

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING NOVEMBER 19, 2007**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order the North Ridgeville Municipal Council meeting dated Monday, November 19, 2007. If you will all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: I need to announce that Member Bob Olesen will not be present this evening due to cataract surgery. We wish him well.

CALLING OF THE ROLL - ROLL CALL:

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

Absent was Council Member Bob Olesen.

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

MINUTES - Corrections (if any) and Approval:

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

Public Hearing Minutes of November 5, 2007 re: T 135-2007

 moved by Jaenke, seconded by Butkowski to approve the Public Hearing minutes of November 5, 2007 regarding T 135

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

 Yes, 6 No, 0

Clerk of Council Norris: Minutes are approved.

Council Minutes of regular meeting held November 5, 2007

 moved by Jaenke, seconded by Butkowski to approve the Council minutes of the regular meeting held November 5, 2007

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

no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: Minutes are approved.

Council Minutes of special meeting held November 9, 2007

moved by Jaenke, seconded by Manning to approve the Council minutes of the special meeting held November 9, 2007

President Arndt: Is there any discussion? On behalf of the Chair, I choose to apologize publically to Mrs. Manning, since it was a short notice meeting and I was out of dodge heading to Columbus, I neglected to call and ask her to take over as Pro-Tem. It wasn't until four days later that I realized that. I am so fortunate that I had her to cover for me. That is the comment by the Chair.

Council Member Manning: My pleasure.

President Arndt: There being no other discussion, will the Clerk please take roll?

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

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

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

Board of Zoning and Building Appeals Minutes of regular meeting held October 25, 2007 and Planning Commission Minutes of regular meeting held November 13, 2007.

President Arndt: We now come to the Mayor and Director's report this evening. At this point and time, the Chair invites the Mayor and our Directors the opportunity to address your City Council. We are going to obviously see a presentation by our moving Mayor.

MAYOR AND DIRECTORS REPORTS:

• **Mayor:**

Mayor Gillock: Something special this evening. I have a couple of proclamations to give this evening for something kind of exciting going on in City Hall. Lou Gaeta, would you come up here, please. Lou is a professional photographer, who retired to North Ridgeville and still keeps very busy. Several months ago, he came into my office and gave me a piece of his work. It was a picture of an eagle and it was absolutely gorgeous. He wanted to donate that piece to the City, as long as I framed it. I asked him if this was one of our local eagles and I don't think he knew what I was talking about. He said its name was, I believe, Saturn and is the eagle that is in the cage down at the Cleveland Museum. I told him that we have eagles here in North Ridgeville. We had four of them at the time. A mother, a father and two babies. Lou being as interested as he is, took off and ran with it. He located the eagles and took a whole series of pictures. We were fortunate that he took a number of them. He donated them to the City and the Arts Council

purchased the frames, which we will recognize in a little bit. We now have a display in our foyer that leads into the Administration office and we invite the residents and Council to come in and see them. I brought one with me tonight to show you. This is one of the eagles from Sandy Ridge. This is a North Ridgeville eagle. The mother and father are still there. The two babies have since grown and are gone. They have a beautiful nest at Sandy Ridge, which is one of the pictures. We have a total of six pictures down in the foyer. In recognition of that and to thank both Mr. Gaeta and the Arts Council, I will present these proclamations. First, I would like to give Lou his proclamation.

WHEREAS: with a zest for life, a strong interest in wildlife and a love of photography, North Ridgeville resident, Lou Gaeta has a desire for photographing nature at its best; and

WHEREAS: Lou became an aerial photographer while serving in the U.S. Air Force during the Korean Conflict and upon his departure from the military, he made a career of photography, becoming Vice-President of a photography studio where he worked for the next 25 years; and

WHEREAS: throughout his career, Lou never lost his interest in the wonders of nature and went on to become a recognized Naturalist as well as a Master Falconer; and

WHEREAS: with the love of photography running through his veins, although retired, Lou remains quite active and was in awe after discovering that North Ridgeville is home to two adult Bald Eagles, whom in the Spring hatched two eaglets that now have left and made their own domain in the wild; and

WHEREAS: while photographing the Eagles of Sandy Ridge through Spring, Summer and Fall, Lou has witnessed these great birds from nestlings, to young adults, to their magnificent flight, Lou has captured some breathtaking shots of these grand birds and these photos have been donated by Mr. Gaeta and are on display at City Hall for all to enjoy.

NOW, THEREFORE, I, G. David Gillock, Mayor of the City of North Ridgeville, do hereby thank you, Lou Gaeta, for your gracious donation and for adding beauty to our facility.

Lou Gaeta: Thank you, very much. When my wife and I moved here more than a year ago, we were overwhelmed by the friendliness of everyone, which made us feel very comfortable. I was very excited, as a Naturalist, in photographing the bald eagles. They are still here. They have been doing what we call pair bonding and I have been able to photographically record it. In human terms, it is like renewing their vows. We hope that they will be back next year. It's funny, let me tell you a quick story. Here, just a while ago, the male was bringing sticks up onto the nest and the female was standing above the nest and she was shaking her head as if to say, I don't want it there, I want it over here. So, you see it follows through all the way. Mayor, thank

you very much for allowing me to be part of this.

Mayor Gillock: Thank you. This is his lovely wife, Jean here, taking the photographs. Also, Mary Beth Bogner and Jerry Toich is here in the audience on behalf of the Arts Council. The Arts Council furnished the beautiful framing and matting for the pictures and we want to recognize them for all they have done.

WHEREAS: the North Ridgeville Arts Council was formed in 1981 by a group of 21 unique individuals that were interested in providing the people of North Ridgeville opportunities to enhance and broaden cultural life through artistic endeavors; and

WHEREAS: the North Ridgeville Arts Council is very active in our Community as they support various art programs through the schools-from elementary to high school, a scholarship is offered to a student interested in pursuing the arts in college, they are supporters of Olde Towne Hall, providers of the Fourth of July Concert in the Park, sponsor member trips to the Cleveland Museum of Art and Playhouse Square and they provide support for local artists who wish to perform and gain experience; and

WHEREAS: the North Ridgeville Arts Council has provided the matting and framing of the High School Senior Artists' winning art work and they have assisted in planning summer art programs with the Parks & Recreation Department; and

WHEREAS: in their continual efforts in striving to keep the "Arts Alive in North Ridgeville" our Arts Council has shown thoughtful generosity and devotion to art by donating the framing for our magnificent "Bald Eagles of Sandy Ridge" photographs displayed at City Hall.

NOW, THEREFORE, I, G. David Gillock, Mayor of the City of North Ridgeville, do hereby graciously thank the North Ridgeville Arts Council for contributing to our Bald Eagles of Sandy Ridge display and for adding so much beauty to City Hall.

Lastly, I have two quick items. Because several people have asked about the Mills Road Bridge, we hope to have Mills Road open this Wednesday afternoon. It has been paved. We have to do some guardrail work on Wednesday and we hope to have that open on Wednesday.

Also, on the subject of the intersection at Route 83 and Sugar Ridge, we had to do some concrete stabilization, which set us back about ten days. We should be completed with all of that on Wednesday. Then, we will get the lighting contractor back to work and hopefully have that open by the end of the month and that is within the next two weeks. Both projects are nearing completion. Thank you and that concludes my report.

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

- **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. I have no real report today, but I would like to reinforce what the Mayor said about the picture wall. It really is stunning and anyone who has not seen it, should stop down and take a look at it. That concludes my report.

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

- **Engineer:**

Engineer Griffith: Under the illicit discharge detection and elimination portion of the Ohio Environmental Protection Agency Storm Water Management Phase II requirements, the City is required to inventory and collect samples of the flow, when necessary, of all storm water outflows to waters of the state. This means the City must site inspect and collect, when necessary, the required information on each and every ditch and pipe that outfall into all of our major streams and ditches and some of our minor ditches. To begin this program, the City has hired the Cuyahoga County Board of Health. They will be starting the field inventory activities the week of November 26th. That is next Monday.

Since almost 100% of our ditches and streams are on private property, property owners and residents will be seeing several people with cameras, GPS location equipment and clipboards walking around, along and in our ditch and stream system. Since access to most parts of our ditches and streams can only be made by passing through private property, this notice is being made to alert everyone that this will be occurring.

The inventory portion of this work is a one time occurrence. However, once a year, the City is required to site inspect all of the inventoried locations and collect samples of the flow when necessary. Thus, this will be an on going process that must occur every year. Should anyone feel uncomfortable seeing strangers walking on their property, they can call the Engineering Department at 353-0842 to verify what is going on. Or, as always, they can also call the Police Department at 353-0831 and they will investigate. Thank you, that concludes my report this evening.

President Arndt: Thank you, Mr. Griffith. I also want to thank you for this lovely piece of information related to bottled water.

Mayor Gillock: Mr. President, I would just like to add that the project that Larry is talking about is another one of those unfunded mandates from the State that we incur a lot of debt from in having to comply with.

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

• **Auditor:**

Auditor Costin: Thank you, Mr. President. The only thing on the agenda for me tonight is the written report that has been handed out to Council and I would request your favorable vote.

Auditor's Written Financial Report for October, 2007

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

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

 Yes, 6 No, 0

President Arndt: Dr. Norris if you continue on with our other reports please.

• **Other Reports:**

Clerk of Council Norris: Other reports in Council's packet this evening include:

Mayor's Court Monthly Report for October 2007;
Fire Department Report for October 2007;
Building Department Report for October 2007; and
Police Department Support Car Report for October 2007

President Arndt: We move onto council committee reports, to which there are none. We move right into correspondence and if Dr. Norris would begin with the first of three pieces of correspondence.

CORRESPONDENCE:

(1) Received a memorandum from Rebecca Jones, Lorain County Economic Development Coordinator reminding all communities in Lorain County that the Local Update of Census Addresses registration deadline is November 19, 2007 and explaining that the LUCA program is designed to give local officials the opportunity to update the Census address database with new addresses that have been assigned since the last census and noting that various sources of federal and state funding are based on population.

(2) Received a letter from Marquez Brown, Public Affairs Coordinator for Attorney General, Marc Dann explaining the training requirements under House Bill 9 and encouraging attendance at a training session.

(3) Received a letter from Parks Director Jim Spaulding informing Council that they are working with teenage youths to research and plan for a skate park and noting that any monies donated for a skate park will be deposited in a separate account in the Parks and Recreation Trust Fund.

President Arndt: Thank you Dr. Norris. We have no new business this evening. We will move, now, into the lobby portion of our meeting.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Anybody in the audience tonight who chooses to address your City Council is invited to do so. You simply step to the lectern immediately to the right of Mrs. Buescher. When you do, please fill out the lobby sheet that you can find in the back of the room. When you come forward, please clearly state your name and address and limit your comments to three minutes. The lobby is now officially open. Everyone is looking to the ground, so it seems as though there is no one who chooses to address your City Council.

moved by Arndt, seconded by Jaenke to suspend By-Laws tonight to dispense with recess
President Arndt: Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We now move into our ordinances and resolutions submittals beginning with T 156.

ORDINANCES AND RESOLUTIONS:

• **Ordinances & Resolutions Submittals**

Clerk of Council Norris:

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

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

moved by Mayor Gillock, seconded by Manning to suspend By-Laws tonight to give T 157 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I'd like to explain a little bit about what this is. Generally, when the City has a sewer installed, we use our good faith and credit to pay for the sewer. We collect our fees back through our connection charge, which is made up of four elements, an inspection fee, a French Creek user fee; an interceptor fee and a lateral fee. In this particular case, Council passed an ordinance a couple of months ago that allowed us to waive the interceptor fee, as we do with the lateral fee already, when it is in the City's interest to do so and when the contractor uses his money to install the sewer. Tony Valore, Valore Builders, has a development called Hampton Place on Stoney Ridge, which, they have final approval for. They will use their money to install the interceptor from the Mills Road general area up to their development. That will accomplish two things. We require them to put in an oversize sewer running from Route 83 over to Stoney Ridge, which will allow us to expand in that area in the future. More importantly, it allows us to take the Schneider Lift Station out of service. That lift station is in need of approximately 400,000 to 500,000 dollars in repair work. When this sewer is installed at their cost, we will then be able to take it out of service and connect that with gravity flow to that sewer system. It is certainly to our benefit to let him use his money to install that sewer, which will allow us to get rid of our lift station.

President Arndt: Any other discussion? As a reminder, we have a motion on the floor by Mayor Gillock and a second by Mrs. Manning to suspend our By-Laws to give T 157 its first reading. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: That concludes all of our ordinance and resolution submittals. We move onto first readings beginning with T 145.

• **First Readings**

Clerk of Council Norris:

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

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

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

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

First Reading

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

First Reading

President Arndt: That concludes all of our first readings. Dr. Norris, if you will begin our second readings with T 137 please.

• **Second Readings**

Clerk of Council Norris:

T 137-2007 A RESOLUTION FOR THE ADOPTION OF A PUBLIC RECORDS POLICY FOR THE CITY OF NORTH RIDGEVILLE.

Second Reading

T 139-2007 AN ORDINANCE AMENDING ORDINANCE NO. 4394-2007 BY INCREASING THE AMOUNT FROM \$100,000.00 TO \$200,000.00 FOR THE PURCHASE OF SANITARY SEWER MAIN LINE GROUTING AND RE-LINING.

Second Reading

T 140-2007 AN ORDINANCE AUTHORIZING FUNDS FOR A CONTRACT TO BE NEGOTIATED AND ENTERED INTO BY THE MAYOR OF NORTH RIDGEVILLE AND URS CORPORATION FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES IN THE APPROXIMATE AMOUNT OF \$100,000.00.

Second Reading

T 149-2007 AN ORDINANCE AMENDING CHAPTER 634, NOISE DISTURBANCES.

Second Reading

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

President Arndt: That concludes all of our second readings. We have no third readings or old business tonight. Dr. Norris, if you will mention our upcoming meeting announcements, followed by Mrs. Butkowski, who has a brief announcement as well.

UPCOMING MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Next Regular Council Meeting Monday, December 3, 2007 at 7:30 P.M. in Council Chambers

Public Hearing to be held Monday, December 3, 2007 at 7:20 P.M. re: T 146-2007

Public Hearing to be held Monday, December 17, 2007 at 7:20 P.M. re: T 150-2007

Council Member Butkowski: The Streets, Sidewalks and Bridges Committee meeting will be held Monday, November 26, 2007 at 5:00 P.M.

President Arndt: Thank you. There being nothing else, the Chair will entertain a motion to adjourn.

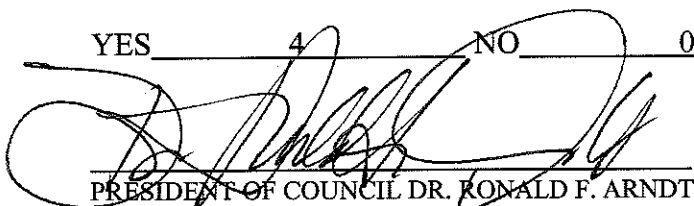
ADJOURN:

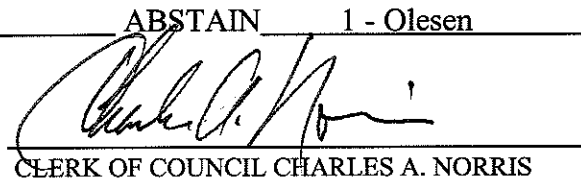
moved by Butkowski to adjourn

Meeting adjourned at 7:57 P.M.

MOTION Butkowski 2ND Manning DATE December 3, 2007

YES 4 NO 0 ABSTAIN 1 - Olesen


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS