

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING NOVEMBER 15, 2004**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order our regular meeting of the North Ridgeville Municipal Council of November 15, 2004. If you will all rise, please, for the Invocation and the Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President Ronald Arndt.
Absent was Council Member Allen Swindig.

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

Absent was Safety-Service Director Denny Johnson.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris: Council has before it the
Public Hearing Minutes of November 1, 2004 regarding final approval of Bliss Parkway
moved by Olesen, seconded by Butkowski to approve

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

Council Minutes of regular meeting held November 1, 2004 as corrected
moved by Butkowski, seconded by Olesen to approve

President Arndt: Is there any discussion? The Chair notes that on page eight, fifth line from the bottom, there is an unusual and encrypted word, he is very synizesis, and I'm not quite certain exactly what it means. I don't know if it is cognizant of, aware of, sensitive? Does anybody have an idea?

Council Member Young: Cognizant of.

President Arndt: Cognizant of, thank you. With that minor correction on page eight, is there any further discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: Council, also please note:

Board of Zoning and Building Appeals Minutes of regular meeting October 28, 2004 and
Planning Commission Minutes of regular meeting November 9, 2004.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Director's reports of our evening. The Chair invites the Mayor and the Directors the opportunity to provide Council with an oral report. We would like to begin, this evening, with our Mayor, Mr. Gillock.

Mayor

Mayor Gillock: Thank you, Mr. President. First, I would like to express my deepest condolences to Denny Johnson and his family at this time of grief in their life. It is always sad to lose a loved one, but even more so, when it happens unexpectedly such as this. They certainly have my deepest sympathies.

The new portion of Bender Road going north from Sugar Ridge and the extension of Taylor Woods going east are now open. This road improvement, was paid for entirely by the Beckett Companies in exchange for the City vacating a portion of the old Taylor Woods road off of Race Road. This will allow the Beckett companies to pursue their master plan of a closed Technology Park which, in the future, could bring up to 1,000 new manufacturing jobs to the City. In addition to the new revenues the City would receive as a result of the new jobs, at some point in the future, the new road will give our safety forces a direct route to Taylor Woods without having to leave the City. A much welcome and immediate improvement.

I would like to relate to you a positive development, last week, regarding improvements to be made at Fields Cemetery. A delightful lady by the name of Della Harding contacted the City through Gil Cornish and wanted to make a donation for some improvements at Fields Cemetery. Mrs. Harding will be a young 99 next March 27th. When visiting the cemetery, it was hard to see the road when exiting because of the bushes that have grown up there. Her great, great, grandfather Blaine Wilson gave or sold for a nominal fee, the original land for the cemetery. Mr. Johnson and I met with Mrs. Harding and her caretaker and we're spell bound as she related stories of her ancestors going to the gold rush and other anecdotes. When asked when the cemetery was originally started, she related that Blaine Wilson had died a week after giving the land to the City and was buried there. Therefore, the date of the beginning of the cemetery can be found on his tombstone. She felt that if her grandfather cared enough to donate the land, she should care enough to do something to make sure it is kept up and she donated over 5,000 dollars to be used for new fencing, bushes and a plaque commemorating the founding of the cemetery.

As most of you are aware, Invacare is moving 205 Engineering jobs to North Ridgeville. This is on the Planning Commission report for approval this evening. Along with JBC Technology, which will bring 100 new jobs within three years and other businesses, we are anticipating over 300 new jobs in the next few weeks to either relocate to, or begin new operations in, North Ridgeville. Some of the others are Hampson Corporation, Ten Point O Gymnastics, Ace Hardware, and Morris Pontiac GMC which just purchased a Cadillac dealership. All of these new jobs are certainly welcome as they will contribute to our business tax base. That concludes my report for this evening.

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Engineer

Auditor

Yes, 6 No, 0

Other Reports

Council Member Olesen: Mr. President, the only thing, perhaps Mr. Jaenke can elaborate on it. I couldn't attend the last meeting but, I attended the first meeting on this. We talked about adding a turning lane on Barton going north to Center Ridge. This may seem insignificant now but, it's not going to be 25 years from now. It's the same thing we're experiencing now on Lear Nagle Road where we've added turning lanes that relieved traffic immensely. I wonder if this is a dead issue or is this something that can still possibly happen?

Council Member Jaenke: Mr. President, first off, the building itself is a western reserve style building and is very attractive and I think, will be an asset to the City. In looking at the property that currently exists with the new plan, west of the building, there is enough room there if at some point the City feels that they would like to add a turning lane. The parking that we were concerned about, from a safety point of view, has all been corrected. There will some parking to the west of the building but, it will be curbed so you will not be concerned about backing out into the highway. There is enough room for a turning lane.

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

Yes, 6 No, 0

APPLICANT: Ron Thomas, Director Facilities Engineer, Invacare, Corporation, One
 Invacare Way, Elyria, OH 44035
OWNER: Starland Investment Co., 41641 North Ridge Road, Elyria, OH 44035
REQUEST: Install 12 strand fiber optic cable and 50 PR voice cable between buildings
 for data and voice connectivity
LOCATION: 39400 Taylor Parkway and 38683 Taylor Parkway in an I-3 District
 Permanent Parcel No. 07-00-047-000-092
PC ACTION: Approved

 moved by Buescher, seconded by Jaenke to approve the Planning Commission action to
 install 12 strand fiber optic cable

President Arndt: Is there any discussion? Yes, Mr. Jaenke?

Council Member Jaenke: Mr. President, one comment. As we all know, Invacare is moving into an existing building so, what they are attempting to do in the City right-of-way is to install conduit to run the fiber optic cable between the two buildings. This is a top priority because they are very anxious to make the move.

President Arndt: Thank you. 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

APPLICANT: Chris Szabo, 34114 Gem Circle
OWNER: Same
REQUEST: Permission to retain wall structure within an easement
LOCATION: 34114 Gem Circle in an R-1 District
 Permanent Parcel No. 07-00-018-101-125
PC ACTION: Disapproved

 moved by Buescher, seconded by Butkowski to approve the Planning Commission action
 to disapprove the permission to retain wall structure within an easement

President Arndt: Is there any discussion? Yes, Mr. Jaenke?

Council Member Jaenke: Mr. President, I received in my box today a letter from the attorney who is representing Mr. Szabo asking that we postpone any action this evening.

President Arndt: I happened to be sitting in the Clerk's office at the time when that gentleman called and it was clarified, because the residents won't be here and because the lobby section, if

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you will, would come later that apparently, that's not the action they want to take. The attorney decided that this was not something they wanted to petition.

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

APPLICANT: Michael Milovanovic, Pulte Homes, 30575 Bainbridge Road, Solon, OH 44139
OWNER: Sugar Chestnut LLC, 1050 Terminal Tower, 50 Public Square, Cleveland, OH 44114
REQUEST: Final Approval of Pioneer Ridge by Del Webb, Phase 1 (formerly known as Waterfalls by Waterbury) within Waterbury PCD
LOCATION: Frontage along Bender Road in an R1 District
 Permanent Parcel No. 07-00-048-000-025, Zoning of 07-00-037-000-021
PC ACTION: Approved

 moved by Buescher, seconded by Jaenke to approve the Planning Commission action for the final approval of Pioneer Ridge by Del Webb, Phase 1

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again, just some additional information. The first phase will consist of 138 lots. We did have a slide presentation at the Planning Commission meeting where the entranceway and much of the landscaping were shared with the Planning Commission and it looks like it's going to be a fantastic project and a real asset to the City. I understand that Forest City also is going to pave 2,400 feet of the entranceway so, that will be a real plus for the City as well.

President Arndt: Thank you, Mr. Jaenke. 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

APPLICANT: Gina Serrani, 8470 Usher Road, Olmsted Falls, OH 44138
OWNER: Same
REQUEST: Extend existing sanitary sewer approximately 100 feet
LOCATION: Barres Road in an R-1 District, Permanent Parcel No. 07-00-032-000-023
PC ACTION: Approved

 moved by Buescher, seconded by Jaenke to approve the Planning Commission action to approve the extension of the existing sanitary sewer by 100 feet

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

APPLICANT: Stephen A. Joseph, 39095 Stallion Court, Avon, OH 44011
OWNER: Same
REQUEST: Construct warehouse as a conditional use in a B-1 District
LOCATION: Sugar Ridge Road under

Permanent Parcel No. 07-00-026-102-018 and 07-00-026-102-019

PC ACTION: Disapproved

 moved by Buescher, seconded by Olesen to approve the Planning Commission action to disapprove the construction warehouse as a conditional use in a B-1 District

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again, a point of clarification. The Planning Commission really did not have enough information to take any action on this request. That's the reason for the disapproval.

President Arndt: Thank you, Mr. Jaenke. Any further discussion?

Council Member Olesen: Mr. President, on this property, I was on Planning Commission when this went through and shortly after Planning Commission approved it, a conditional use to build an office building and a garage type facility, there was a for sale sign on his property which I investigated. He said we're not doing that. It's just that somebody else is causing a problem. I have no idea what this really meant but, there's something going on here and I don't like it. I just wanted to add that to the discussion.

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

 Yes, 6 No, 0

APPLICANT: Whitlatch & Co., P.O. Box 363, Twinsburg, OH 44087

OWNER: Sugar Chestnut LLC, 50 Public Square, Suite 1050, Cleveland, OH 44114

REQUEST: Final Approval of Ashton Place (39 lots); Ashton Place Condominium (49 lots), and 4 new Waterbury sublots, (Blocks N3, N4, N5 and N6) within Waterbury PCD

LOCATION: Terrell Drive in Waterbury PCD

 Permanent Parcel No. Block "N" 07-00-038-000-163

PC ACTION: Approved

 moved by Buescher, seconded by Jaenke to approve the Planning Commission action for the final approval of Ashton Place, Ashton Place Condominium and the four new Waterbury sublots within Waterbury PCD

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

COUNCIL COMMITTEE REPORTS:

President Arndt: The Clerk will read our Council Committee reports.

Clerk of Council Norris:

ADMINISTRATIVE COMMITTEE REPORT #5521 We have considered the matter of T 114-2004, wages and fringe benefits for the Fire Chief and Assistant Chief and recommend that this request be approved and the attached legislation be adopted.

 moved by Olesen, seconded by Jaenke to approve Administrative Committee Report #5521

President Arndt: Is there any discussion? Yes, Mr. Young?

Council Member Young: This goes for all of the Administrative Committee Reports that are upcoming. I just want to commend the employees of the City and also the administration for coming to terms on all these contracts in a time of belt tightening. Both the Fire Chief and the Police Chief and all the employees have, yes indeed, tightened their belts and are going to tighten their belts especially in light of the fact that that levy did not pass and hopefully the Citizens will reconsider passing future levies.

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

Yes, 6 No, 0

 moved by Olesen, seconded by Jaenke to suspend By-Laws to give T 114-2004 its first reading tonight

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:

ADMINISTRATIVE COMMITTEE REPORT #5523 We have considered the matter of T 115-2004, wages and fringe benefits for the Police Chief and Non-bargaining unit Captain and recommend that this request be approved and the attached legislation be adopted.

 moved by Olesen, seconded by Jaenke to approve Administrative Committee Report #5523

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

 moved by Olesen, seconded by Butkowski to suspend By-Laws to give T 115-2004 its first reading tonight

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:

ADMINISTRATIVE COMMITTEE REPORT #5524 We have considered the matter of T 116-2004, contract with the International Association of Fire Fighters, Local 2129, AFL-CIO and recommend that this request be approved and the attached legislation be adopted.

 moved by Olesen, seconded by Jaenke to approve Administrative Committee Report #5524

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

moved by Olesen, seconded by Jaenke to suspend By-Laws to give T 116-2004 its first reading tonight

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:

ADMINISTRATIVE COMMITTEE REPORT #5525 We have considered the matter of T 117-2004, contract the Fraternal Order of Police, Lodge No. 25, North Ridgeville Division, Non-Sworn, Patrolmen, and promoted units and recommend that this request be approved and the attached legislation be adopted.

moved by Olesen, seconded by Jaenke to approve Administrative Committee Report #5525

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

moved by Olesen, seconded by Jaenke to suspend By-Laws to give T 117-2004 its first reading tonight

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:

ADMINISTRATIVE COMMITTEE REPORT #5526 We have considered the matter of the AFSCME contract and recommend that this request be approved and the attached legislation authorizing said contract be adopted.

Clerk of Council Norris: I am assigning T number 144.

moved by Olesen, seconded by Jaenke to approve Administrative Committee Report #5526

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

moved by Olesen, seconded by Jaenke to suspend By-Laws to give T 144-2004 its first reading tonight

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

CORRESPONDENCE:

Clerk of Council Norris:

Received a letter from Lorain County Commissioner's Acting Clerk, Theresa Upton submitting a resolution from the Commissioners supporting the CDBG Economic Development Grant

application submitted by Walgreens, Breakthrough Properties, LLC and The City of North Ridgeville, to the Ohio Department of Development.

NEW BUSINESS:

Clerk of Council Norris:

Parks & Recreation Commission request for Council's approval for \$2,500.00 from the Parks and Recreation Improvement Fund for the purchase of fencing to be installed at the Shady Drive Complex

 moved by Buescher, seconded by Butkowski to approve the request from the Parks and Recreation Commission for twenty-five hundred dollars for the purchase of fencing to be installed at the Shady Drive Complex

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:

Parks & Recreation Commission request for Council's approval for \$1,063.70 from the Parks and Recreation Improvement Fund for the purchase of drain pipe to be installed at the Shady Drive Complex

 moved by Buescher, seconded by Butkowski to approve the Parks and Recreation Commission request for one thousand sixty-three dollars and seventy cents for the purchase of drain pipe to be installed at the Shady Drive Complex

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

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now reached the audience participation portion of our meeting. Any members of our audience, tonight, have the opportunity to address your City Council. We request, if you do, that you fill out the lobby form that you can find in the back of the room because it enables us to contact you personally should there be a need to do so. You're now welcome and invited to approach the podium directly to the right of Mrs. Buescher. However, please state your name and address, clearly, so that we can understand and please limit your comments to three minutes.

John Bender of 2346 Roxbury Road, Avon, spoke about Planning Family Services of Lorain County. Introduced Executive Director Pat Berger and the President of the Board, Professor Pat Schroll. Stated that Pat has asked for time to give more details. Read the mission statement of Planning Family Services. Noted a list of services that is covered through the agency. Explained that it is not an abortion clinic. Stated that a satellite office is being established in North Ridgeville next year because there are over 200 women from this area who have used the services of the clinic in Elyria. Noted that 90 percent of clients are poor women or working poor without health insurance. The other 10 percent will pay on a sliding scale according to income. Explained that education and information are vital so that every child is a wanted child in this

society.

Pat Berger of 602 Leona Street, Elyria, Executive Director of Family Services spoke about the construction of the satellite office they anticipate opening in early 2005. Stated that a press release will be sent out tomorrow. Explained the location of their various satellite offices. Spoke about the services they offer. Explained the resource sheet provided to clients with choices relating to pregnancy. Stated that they do not promote or direct a woman to anyone option.

moved by Young, seconded by Buescher to suspend By-Laws to provide an additional three minutes for Mrs. Berger to continue her comments

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

Pat Berger continued to explain the resource sheet and noted that most women come because they don't want to get pregnant. Noted that they are the most single provider of contraceptive care in the County as well as the largest single provider of pap smears and cervical screenings. Explained their role in Lorain County in preventing cervical cancer. Noted the statistics in the County of teen pregnancies and noted that they work with the teachers at North Ridgeville High School. Explained that they are not primarily a teen clinic. The majority of people that come to them are in their 20's and 30's. Explained that they do see teens mostly after they've been sexually active from six to 12 months and have made a decision to start birth control and that service is provided to them.

President Arndt: Is there anyone else in the lobby that would choose to address your City Council? The Chair moves to recess until 20 minutes after the hour.

RECESS: from 8:10 P.M. to 8:20 P.M.

ORDINANCES AND RESOLUTIONS:

President Arndt: The Chair calls our Council meeting back to session and requests that our Clerk please read our ordinance and resolution submittals.

• **Ordinances & Resolutions Submittals**

Clerk of Council Norris:

T 140-2004 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH KS ASSOCIATES, INC., A CONSULTING ENGINEERING FIRM, FOR PROVIDING ENGINEERING SERVICES FOR THE STRAIGHTENING OF LEAR NAGLE ROAD, NOT TO EXCEED \$63,000.00.

Mayor Gillock: Mr. President, we don't need that to go any further this evening. We just wanted to get that started through the agenda so we'd be prepared that when we reach that point in our negotiations, we'll be able to go ahead.

President Arndt: Thank you, Mr. Mayor.

Clerk of Council Norris:

T 141-2004 AN ORDINANCE PROHIBITING THE EXCESSIVE ACCUMULATION OF MUD AND DEBRIS ON THE STREETS DURING CONSTRUCTION, REQUIRING FILTER FABRIC AND AUTHORIZING THE CITY ENGINEER TO ISSUE CITATIONS.

 moved by Mayor Gillock, seconded by Young to suspend By-Laws to give T 141-2004 its first reading

President Arndt: Is there any discussion? Yes, Mr. Mayor?

Mayor Gillock: Mr. President, the City Engineer has asked if you would consider passing this this evening with the emergency. It's that time of year with construction and rain that we're really having a problem, in some areas, with mud on the streets and mud and dirt going down the drains. I would ask that you give that consideration to pass it this evening, when we get to that point.

President Arndt: Thank you, Mr. Mayor. Is there any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris:

T 142-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT WITH THE NORTH RIDGEVILLE CITY SCHOOL DISTRICT RELATING TO THE TAX REVENUE EFFECTED BY TAX ABATEMENT AGREEMENTS WHICH PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT.

 moved by Mayor, seconded by Butkowski to suspend By-Laws to give T 142-2004 its first reading

President Arndt: Is there any discussion? Yes, Mr. Mayor?

Mayor Gillock: Mr. President, this is a renewal of an agreement that we have with the schools relating to, when tax abatements are used the schools receive 45 percent of the new income tax revenues that are generated. That five year agreement expires December 31 of this year. We'd like to get that passed as soon as we can so we can renew that agreement.

President Arndt: Thank you, Mr. Mayor. Any other discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

 Yes, 6 No, 0

Clerk of Council Norris:

T 143-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT WITH OHIO EDISON FOR ELECTRIC SERVICE TO STREET LIGHTS.

 moved by Mayor Gillock, seconded by Buescher to suspend By-Laws to give T 143 its first reading

President Arndt: Is there any discussion? Yes, Mr. Mayor?

Mayor Gillock: Mr. President, we have a contract with Ohio Edison in regards to what they charge us for electricity for our street lights giving us preferable rates. The rates for several years has been 3.5 cents per kilowatt hour. That contract expires December 31, 2004. If we did not enter into this agreement, our rate would immediately go to 16 cents per kilowatt hour by statute. With this agreement, they will keep the existing rate of 3.5 cents through the year 2005. In 2006 it would go to 5.7. In 2007 it will go to 7.9 cents and in 2008 it will go to 10.1 cents per kilowatt hour of the applicable tariff rate, whichever is less. They've determined 10.1 cents to be their break even. If we do not enter into this contract and return it to them by January 20, then they'll just charge us the 16 cents. It is definitely to our advantage to renew this contract with the new rates.

President Arndt: Mr. Mayor, would it make sense for us to include the emergency on this?

Mayor Gillock: it doesn't matter as long we get it back to them by January 20. If you just want to pass it tonight that will be fine.

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

Yes, 6 No, 0

• **First Readings**

President Arndt: Will the Clerk please read our first readings.

Clerk of Council Norris:

T 135-2004 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED
ORDINANCE SECTION 1250.07, DENSITY.

First Reading

President Arndt: THE CHAIR REFERS T 135 TO THE PLANNING COMMISSION.

T 136-2004 AN ORDINANCE ESTABLISHING SENIOR CITIZEN PLANNED
RESIDENTIAL DEVELOPMENTS AS A CONDITIONAL USE IN R-1
ZONING DISTRICTS.

First Reading

President Arndt: THE CHAIR REFERS T 136 TO THE PLANNING COMMISSION.

Council Member Young: Mr. President, are we referring these to Planning Commission just for their comments and are we going to keep it on track on the second and third reading as it goes through and wait for Planning Commission's comments.

President Arndt: Section 8.8 of the Charter does indeed mandate that this be referred to Planning Commission and no it does not impact negatively as we pass this through the readings. Thank you.

Clerk of Council Norris:

T 137-2004 AN ORDINANCE AMENDING NRCO SECTIONS 1279.10 AND 1279.11
RELATING TO PLAN APPROVAL FOR PLANNED COMMUNITY
DEVELOPMENTS.

First Reading

T 138-2004 AN ORDINANCE AMENDING ORDINANCE NO. 3993-2004 RELATING TO
SPECIAL DEVELOPMENT DISTRICTS.
First Reading

President Arndt: Prior to the reading of T 139, the Chair moves to postpone T 139 until the second meeting in January, after the new year, so that Council has the opportunity to have a more clear insight and take a longer look at our finances.

moved by Arndt, seconded by Jaenke to postpone T 139 until the second meeting in January 2005

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:

T 114-2004 AN ORDINANCE AMENDING ORDINANCE NO. 3738-2001 PROVIDING
4073-2004 FOR WAGES AND FRINGE BENEFITS FOR THE CHIEF AND ASSISTANT
CHIEF OF THE NORTH RIDGEVILLE FIRE DEPARTMENT.

First Reading

moved by Young, seconded by Olesen to dispense with second and third readings on T 114-2004

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

moved by Young to adopt, seconded by Olesen

moved by Young, seconded by Olesen to add the emergency

President Arndt: Is there any discussion?

Council Member Olesen: Mr. President, I think Mr. Young alluded to this before, the hard work that went into these contracts. We ARE going to have to use the emergency before the end of the year anyway, to get this thing passed before the end of the year so, we may as well get this package through. Our employees of the City have earned it and it's up to us now to get it through and let them rest a little easier if they have a new contract.

President Arndt: Thank you, Mr. Olesen. Is there any other conversation? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We also have a motion on the floor by Mr. Young, seconded by Mr. Olesen to adopt tonight, T 114-2004 with the emergency. 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: T 114 is adopted with the emergency becoming permanent ordinance 4073-2004.

Permanent Ordinance No. 4073-2004

T 115-2004 AN ORDINANCE AMENDING ORDINANCE NO. 3693-2001 PROVIDING
4074-2004 FOR WAGES AND FRINGE BENEFITS FOR THE POLICE CHIEF AND

NON-BARGAINING UNIT CAPTAIN.

First Reading

moved by Young, seconded by Butkowski to dispense with second and third readings on T 115-2004

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

moved by Young to adopt, seconded by Butkowski

moved by Young, seconded by Olesen to add the emergency

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: In addition, we also have a motion on the floor by Mr. Young, seconded by Mrs. Butkowski to adopt tonight, T 115-2004 with the emergency. 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: T 115 is adopted with the emergency becoming permanent ordinance 4074-2004.

Permanent Ordinance No. 4074-2004

T 116-2004 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4075-2004 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2129, AFL-
CIO.

moved by Young, seconded by Olesen to dispense with second and third readings on T 116-2004

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

moved by Young to adopt, seconded by Olesen

moved by Young, seconded by Olesen to add the emergency to T 116-2004

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: In addition, we also have a motion on the floor by Mr. Young, seconded by Mr. Olesen to adopt tonight, T 116-2004 with the emergency. 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: T 116 is adopted with the emergency becoming permanent ordinance 4075-2004.

Permanent Ordinance No. 4075-2004

T 117-2004 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4076-2004 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE

FRATERNAL ORDER OF POLICE, LODGE NO. 25, NORTH RIDGEVILLE
DIVISION, NON-SWORN, PATROLMEN, AND PROMOTED UNITS.

First Reading

moved by Young, seconded by Olesen to dispense with second and third readings
on T 117-2004

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

Yes, 6 No, 0

moved by Young to adopt, seconded by Olesen

moved by Young, seconded by Olesen to add the emergency to T 117-2004

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: In addition, we also have a motion on the floor by Mr. Young, seconded by
Mr. Olesen to adopt tonight, T 117-2004 with the emergency. Any discussion? All those in
favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 117 is adopted with the emergency becoming permanent ordinance
4076-2004.

Permanent Ordinance No. 4076-2004

T 144-2004 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4077-2004 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES, AFL-CIO.

First Reading

moved by Young, seconded by Olesen to dispense with second and third readings
on T 144-2004

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

Yes, 6 No, 0

moved by Young to adopt, seconded by Olesen

moved by Young, seconded by Olesen to add the emergency to T 144-2004

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 also have a motion on the floor by Mr. Young, seconded by Mr. Olesen to
adopt tonight, T 144-2004 with the emergency. Any discussion? All those in favor signify by
yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

Clerk of Council Norris: T 144 is adopted with the emergency becoming permanent ordinance
4077-2004.

Permanent Ordinance No. 4077-2004

T 142-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN
4078-2004 AGREEMENT WITH THE NORTH RIDGEVILLE CITY SCHOOL DISTRICT
RELATING TO THE TAX REVENUE EFFECTED BY TAX ABATEMENT
AGREEMENTS WHICH PROMOTE THE HEALTH, SAFETY AND
WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL
DISTRICT.

First Reading

moved by Young, seconded by Olesen to dispense with second and third readings
on T 142-2004

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

Yes, 6 No, 0

moved by Young to adopt, seconded by Olesen

Council Member Buescher: Mr. President, may I just ask, I think we missed T 141.

President Arndt: We did indeed. May we come back to 141 right after 142. Thank you, Mrs.

Buescher. Mr. Mayor, on T 142, was there a need for an emergency on this?

Mayor Gillock: No, we do not need the emergency.

President Arndt: We have a motion on the floor by Mr. Young, a second by Mr. Olesen to
adopt, tonight, T 142. 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: T 142 is adopted and becomes permanent ordinance 4078-2004.

Permanent Ordinance No. 4078-2004

President Arndt: Now, Dr. Norris, if you would step back, please, to T 141, please.

T 141-2004 AN ORDINANCE PROHIBITING THE EXCESSIVE ACCUMULATION OF
4079-2004 DEBRIS ON THE STREETS DURING CONSTRUCTION, REQUIRING
FILTER FABRIC AND AUTHORIZING THE CITY ENGINEER TO ISSUE
CITATIONS AND DECLARING AN EMERGENCY.

First Reading

moved by Olesen, seconded by Butkowski to dispense with second and third
readings on T 141-2004

President Arndt: Any discussion? Yes, Mr. Mayor?

Mayor Gillock: Just for clarification, the filter fabric is the material that has to go where the catch
basins drain in construction. Obviously, during construction there's a lot of dirt, mud, silt and
they're required to put this over to keep that out of our storm water. It's part of our Storm Water
Management Program. Along with this, it's common sense that we want them to clean up the
roads when they dump mud all over.

President Arndt: Mr. Mayor, is that similar to the kinds of things when you're going down the
interstate when you can see those big things in the middle of the road and they have some net
around it.

Mayor Gillock: Black plastic that's a silt retainer, same thing. It keeps the silt out of the storm
water and sewer lines.

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

Yes, 6 No, 0

 moved by Olesen, seconded by Butkowski to adopt

 moved by Olesen, seconded by Butkowski to add the emergency

President Arndt: Is there any discussion? Yes, Mrs. Butkowski?

Council Member Butkowski: I'd like to thank the Mayor and the Engineer for bringing this out. We're having a bigger and bigger problem with debris in the streets and it's going to make it a lot better going into winter to navigate the streets without having the mud all over and the debris in the streets.

Council Member Young: Mr. President, this is actually, not only a welcome relief for the residents that live around the newer big developments but also, the smaller developments where there's a couple of lots here and there and there's an isolated house that's being built in some of the already established developments, there's a lot of stone and mud. For example, my street had only one empty lot and finally there's new development on it and there's mud and stone absolutely every where on my street. It's unbelievable.

President Arndt: Any other comments? To reiterate, we have a motion on the floor by Mr. Olesen, second by Mrs. Butkowski to add the emergency tonight to T141. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 6 No, 0

President Arndt: We also have a motion on the floor by Mr. Olesen, a second by Mr. Jaenke to adopt tonight, T 141 with the emergency. 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: T 141 is adopted with the emergency becoming permanent ordinance 4079-2004.

 Permanent Ordinance No. 4079-2004

T 143-2004 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN
4080-2004 AGREEMENT WITH OHIO EDISON FOR ELECTRIC SERVICE TO STREET
 LIGHTS.

 First Reading

 moved by Young, seconded by Butkowski to dispense with second and third
 readings on T 143-2004

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

Yes, 6 No, 0

 moved by Butkowski, seconded by Olesen to adopt T 143-2004

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: T 143 is adopted becoming permanent ordinance 4080-2004.

 Permanent Ordinance No. 4080-2004

President Arndt: Before we go to our second readings, the Chair really wants to acknowledge two groups of people. One, our City Council persons for following through on the request that I had that we go through each one of these individually so that we do not find ourselves confused and, the public gets to hear exactly what we're voting on and, number two, we'd like to thank the audience and everyone else who has participated as we went through this, what seems to be an unending process. Thank you so much because that made this so much healthier. If the Clerk will please read our second readings.

• **Second Readings**

Clerk of Council Norris:

T 133-2004 AN ORDINANCE APPROVING THE FINAL PLAT OF THE PINES, BLOCK K, SUBDIVISION NO. 3, IN WATERBURY PCD FOR RECORDING PURPOSES.

Second Reading

President Arndt: That concludes our second readings. If the Clerk will read our third readings.

• **Third Readings**

Clerk of Council Norris:

T 122-2004 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 7 IN
4081-2004 PHASE III IN MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY

Third Reading

moved by Jaenke, seconded by Olesen to adopt T 122-2004

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: T 122-2004 is adopted by Council becoming permanent ordinance 4081-2004.

Permanent Ordinance No. 4081-2004

OLD BUSINESS:

President Arndt: Members of Council, should there be any old business brought before our Council? There being none, will the Clerk please read our upcoming meeting announcements.

UPCOMING COMMITTEE MEETING ANNOUNCEMENTS:

Clerk of Council Norris:

Finance Committee meeting Monday, November 22, 2004 at 6:30 P.M. in the Conference Room to plan the budget for 2005. Council Members are urged to attend.

Next Regular Council Meeting Monday, December 6, 2004 at 7:30 P.M. in Council Chambers

Public Hearing Monday, December 6, 2004 at 7:20 P.M. regarding

T 133-2004 AN ORDINANCE APPROVING THE FINAL PLAT OF THE PINES,
BLOCK K, SUBDIVISION NO. 3, IN WATERBURY PCD FOR

RECORDING PURPOSES.

Public Hearing Monday, December 20, 2004 at 7:10 P.M. regarding the request from FJD Properties, LLC, 37000 Center Ridge Road, North Ridgeville, Ohio 44039 to:

- 1) Amend a portion of the final plan of Phase III of Meadow Lakes PCD
- 2) Amend the preliminary PCD of Meadow Lakes to be known as Phase IV of Meadow Lakes PCD

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

- 1) T 135-2004 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE SECTION 1250.07, DENSITY.
- 2) T 136-2004 AN ORDINANCE ESTABLISHING SENIOR CITIZEN PLANNED RESIDENTIAL DEVELOPMENTS AS A CONDITIONAL USE IN R-1 ZONING DISTRICTS.
- 3) T 137-2004 AN ORDINANCE AMENDING NRCO SECTIONS 1279.10 AND 1279.11 RELATING TO PLAN APPROVAL FOR PLANNED COMMUNITY DEVELOPMENTS.
- 4) T 138-2004 AN ORDINANCE AMENDING ORDINANCE NO. 3993-2004 RELATING TO SPECIAL DEVELOPMENT DISTRICTS.

Council Member Butkowski: Mr. President, I want to urge each Council Member to attend that Finance meeting on Monday, that's next Monday, the 20th at 6:30. It is an open meeting and the public is invited. We'll be making some hard decisions and a long discussion. We need everybody's input. I hope that everyone plans on attending.

ADJOURNMENT:

motion to adjourn by Butkowski

Meeting adjourned at 8:50 P.M.

MOTION Butkowski 2ND Olesen DATE December 6, 2004

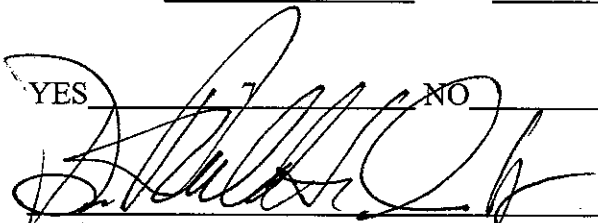
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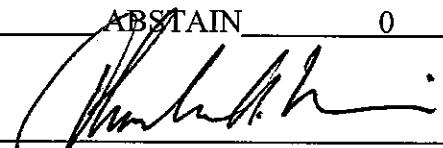
NO

0

ABSTAIN

0


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS