwoman Butkowski: Mr. Chairman?

President Corcoran: Yes Mrs. Butkowski.

Councilwoman Butkowski: I would like to make a motion to amend T 90. Would you like me to read each one of them or give you the location? These are safety measures to add to this. It is not a massive change or anything.

President Corcoran: You can do both please.

Councilwoman Butkowski: Okay.

President Corcoran: So everybody is clear.

Councilwoman Butkowski: The first one is on page five, number 12: "A detailed description of any electrical storage or battery system to be installed appurtenant to the wind energy system, including the intended location of the storage system on the premises." The next one is on page six, five f: "If an electrical power storage or battery system is installed as a component of the wind energy system, conspicuous signage being no less than 80 square inches in size which provides

notice of the existence and exact location of the electrical power storage or battery system shall be installed on or in the immediate proximity of the electrical power box located on the property. The sign shall be presented to the North Ridgeville Building Department for review and approval prior to posting. " Page seven, five k: "Any electrical power storage or battery system to be installed as a component of a wind energy system shall be subject to the review and approval of the North Ridgeville Building Department and Fire Department." You have all received copies of this. These are just safety measures.

President Corcoran: Is there a second to the motion? With the lack of the second, obviously, there is no discussion on this issue. There is another opportunity for these suggestions to be reviewed if you bring them up at a later point in time. I don't want to... So, the motion to amend dies for a lack of a second. There is the motion on the floor to adopt by Olesen and seconded by Butkowski. So that is the only motion that we will consider at this time.

Councilman Boose: Point of order.

President Corcoran: Yes.

Councilman Boose: I believe, I'm sorry, this was a third reading. Correct, yes. So that was the motion. I apologize. I would like to add, Mr. President, the emergency.

President Corcoran: Okay. Is there a second on the emergency clause?

Councilman Jaenke: Second.

Councilman Boose: The reason for the emergency is that we did have a moratorium out and we have had several discussions on this, several committee meetings on this and we have had plenty of time to get input on it from all Council people, the Administration, experts and the community. I'd like to get it on the books as soon as possible so that we can have what we worked on so hard become effective as quick as possible.

Councilman Olesen: Mr. President?

President Corcoran: Yes.

Councilman Olesen: I think Mrs. Butkowski has some information here. Is there an opportunity of the Buildings and Lands Committee to review this aspect again?

President Corcoran: Yes, it just has to be brought up to them in a Committee meeting. If you call a Committee meeting for any reason, this issue can be brought up and discussed at that time.

Councilwoman Butkowski: Mr. Chairman?

President Corcoran: Yes Mrs. Butkowski.

Councilwoman Butkowski: I did not write these. I got these from the Assistant Fire Chief, Scott Bement. It is for the protection of the Fire Department. That is what these are, safety measures.

President Corcoran: And I agree, some things in here that need to be looked at. I think the issue of bringing them up at the last minute has created a little bit of an issue. Because, as Mr. Boose pointed out, we have been discussing this for several weeks and had several meetings on it. The information in here asks for review by both the Building Department and the Fire Department and I don't believe we had any comments at all given to us directly by the Fire Department at any of our meetings.

Mayor Gillock: Mr. President, point of order.

President Corcoran: Yes Mr. Mayor?

Mayor Gillock: The amendment has been defeated, so there is no further discussion on the amendment.

President Corcoran: Thank you for pointing that out.

Mr. Crites: There is a motion the floor for the emergency.

President Corcoran: So the motion on the floor for the emergency clause. All those in favor say yes. Those opposed say no.

Yes, 7 No, 1 (Butkowski)

President Corcoran: Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (no), Johnson (yes), Mr. Corcoran (yes). Measure passed with one no vote.

President Corcoran: It was moved by Olesen and seconded by Butkowski to adopt T 90 with now the emergency clause.

Councilman Boose: Mr. President?

President Corcoran: Yes Mr. Boose?

Councilman Boose: I just want to make a couple of comments. First, I want to thank Mr. Olesen, Chairman of the Committee, for really jumping on top of this issue as quickly as he did and making sure we had ample time to review and discuss the situation. It was something that hit us off guard and we were able to get information from a lot of different sources, use a lot of tools

that are in our tool box, to come up with; it is not the perfect Ordinance, but I think it is a good Ordinance to start with. I would also like to thank Mr. Butkowski. He came to several meetings and gave us a lot of expert testimony. There were others that did as well. I just wanted to thank everyone that had a part in this because we are not eliminating this issue. We are encouraging to make sure that it is used as correctly as possible and have some safeguards on it. I think it is something we can all be proud of. So, thank you very much.

Councilman Olesen: Thank you.

President Corcoran: Mrs. Johnson?

Councilwoman Johnson: I just wanted to say that I hope that these amendments that were brought up don't go by the wayside. That they probably should still be looked at. I do feel this is very restrictive. Just wanted to make my comment, thank you.

President Corcoran: Was there other comments? Clerk, please call the roll then.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). It passed unanimously and becomes Ordinance 4870-2011.

President Corcoran: Finally, T 91.

Clerk of Council Smith:

T 91-2011 AN ORDINANCE APPROVING THE FINAL PLAT FOR A CLUSTER
DEVELOPMENT, PHASE 9 IN PIONEER RIDGE, WATERBURY PCD
FOR RECORDING PURPOSES ONLY.

Councilman Olesen: Mr. President?

President Corcoran: Yes Mr. Olesen?

Councilman Olesen: Move to adopt.

Councilwoman Johnson: Second.

President Corcoran: Moved by Olesen, seconded by Johnson to adopt T 91. Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Buescher (yes), Boose (yes), Jaenke (yes), Olesen (yes), Butkowski (yes), Johnson (yes), Mr. Corcoran (yes). It passed unanimously and becomes Ordinance 4871-2011.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Upcoming meeting announcements, on Monday, December 5, 2011 at 7:30 P.M. here in Council chambers, we will have our next Council meeting. Happy Thanksgiving everybody.

Councilwoman Johnson: Mr. President?

President Corcoran: Yes.

Councilwoman Johnson: I have a Finance Committee meeting announcement.

President Corcoran: You do? Go right ahead.

Councilwoman Johnson: Finance will meet Monday, November 28, at 7:30 P.M. in the conference room to discuss Ordinance T 98, T 100-that is the pay scale for the Head Mechanic and Industrial Pretreatment person up at French Creek and also to discuss financial reporting policies. That is noted by the Auditor.

President Corcoran: Thank you. Any other further comments. Yes?

Mr. Armbruster: We have a conflict on the 28th to be there., unfortunately.

Councilwoman Johnson: I don't...

ADJOURNMENT:

President Corcoran: Well, you guys can work that out on your own. Meeting is adjourned.

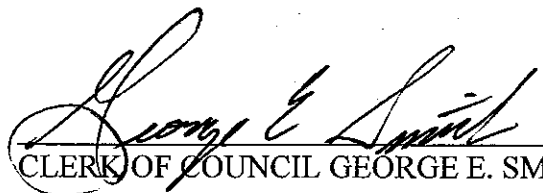
Meeting adjourned at 8:10 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on December 5, 2011.



PRESIDENT KEVIN CORCORAN



CLERK OF COUNCIL GEORGE E. SMITH