

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING NOVEMBER 16, 2015**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Welcome to the Monday, November 16, 2015 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Terrence Keenan, Dennis Boose, Dr. Ronald Arndt, Robert Olesen, President Pro-Tem Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

Also present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin and Assistant Clerk of Council Tara Peet.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the Committee of the Whole meeting minutes from November 2, 2015. Are there any comments, corrections or objections to approving those minutes? Hearing none, those minutes stand approved.

You also have before you the City Council meeting minutes of November 2, 2015. Are there any corrections or objections to approving those minutes? Hearing none, those minutes stand approved.

President Corcoran: We received the Building and Lands Committee meeting minutes of November 2, 2015, the Finance Committee meeting minutes of October 30, 2015 and the Planning Commission meeting minutes of November 10, 2015.

President Corcoran: That brings us to the lobby session of the meeting

Moved by President Corcoran and seconded by Boose to split the lobby session into two sessions where the first one will be dedicated to the items that are on the agenda this evening and the second would be questions and answers from the audience.

President Corcoran: Any questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

LOBBY (REGARDING AGENDA ITEMS ONLY):

President Corcoran: This is the lobby session. This is your opportunity to address Council. If you would like to speak on an issue, please approach the podium for the record. State your name

and address. You will be given three minutes to speak. Is there anybody who would like to speak this evening? Ok then, moving on to the Administrator's reports. First, we have Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. First I want to thank the residents for the opportunity to continue to serve as Mayor for another four years. We have a number of projects in the works that I am happy to be a part of and bring to fruition in our great City. Some of these include Center Ridge Road and Lear Nagle widening, the new assisted living facility on Lorain Road at the corner of Bagley. The \$32.4 million University Hospitals state-of-the-art outpatient health center and free-standing emergency department, a new grades 3-8 school and athletic complex on Bainbridge, a proposed roundabout at the intersection of Route 83 and Mills Road and a new fire station headquarters. A sincere thank you goes out to all the voters that supported Issue 32 and that will make that new fire station a reality. Please don't hesitate to stop by or call my office with any questions or concerns.

We have received a number of calls from residents regarding the frequency of power outages in North Ridgeville in certain areas of the City. In speaking with Ohio Edison about the concern, they have asked that residents continue to report their power outages directly to Ohio Edison so they can be recorded to determine the frequency of outages. If you call our office, we may get a half a dozen and then we will call Ohio Edison and say we have had several calls – well that is only one. If you each call, then they will record six. They want you to call directly to them. Once they do that, they will figure the area or specific residence it will show frequent outages they will then turn it over to a reliability engineer that can research the problem. The number to call is 1-800-633-4766. I'll repeat that 1-800-633-4766. Just as a reminder, the utility companies don't fall under our jurisdiction, but under PUCO.

Lear Nagle Road update: preparation work continues on Lear Nagle in anticipation of the widening next year. The Columbia Gas line relocation is done. Addison is in the process of getting theirs done by the end of this year and the contract has been awarded to Terrance Construction Company out of Cleveland. They can begin any day. They have to begin before March 1st. We are hoping they will do what they can to start earlier rather than later. We will do what we can with patching and so forth to keep that section of Lear Nagle in drivable condition. Obviously since we are going to tear it all out and rebuild a new water line, sewer line, sidewalks – we are not going to put a lot of money into it, but we do want to keep it functional. We will keep an eye on it. The good news is replacement is coming.

Center Ridge Road reconstruction project: the buildings are coming down. You see All Aspects continue to work in that area. The City will be installing a new sanitary sewer on the south side. Digioia Suburban was awarded that contract that is expected to begin no later than January. They like to do certain work during the winter when the ground is frozen. We will be advertising the construction part of that in January 2017.

County Land Bank update: there were a total of five structures and four different addresses that are on our list. They are all demolished at no cost to the City. Those structures have been removed.

Tomorrow from 4:00-5:00 P.M. is coffee and conversation with the Mayor in the conference room. Please stop by if you have any questions.

I'll mention a couple things that the holidays are quickly approaching and the Parks and Rec Department collects nonperishable food items and toys for the less fortunate. Those can be dropped off at City Hall, the Senior Center and the Parks and Rec building. All items collected will go to Community Care.

Holiday on the Ridge – December 5th. The North Ridgeville Visitor's Bureau will be sponsoring their 15th annual Holiday on the Ridge on Saturday December 5th. It is an all-day event starting with a pancake breakfast at the high school and business open houses and craft shows throughout the City. We will be doing the tree lighting at the gazebo at 5:00 P.M. in South Central Park.

I want to remind Council that under old business, we had the Finance Committee report for T 140 and T 141. We can address it at that time, but when we take that up at old business to approve the committee report, we need to put those two items on the agenda and adopt them this evening. We've talked about them and our deadline is actually November 15th, but we figured it would be alright to be a day late. We wanted to get those adopted tonight so we can have R.I.T.A. review it. That concludes my report.

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

B. Safety-Service Director: Before Council tonight is T 147 which is in its first reading. Based on the work that we are going to be performing out there at French Creek – it has to do with a camera system and the hooking of fiber optics up to other pieces of equipment. I would ask that the second and third reading...it doesn't have to be done by emergency. Instead of working in the middle of February on this project outside, we can work in December and early January before it really gets cold. Just take that under consideration.

The EQ basin work continues to develop. In June, the end of June or the first part of July, test bores were done in the northwest corner of the school; the new school grounds over there as well as in our Service Department area. There is going to be, we are planning on, not we, AECOM and my conversations with them; is going to have a report to us draft-wise sometime in the next thirty days to give us an indication where it should be placed. They have done all the test work and so that draft report will be back to us, the Administration, sometime in December.

Most recently, this past Sunday, unfortunately I was out working in the yard with my eighteen year old son, but there was an accident that created some havoc with our water lines. Unfortunately, it couldn't have happened in the worst area possible. The decision was made to actually make the repairs immediately to that fire hydrant that actually created the problems

when they shut the water off. Those valves; that portion of it; we worked for months to get Elyria Water rather than using Avon Lake Water and if we would have tried to fix the other pieces to the part to rebalance North Ridgeville, the decision was made to fix the break immediately. I think our water outage was maybe an hour or two hours at most. You may have had less pressure. Somebody might say that is wrong, that they are still having some issues which there possibly could be, but certainly report that to us so that we know and we can let the Water Department know and Joe Horak and the guys and we will come work with you. It was unfortunate it did happen that we had the accident, but it couldn't happen in a worse place at Chestnut and 83 as to when you try to rebalance the system – it took us months to balance to get Elyria Water rather than buying Avon Lake at the discount we get. That completes my report.

President Corcoran: Mr. Engineer.

C. Engineer: Thank you Mr. President. We have, as the Mayor mentioned, several projects and a lot have been in the works for a long time. It is starting to come to a head now. There is actually another one that he didn't mention which was a project that the City is not involved in. It is being done by the turnpike. It is the bridge that goes over 83. We put a lot of thought and time – when it came to scheduling these, we didn't have a lot of latitude. We are going to have some challenging traffic situations as these projects go forward. It is a little early for me to give you detailed dates and so forth. The bridge deck is due to start in February and that is probably going to be the biggest impact in the short term. That is going to remain open and it is going to be a single lane both directions. We will have the temporary lights where the north and south traffic takes a turn. We tried to get that done earlier, but the first bid came in and was over the engineer's estimate and so they had to rebid it and bring the project back. We were hoping it would get done ahead of the Lear Nagle job, but forces outside our control pushed it back to the February/June area. As those dates and details come in, I will provide them at this format and the website and so forth. That concludes my report.

President Corcoran: Thanks Mr. Wangler. Mr. Auditor.

D. Auditor: Mr. President. As you have already seen October's written report has been released and Council should have received that. I also have several comments. I would like to bring Council's attention to T 150, 151, 153, 154 and 155. Hard to believe we are approaching the end of the year. These are the Resolutions and Ordinances that we typically have available and passed by emergency in December. I do want to get them before Council this meeting, explain any of them and I'll be glad to answer any questions. I would request Council passing them with the emergency at its next meeting – first meeting in December or second meeting in December. They will need the emergency to be in full effect by December 31st. They include the 2016 temporary appropriation Ordinance, reimbursement of administrative expenses Ordinance, Resolution to approve advanced payments, approve the transfer of funds to the Payroll Reserve and Benefits Fund and a repayment of advances from the General Fund. These have all been appropriated and discussed earlier. It is just a matter now of passing the Ordinances and the Resolutions. As the Mayor also said, I would like to request that you consider passing T 140 and T 141 – the income tax Ordinances for 2016. Those should be

passed as well at this meeting. I don't believe they will need the emergency because they will be in full force and effect on January 1st, but I do agree with the Mayor and suggest that you consider passing those tonight as well. With that, that completes my report and comments. Thank you.

President Corcoran: Thank you Mr. Costin.

E. Other Reports:

President Corcoran: We have the October 2015 Fire Department report and the October 2015 Water Distribution reports.

COUNCIL COMMITTEE REPORT(S):

Assistant Clerk of Council Peet:

BUILDING AND LANDS COMMITTEE REPORT dated November 2, 2015 which recommends City Council not adopt T 138-2015.

Moved by Olesen and seconded by Arndt to accept the November 2, 2015 Building and Lands Committee report.

President Corcoran: Are there any comments or questions?

Councilman Olesen: Mr. President, I am not going to comment on this now because it is going to appear again on the Planning Commission report so I will wait for that.

President Corcoran: All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: That report has been accepted.

CORRESPONDENCE: None.

OLD BUSINESS:

FINANCE COMMITTEE REPORT dated October 30, 2015 which recommends City Council adopt T 140-2015 and T 141-2015 as submitted.

Moved by Johnson and seconded by Arndt to accept the October 30, 2015 Finance Committee report.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: At this point, it would make sense to bring up T 140 and T 141.

Moved by President Corcoran and seconded by Johnson to suspend the By-laws to bring T 140 and T 141 back to the agenda under first readings.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: T 140 and T 141 will be brought back to the agenda and placed under first readings.

NEW BUSINESS:

Assistant Clerk of Council Peet:

Planning Commission action(s) taken at the November 10, 2015 meeting:

APPLICANT: Joe Molnar, Bob Schmitt Homes, Inc., 9095 Gatestone Road

OWNER: Same

REQUEST: Final plat approval for Ridgefield Subdivision 12 to include ten detached cluster lots

LOCATION: Hummingbird Lane, Ridgefield Subdivision 12 in an R-1 District; permanent parcel no. 07-00-001-000-330

PC ACTION: Approved by a vote of four to zero.

(Council action required)

President Corcoran: I have to recuse myself. Bernadine, can you take the vote on this please.

Moved by Olesen and seconded by Arndt to accept the Planning Commission action.

President Pro Tem Butkowski: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 6

No – 0

Abstain – 1 (Corcoran)

President Pro Tem Butkowski: Motion passed.

President Corcoran: Thank you. Next.

APPLICANT: Jack Berry, Midwest Church Design, 634 Eckel Road, Perrysburg, OH 43551

OWNER: Harvest Ridge Assembly of God, 35600 Lorain Road

REQUEST: Addition to existing church containing sanctuary space, office space, lobby space and support space along with some remodeling of existing space and expansion of existing parking with grading

LOCATION: 35600 Lorain Road in an R-1/I-2 District; permanent parcel no. 07-00-024-101-109

PC ACTION: Approved by a vote of four to zero.

(Council action required)

Moved by Olesen and seconded by Butkowski to accept the Planning Commission action.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: Next.

APPLICANT: Dennis Haynes, Denny's Mower Repair and More, 36466 Sugar Ridge Road
OWNER: Same
REQUEST: Approval to construct a pole building for existing business.
LOCATION: 36466 Sugar Ridge Road in an I-2 District; permanent parcel no. 07-00-026-101-004
PC ACTION: Approved by a vote of four to zero.
(Council action required)

Moved by Olesen and seconded by Butkowski to accept the Planning Commission action.

President Corcoran: Are there any comments or questions?

Councilman Olesen: Mr. President, the only thing I would like to say is this gentleman's business is expanding and he needs more storage space for the mowers. This is what he intends to do. He will be building an addition next to his existing building.

President Corcoran: Thank you. Anybody else? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: That has been accepted. Next.

REFERRAL:

APPLICANT: Cesar Guzman, 12213 Brighton Avenue, Cleveland, OH
OWNER: Same
REQUEST: Approval to rezone combined parcels located at 32329 Chestnut Ridge Road from R-1 to B-3
LOCATION: 32329 Chestnut Ridge Road in an R1 District; permanent parcel no. 07-00-004-108-112
PC ACTION: Denied by a vote of four to zero.
(Council action required)

President Corcoran: In this case, just so we are clear, when you vote yes, you are agreeing with the Planning Commission action. Okay?

Moved by Olesen and seconded by Arndt to accept the Planning Commission action.

President Corcoran: Are there any comments or questions?

Councilman Olesen: I think if folks have read the minutes, you will understand where this is coming from. There is an illegal business running on this site and now he wants to make it legitimate and he wants to build a B-3 facility in which it should be an I-2. The residents came out in mass to protest this. This is why it was turned down.

Councilman Keenan: Mr. President, this was not only discussed at Planning, but at Building and Lands and also reached a similar conclusion.

Councilman Olesen: One other thing, I would like to call on our Law Director because this has to have a public hearing even though these two areas have disapproved it and have him explain why there is still a public hearing on it.

Law Director Crites: The simplest explanation is that our procedure and our legislation, our Ordinances. It must be referred to Planning Commission but it must be scheduled for a public hearing. If we thought it worth our while, it might be possible to eliminate the public hearing, but I would suggest that would ill advised. Why not give the resident's an opportunity to be heard on the issue.

Councilman Keenan: Mr. President, following that same thought, would we be wise to have the public hearing and then vote on the action versus voting before the public hearing?

Mayor Gillock: Mr. President, all you are voting on this time is the – you are just confirming the action of Planning. To actually rezone the property would come later after hearing, should you have the hearing and you decide you want to rezone it anyway - you could do it. That is when you would take that kind of vote. You can still vote on this tonight – it won't matter.

President Corcoran: This is just the Planning Commission action, not the rezoning action which is what the hearing is for later on.

Councilman Keenan: As long as we are comfortable with that.

Councilwoman Butkowski: Mr. Chairman, the legislation is still on our agenda, so we can't pass it until after.

President Corcoran: Correct. All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: T 149.

Ordinance and Resolution submittal(s)

Assistant Clerk of Council Peet:

T 149-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.
(Introduced by President Corcoran)

President Corcoran: T 150.

Assistant Clerk of Council Peet:

T 150-2015 AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2016 AND ENDING MARCH 31, 2016.
(Introduced by Councilwoman Johnson)

Councilman Arndt: Did we not hear the Auditor make a request?

President Corcoran: He said next time.

Councilman Arndt: Alright, I stand corrected.

President Corcoran: T 151.

Assistant Clerk of Council Peet:

T 151-2015 AN ORDINANCE REPRESENTING REIMBURSEMENT OF ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY OF NORTH RIDGEVILLE, OHIO.
(Introduced by Councilwoman Johnson)

President Corcoran: T 152.

Assistant Clerk of Council Peet:

T 152-2015 AN ORDINANCE AMENDING AND/OR CREATING CERTAIN DIVISIONS OF N.R.C.O. §618.01 *DOGS AND OTHER ANIMALS RUNNING AT LARGE; DANGEROUS AND VICIOUS DOGS.*
(Introduced by Councilman Arndt)

President Corcoran: I'll refer that to the Safety Committee. T 153.

Assistant Clerk of Council Peet:

T 153-2015 A RESOLUTION APPROVING ADVANCE REPAYMENTS OF
VARIOUS FUNDS TO THE GENERAL FUND OF THE CITY OF
NORTH RIDGEVILLE, OHIO.

(Introduced by Councilwoman Johnson)

President Corcoran: T 154.

Assistant Clerk of Council Peet:

T 154-2015 A RESOLUTION APPROVING TRANSFERS TO THE *PAYROLL AND
BENEFITS RESERVE FUND* OF THE CITY OF NORTH RIDGEVILLE,
OHIO.

(Introduced by Councilwoman Johnson)

President Corcoran: T 155.

Assistant Clerk of Council Peet:

T 155-2015 A RESOLUTION APPROVING ADVANCES FROM THE GENERAL
FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Councilwoman Johnson)

President Corcoran: That brings us to the recess portion of the meeting.

Councilman Keenan: Mr. President, before we proceed to recess, I think I may have missed my window on T 150. I think it is appropriate to talk before we even move it further about this so that we have the full participation of the audience. There are a few questions I would like to ask. This deals with T 150-2015, the temporary appropriations. I don't have a lot of questions. I did look at this and compared it back to last year's that we passed on December 15th. It matches very closely especially through the General Fund. There are some larger variances when you start to get into the special funds and so forth. In the Capital Projects Fund, we are showing \$293,000 of capital projects for the temporary appropriations. Could you describe what makes that up?

Auditor Costin: I'll refer you to the detail that was sent to Council. That should be in there, if you give me a minute to find it. The projects that are ongoing or the BAN's that we have issued that have not had projects or purchase orders come through yet – those BAN's go through the Capital Projects Fund. We have appropriated the temporary appropriations for those projects. That was in the batch of information that went out to Council. That would include Center Ridge Road widening, Jaycox, turnpike mitigation and some other...it is on one of your worksheets.

Councilman Keenan: So it is one of those to be carried over things?

Auditor Costin: Yes.

Councilman Keenan: I saw the carry-over but I didn't get to that number.

Auditor Costin: Let me just summarize for everyone's benefit. Temporary appropriations – what we try to do is estimate the monies we will need to get us through March 31st at which time, the permanent appropriations must be passed by Ohio Revised Code. To do that, we take the best guess of operations, cost of operations, and we add in projects, other information that we have become aware of. If you recall, we issued a significant amount of BAN's this past June and a lot of that money hasn't been spent yet and for some we have not received purchase orders yet. We automatically put that money in the appropriation and take it away from what else would be available for Council to spend because that money has already been earmarked. It can only be spent for those purposes. That will be included in the capital projects. What we have also done to save time in the Auditor's office and cut overtime – I know that has been a question in the past – one of the sheets that went out also indicated to you under temporary appropriations detail, certain annual contractual agreements that we have. We've also appropriated one hundred percent of those annual agreements even though it is in the temporaries because when we do that, we have to issue purchase orders. We can issue for those contracts what is called a super purchase order, which means we issue it once during the year and we don't have to go through and reissue all those P/O's again in April. Those have been included in here as well. We will not come anywhere near spending that money. To facilitate time in the Auditor's office, promote efficiency and accuracy with our new computer software that is how we have chosen to do it. That will distort the amount of the temporary appropriations somewhat. Otherwise, they are best guesses of what we are going to need and other than the projects that are scheduled to be completed. There really isn't a lot of extraordinary activity that goes on in the first few months. Anything unusual that comes up typically will require an Ordinance; otherwise the permanent appropriations take over. Council will look at those beginning the second week in February and have those in place by March 31st. Council will have a chance to control again, as every other year, the expenditure funds with the reminder that there are already certain contractual obligations in place. They are what they are. Again, we set those aside.

Councilman Boose: We appropriate now four months' worth of general expenses, not three...

Auditor Costin: We generally put a little cushion there because again, the one thing we don't want to do is something unusual comes up, we don't want to keep coming back to Council to amend the temporary appropriation Ordinances. So we put a little cushion in there.

Councilman Keenan: Mr. President, can I ask specifically about the Self-Insurance Benefit Fund and how that number was arrived at? I compared it to last year's. It is a bit more. I know we had some issues with self-insurance and so forth. So I thought while you were here, it would be very helpful.

Auditor Costin: That is a good question – we have to be conservative with that fund. We know there is an increase in cost of insurance. We don't know what claims are going to be submitted. We can't turn down claims because we have insufficient appropriations. We were, I believe we built in a thirty some percent increase if I am not mistaken, to cover us to get through to March. Other than the clear best guesstimate, that is all we can do. Again, we don't know what issues we are going to have and what claims will be turned in to be paid out of our Self-Insurance Fund.

Councilman Keenan: Those are my questions. Thank you. That was a good answer.

RECESS:

President Corcoran: Would anyone like a recess?

Moved by Butkowski and seconded by Johnson to dispense with the recess.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: Moving on to first readings. We have T 147.

FIRST READINGS:

Assistant Clerk of Council Peet:

T 147-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE UPGRADE AND EXPANSION OF THE SECURITY CAMERA SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$150,000.00.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Arndt to dispense with the second and third readings for T 147.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Moved by Boose and seconded by Arndt to adopt T 147.

President Corcoran: Are there any comments or questions?

Councilwoman Butkowski: When the security system that is in there now – when they first put that in there, there was a lot of questions about doing the security system and it was when people were starting. I could imagine that it is pretty old and not that very good so I can definitely see why we need this one. Now there is a lot more reasons to have security systems in sewer plants.

President Corcoran: Okay. Anybody else? Clerk, please call the roll.

Assistant Clerk of Council Peet: The motion carried and becomes **Ordinance number 5299-2015.**

Yes – 7

No – 0

President Corcoran: T 140.

Assistant Clerk of Council Peet:

T 140-2015 AN ORDINANCE CREATING AND ENACTING A NEW CHAPTER 878 IN THE NORTH RIDGEVILLE CODIFIED ORDINANCES ENTITLED *INCOME TAX*.

(Introduced by Mayor Gillock; Referred to Finance on 10/19/2015; Finance report accepted on 11/16/2015)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 140.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 140.

President Corcoran: Mr. Costin, do you have a comment?

Auditor Costin: Yes, I wanted to remind Council that at your desk was a single sheet called “Local Board of Tax Review”. Council and Administration does have an obligation to appoint members to our local Income Tax Board of Review. That should be done in January. In our Finance Committee meeting, there was a request for a description regarding that position. I want to thank the Treasurer for making this available. This will summarize the qualifications for your appointees. It summarizes the Ohio Revised Code in general with regard to that appointment. Council will need to consider appointing two and the Mayor will need to appoint one to serve on our local Income Tax Board of Review. That should be done promptly in January.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Assistant Clerk of Council Peet: Mr. President, that becomes **Ordinance number 5300-2015**.

President Corcoran: T 141.

Assistant Clerk of Council Peet:

T 141-2015 AN ORDINANCE AMENDING CERTAIN SECTIONS OF NORTH RIDGEVILLE CODIFIED ORDINANCES CHAPTER 880 *EARNED INCOME TAX*.

(Introduced by Mayor Gillock; Referred to Finance on 10/19/2015; Finance report accepted on 11/16/2015)

Moved by Johnson and seconded by Butkowski to dispense with the second and third

readings for T 141.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Moved by Johnson and seconded by Butkowski to adopt T 141.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Assistant Clerk of Council Peet: The motion carried and becomes **Ordinance number 5301-2015.**

Yes – 7

No – 0

Councilwoman Johnson: Mr. President, was there supposed to be a roll call vote taken on T 140?

President Corcoran: I did a voice vote because I made a mistake but it doesn't matter. We did a voice vote and adopted it.

President Corcoran: That is the end of first readings. There are no second or third readings.

SECOND READINGS: None.

THIRD READINGS: None.

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting will be on Monday, December 7, 2015 at 7:30 P.M. in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): This is the second lobby session that is open to the public to bring up items of concern that are going on in the City. If you would like to ask a question, make a comment; please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody that would like to address Council?

John Vrtachnik, 5553 Main Ave., asked with all the projects moving forward in the City, if the City will realize additional income tax from the workers of the projects and if there is a way to track it.

Auditor Costin: John that is a good question. We may. The new House Bill 5 that is included in the Ordinance takes effect January 1, 2016 has certain new provisions that affect all cities. One of them is that if a company has workers employed in various cities and the total amount of its gross proceeds, revenue from all sources, the previous year is under \$500,000, it only has to

withhold for its own community; its own resident community – wherever there base location is. We also have a new rule – it is called the twenty day rule. Any company that employs employees that would be working in our City from outside for less than twenty days would not have to pay in this City for the first twenty days. They would begin paying on the twenty-first day. These are all new tax law changes affecting all communities in the state of Ohio. R.I.T.A. who is our Regional Income Tax Agency, who collects on behalf of the City of North Ridgeville, will hopefully be very vigilant in applying these new rules. It may result, well, it shouldn't result in any less tax, but there may be twenty days less that we wouldn't collect, that we otherwise would. Otherwise, our contractors are required to register in the City before performing services. When they do that, that information is passed along to R.I.T.A. to assure we do collect those income taxes.

Mr. Vrtachnik asked if R.I.T.A. provided the employees working in the City to the City.

Auditor Costin: Do they provide them to us? I don't know that they provide us the information. That is a question that was actually discussed...

Mayor Gillock: They have to do a minimum wage report. Those are all reported and almost all these projects, as Mr. Costin said, there is a chance that some of those might be really small businesses doing less than \$500,000 a year. Most of these working on the road projects and these big projects are all going to easily surpass that. We will collect income tax on all of these.

Mayor Gillock: KMU is well over that \$500,000 threshold, but they may have some subcontractors in there – a landscaper, who knows? A carpet guy that might be small enough to fly under the radar. By the same token, there are contractors that live in North Ridgeville and work elsewhere that are at \$500,000 and will just be paying us now. They won't be paying other cities. Generally for these projects, we will be getting one percent income tax, almost all of it.

President Corcoran: Is there anybody else that would like to address Council? Okay. That is the end of lobby session.

President Corcoran: Mr. Costin. We are at the end of a long era and we are extremely grateful for the opportunity for you to lead our City in the financial avenues. It has been a pleasure to have you. For those of you who don't know, Mr. Costin is ending his tenure with the City as of November 30th. He has served the City with distinction and with honor and we are all better off for your service and we thank you.

Auditor Costin: Thirty plus years and over seven hundred and twenty-five Council meetings, I've learned a lot. One thing I have learned, that is a heck of a long time. When I first came, when I was first approached back by the City leaders to come in and assist the City – they had some financial issues back then. I'm not sure much has changed, but I did promise them I would work diligently for a year and assist them and I believe now, thirty years and ten months later, I have fulfilled that obligation. It has been a pleasure serving the citizens and I very much appreciate your acknowledgement. Thank you.

Mayor Gillock: Thank you Mr. President. I also want to express my appreciation for Chris' service over thirty years. I've been with him for over half of those. I really appreciate the advice and guidance that Chris has provided over the years. He got us through some rough bumps. Before the recession hit, I remember when we first started and we were building the reserve up and we were doing it well. That carried us for many years. Chris has been a real asset to the City. I can't imagine what it is going to be like around here without him, but these moments are bitter sweet. I really hate to see you go, but I really wish you the best on your retirement and your future. Thank you very much Chris.

Auditor Costin: Thank you David.

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:16 P.M.

Approval of minutes on December 7, 2015:

A stylized handwritten signature, possibly reading "K. E.", enclosed within a circular loop.

PRESIDENT OF COUNCIL

A cursive handwritten signature, appearing to read "George E. Smith".

CLERK OF COUNCIL