

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING OCTOBER 5, 2015**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Welcome to the Monday, October 5, 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 Clerk of Council George E. Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of September 21, 2015. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Zoning and Building Appeals minutes of September 24, 2015, the Parks and Recreation Commission minutes of August 26, 2015, the Special Board of Zoning and Building Appeals minutes of September 17, 2015 and the Worker's Compensation Safety Committee minutes of September 24, 2015.

President Corcoran: That brings us to the lobby session of the meeting. This is the final time that I will make a motion to bifurcate the lobby session into two sessions that we have been undertaking over the last several months.

Moved by Arndt 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: So this first lobby session is dedicated to the items on the agenda for this evening. If you would like to speak on the issues, please approach the podium for the record. State your name and address. You will be given three minutes to speak. If you wish to speak on

any other topic, we will have a second lobby session just before the end of the meeting and you will have your chance to address any outside issues at that time. Is there anybody who would like to speak on the issues on the agenda for this evening? Seeing none, we will move on to the Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. Several items this evening starting with sanitary sewer clean up update: Lake County Sewer as part of the Sanitary Sewer Rehab Project is conducting heavy duty sewer cleaning and maintenance repairs in the following areas: on Broad Blvd. between May and Center Ridge Road, on Pleasant between May and Francis, on Main between Francis and Elyria, on Wallace between Branch and Lewis, on Olive between Branch and Lewis, Manchester Circle and Lear Nagle between Adele and Center Ridge Road. This is highly important. It is recommended that you close your toilet lids as a precaution during this time. On very rare occasions the high pressure sewer jet used may cause house lateral backup through the toilet. As they identify the areas to be cleaned, this information will be posted on the City's website.

The City of North Ridgeville recently received a \$175,000 Community Housing Impact and Preservation Program Grant called a CHIP Grant from the Ohio Development Services Agency. The grant provides for two basic housing activities. We have \$107,800 available for homeowner rehabilitation and \$42,600 for home repair on a citywide basis. Most of this goes to seniors or low income. The balance of the grant provides for Fair Housing and administration. The grant must be completed by the end of this month, excuse me, by the end of October 2016. All participants must meet the eligibility requirements and be within the income guidelines for the program. There will be a meeting this Thursday, October 6, 2015 at 5:30 P.M. in this room, Council Chambers to kick off this City's program. At that point, they can tell you the eligibility guidelines and how you go about applying. Each of the programs and the requirements will be explained. Applications are available at the meeting and at the Treasurer's office effective on October 7 or Friday. Just a reminder – that is this Thursday, this is for applications for our CHIP Grant for homeowner rehabilitation and home repair.

The Lorain County General Health District will provide flu shot clinics this fall. There are several dates and locations announced but there will be one held in North Ridgeville this Saturday, October 10 at the North Ridgeville Education Center from 10:00 A.M. – 3:00 P.M. All of this information is on the City website.

Spookville – Parks and Rec is sponsoring Spookville this Friday and Saturday October 9 and 10 from 6:00 P.M. to 9:00 P.M. at South Central Park. Spookville is a wooded, one quarter mile trail that makes you feel like you are part of a horror movie set in the woods. It is appropriate for all ages and there is a cost of \$2.00 per person.

The same day, the Parks and Recreation Department will sponsor their annual Fall Fest, this Saturday at South Central Park from 4:00 – 6:00 P.M. Families will experience fun games, food vendors, face and pumpkin painting, magic show, straw fight and hay rides, weather permitting.

There are a limited number of pumpkins available so come early to guarantee your child receives one.

If you missed the North Ridgeville Chamber of Commerce Mayoral forum, a complimentary copy was provided by the Chamber. It is on the City's website and on Channel 12.

Very important information – Trick-or-Treat will be held Saturday, October 31st from 6:00-7:30 P.M. That is on Halloween, Saturday, October 31st from 6:00 – 7:30 P.M.

Lastly, general information – I did get a letter from Yellow Pages and beginning Thursday, October 8th, they will deliver yellow books throughout the City. They point out that these yellow books are 100% recyclable which means you can put them in your green container if you don't want them. This information will also be on the City website. There are ways to order additional books if you want them. You can also opt out by visiting www.yellowpagesoptout.com and you can take your name off the list to receive the Yellow Pages in the future. Thank you Mr. President and that concludes my report.

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

B. Safety-Service Director: Along with the sewer rehab and the manhole rehab that is going on in those areas that the Mayor just spoke about, Lake County Sewer are actually knocking on doors to let them know that they are working in front. Unfortunately, last week that failed – somebody was out of town and came home and there was a manhole that – they started repairing it. Through internal and external conversations, and actually, Dennis and I had a long conversation about it, we decided...we had addresses of actually where they were going to be working in front and we sent a letter to those homeowners to inform them that this work was happening and if they want further information to give us a call or go to the webpage. We did send a letter out to all the homeowners whose addresses we had and knowing that the repair work was going to be in front of their home or almost in front of their home. That completes my report.

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

C. Engineer: Thank you Mr. President. This first meeting in October means that in very short order we are going to get our fall colors and following that will be a massive yard clean-up effort and I would like to take the time to remind everybody to round up those leaves and yard debris in a responsible manner and not be tempted to brush them into our ditches and drainage infrastructure. That concludes my report.

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

Councilman Boose: Can I just make a comment Mr. President? Because of the fall leaves going to be coming down soon and such, I've already had some residents in my ward contact me about some of the street grates that continue to be covered with debris and such; even a light rain will

draw that debris to the grate and clog it up sometimes. All I would ask is if residents have a grate in front of their house, go out there and take a look at it and rake it up and throw it away. You can save someone from having some serious flooding damage. I try to do it when I drive through town, but it is going to become more prevalent with the leaves falling and when it gets wet. Please keep those open, thanks.

D. Auditor: Mr. President, I have no report for this evening. I do want to draw Council's attention to two items on the agenda – T 136 is a Resolution (inaudible) ... a P/O was not properly requested and signed before the expenditure was made so I would request Council pass that tonight. T 137 is our annual Resolution requesting the rates for the Budget Commission. I have verified the rates. It needs to be enacted by the end of October so you can either pass it at tonight's meeting or the second meeting in October but you will need the emergency on it (inaudible) and that concludes my comments.

President Corcoran: Thank you Mr. Costin.

E. Other Reports:

President Corcoran: We have the August 2015 Police Department report and the September 2015 Parks and Recreation Director's report.

COUNCIL COMMITTEE REPORT(S): None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

President Corcoran: Moving on now to new business.

NEW BUSINESS:

Clerk of Council Smith:

A request from Parks and Recreation Director, Kevin Fougere, for the allocation of \$12,000 from the Parks and Recreation Improvement Fund to cover the City's portion of the CDBG for accessible walkways at the Shady Drive Complex.

(Council action required)

Moved by Boose and seconded by Arndt to approve the allocation of \$12,000 from the Parks and Recreation Improvement Fund.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President? Yes, the walkway is the first walkway and is going to go from inside the complex where diamond one and two are, straight south to the main concession stand and then continue south again to the T league diamonds. For many years we have wanted a sidewalk or a path there because a lot of activity goes between all those diamonds and

unfortunately there was no handicap accessible way to get through there – especially if the ground was wet or if there was mud. This takes care of the handicap accessibility and also will provide some comfort from muddy shoes to everyone else. Next year we hope to add on to that walkway to go towards some of the other diamonds, again, for the same reason. Also, this \$12,000 is part of an approximately a \$75,000 project. The rest of the funds are coming from the CDBG grant and also from another grant from the county. They stepped up and were able to put some funds from another fund as well. Thank you.

President Corcoran: Thank you Mr. Boose. Any other comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: That money has been approved. Moving on to Ordinance and Resolution submittals. Moving on then to T 134-2015.

Ordinance and Resolution submittals

Clerk of Council Smith:

T 134-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE OLIVE AVENUE, LEWIS STREET, BRANCH STREET AND CROSS STREET WATER MAIN REPLACEMENT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,265,000.00.

(Introduced by Mayor Gillock)

Councilman Boose: Mr. President? May I ask the Administration is this a project that we are looking to start before the end of the year and it go through the winter like we did on Denise, or are we looking to start in the spring?

Engineer Wangler: This was authorized through appropriations through BAN's and it was on hold until those things became in place. Water line work is something you can do in the off season. When in the past we have financed them in the more conventional way, I started earlier, but in this case because of the financing, it started later. I didn't get the second part of your question.

Councilman Boose: So we are looking to do this now versus wait until the spring?

Engineer Wangler: Yes, that would be my intent.

Councilman Boose: So would it be appropriate to move this along so we can start doing this now and avoid some of the bad weather? I know when we did it on Denise, it got to the point where it got to be a mess if we didn't start it soon enough. With the one understanding is, don't start ripping up sidewalks on Halloween. Wait until after Halloween.

Engineer Wangler: I endorse that suggestion.

Moved by Boose and seconded by Arndt to suspend the By-laws to give T 134 a first reading.

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 134 will have a first reading. T 135.

Clerk of Council Smith:

T 135-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A LOAN AGREEMENT AND PROMISSORY NOTE WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY FOR THE LEAR NAGLE ROAD WIDENING AND IMPROVEMENT PROJECT.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Butkowski to give T 135 a first reading.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President? We are scheduled to go to bid on Lear Nagle in the next couple of weeks. The funding is in place. What this is: Lear Nagle is estimated to cost \$12,749,000.00 to widen it to three lanes, install sidewalks, be a concrete street with curbs, major intersection improvements, sanitary sewer line and a new water line. The City's portion of that \$12,000,000.00 is all said and done; \$2,705,184.00 although we have already paid about \$1,000,000.00 through the preliminary design and the right-of-way work – we are left with about \$1,700,000.00. This portion is funded by NOACA to the tune of about \$5,820,033.00. Normally, NOACA would take this out of their major project fund which works more years out. They do not have the money in the major projects fund right now to fund it. What they are doing is borrowing the money from the state infrastructure bank to fund the project now so we can move ahead. They are going to borrow the \$5.8 million and we are required to pay a small portion of the interest. The interest is three percent. The first year there is no interest and then for the next nine years it is three percent and then we pay twenty percent of the interest. We pay none of the principal and twenty percent of the interest. We are paying about point six percent of the \$5.8 million. So that is what this is to solidify the agreement so that NOACA can borrow the \$5.8 million and make sure the project stays on track.

Councilman Arndt: If I may ask the Mayor – you made a statement, just for my own clarification “goes to bid in the next two weeks”; what does that specifically mean?

Mayor Gillock: I believe the date is October 15th – the county is the lead agency on the project. It has been published and released to the contractors who are looking at it and on October 15th, we will sit down with the county and open the bids. Assuming a bid comes in within ten percent of the \$12.7 million...well, that is the total project. The actual construction is \$9.8 million plus \$850,000 for a water main that we included. It is about \$10.6 million. As long as a bid comes in within ten percent of that, the bid will be sold, they call it, or let, awarded and we anticipate they can begin working on that street around December 1st. It will depend on the contractor and their intentions as to how deep they get into it, you know, this fall as opposed to waiting until spring before they start tearing it up. We don't know the contractors yet or how they want to handle it. Starting December 1st they will have control and be able to start construction on Lear Nagle.

Councilman Arndt: Thanks.

Councilman Boose: Mr. President? Question perhaps to the Auditor, though I probably have seen them at the City, but I don't recall having actually seen the security agreement and the note, but on page nine of the agreement, under section 3.4e8, it says that a security interest of the City grants security interest to ODOT by the security documents will constitute a valid parity lien on the City's Street Levy Fund and the NOACA annual federal allocation. I understand the reason for a lien on the City's Street Levy Fund, I guess, but my question is does that clause or that lien position have any adverse effect on anything else that the Street Levy Fund may be used for or for any other bonding or bond anticipation notes that we would need to use that?

Auditor Costin: That is an excellent question but it is legal in nature and I would have to defer to the Law Director.

Councilman Boose: The reason that I would bring that up is because I would want to know now if that means for the next nine or ten years, while that lien exists, that we have some sort of issue with using monies from the Street Levy Fund.

Mayor Gillock: Mr. President, I would point out that, I have to find the payment schedule, the payments over the last nine years or ten years – what the lien averages about \$17,000 a year out of the Street Levy for our obligation under the loan. That is how much it will cost us.

Councilman Boose: So the lien is not the amount of the project or loan, it is our obligation under the loan?

Mayor Gillock: That is my understanding; this is for the loan.

Law Director Crites: May I? Probably to piggy back on what the Mayor said, it is important to realize that the City's obligation under the terms of this loan are for, correct me if I am wrong Mayor, it has been awhile since I have gone through this; it is just a portion of the interests and expenses. NOACA is repaying the principal. Our responsibility is a fraction, at best. I don't know if that helps you Councilman Boose.

Councilman Boose: I just think we all need to understand what limitations that might put on the Street Levy.

Law Director Crites: That helps to explain the small amount of the debt service that the Mayor indicated because our obligation under this note, I recall, is only for a percentage of the cost of the loan as opposed to the principal.

Councilman Boose; The only other question I had was page thirteen of the agreement, item 4.2(c), financial covenants – the City shall not violate any financial covenant contained in any agreement evidencing, relating to or securing any indebtedness for borrowed money in excess of \$500,000. My question is, how does that clause...I couldn't see, from what I was given, any financial covenants, but I don't know if we have other financial covenants in any other agreements that this would pertain to. How would that, if at all, provide any negative aspects to our Street Improvement Fund?

Auditor Costin: I will answer from the accounting/finance standpoint and again, defer to the Law Director from the legal standpoint. Our debt is typically general obligation – full faith and credit of the City. We have very few financial covenants other than some disclosure and our annual SCC report, in fact, I think we just filed that a couple weeks ago and repayment obligations. We don't have the typical networking capital and so forth. That is why we have Moody's from time to time analyze our financial situation with the outside investors as to the strength of the City. I will have to defer to the Law Director on any legal ramifications related to the agreement. I have to tell you I saw various correspondences going back and forth between NOACA and the City and I just totally have to defer to the Administration on this entire project and why we have to sign the note; I think the Mayor just explained. I am not fully comfortable with it, but as long as the Administration is, that is fine. What they explained is not what it says, but if this is what we need to do to keep the project moving forward in terms of how the system works with NOACA being able to borrow those funds from the state then I understand, but again, I would have to defer to legal counsel on this whole document.

Law Director Crites: If I may Mr. President, I don't have a lot to add but to first preface that this is an ODOT loan agreement which is distributed in form across the state to communities that are lucky enough and fortunate enough to have the Administration gain the benefit of the funds, but it is distributed in stone template and this is an ODOT document; these things come out carved in granite. It is not like it is an arm's length negotiation. It diminishes our need to review them and take them seriously, but that is where language like this shows up in agreements such as this and why they aren't scrutinized as heavily as they are from local government or a private institution that we are dealing with. With that being said, I consider language like this when I review it; Mr. Costin and the Mayor may not have commented on this as bullet point language, that protects the state and the state's taxpayers from getting into loan agreements with the various entities. The essence of this clause is that we are prohibited by this agreement by violating a covenant with another entity for any loan in excess of half a million dollars. We know, especially with Mr. Costin at the helm of this ship, that it is very unlikely to happen. We understand why ODOT and why our elected legislators want ODOT to do that. It is not a response that I typically am

comfortable giving – well, that is just the way ODOT does it, but that is somewhat what I am saying.

Councilman Boose: There are no other current liens on the Street Levy Fund?

Auditor Costin: Not that I am aware of, no.

Councilman Boose: Okay, now we go to the next item “d”, you cannot have any pledged security interest or encumbrance or other lien affecting the Street Levy Fund that would be superior to the interest of ODOT. So as long as that is the case, that makes sense. I guess finally, from what I am hearing, at worst, would we have to not spend round numbers as the Mayor suggested, \$17,000 of the fund annually, or do we say \$170,000 of the Street Fund at any given time and then every year it goes down \$17,000. Do we have to keep it aside and not touch it like it is encumbered?

Auditor Costin: During the annual appropriation process, we encumber just like we encumber any other debt. We encumber our debt first, our personnel liabilities, contractual liabilities and if you remember the appropriation process – what is left is what is left. So again, to rehash what I understand this to be is the City is signing an agreement for \$5,506,000.00 but the City isn’t going to repay it; someone else is going to repay it for us is the jest of the transaction.

President Corcoran: Any other comments or questions?

Councilwoman Johnson: Mr. President, I will second the Mayor’s motion to give this a first reading this evening.

President Corcoran: We already have a second.

Councilwoman Johnson: We already had a second? Okay.

President Corcoran: I know it was a long time ago.

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

Yes – 7

No – 0

President Corcoran: T 135 will have a first reading. T 136.

Clerk of Council Smith:

T 136-2015 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
KOKOSING MATERIALS, INC. IN THE AMOUNT OF \$24,350.92.
(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to give T 136 a first reading.

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 136 will have a first reading. T 137.

Clerk of Council Smith:

T 137-2015 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to give T 137 a first reading.

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 137 will have a first reading.

RECESS:

President Corcoran: Would anyone like a recess?

Moved by Johnson and seconded by Arndt 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 126.

FIRST READINGS:

Clerk of Council Smith:

T 126-2015 AN ORDINANCE CREATING A PENALTY IN N.R.C.O CHAPTER 1294, SUPPLEMENTAL REGULATIONS, FOR FAILING TO CALL FOR BUILDING INSPECTIONS.

(Introduced by CBO Guy Fursdon; Referred to B&L on 08/17/2015; B&L on 09/08/2015; Report accepted on 09/21/2015)

President Corcoran: T 129.

Clerk of Council Smith:

T 129-2015 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN

AS THE ZONING CODE ORDINANCE, TO REZONE THE FOLLOWING LAND: LOCATED AT THE INTERSECTION OF MEADOW LAKES BLVD. AND CENTER RIDGE ROAD; PERMANENT PARCEL NUMBERS 07-00-040-000-005, 07-00-040-000-015, 07-00-040-000-018, 07-00-033-102-024 AND 07-00-033-102-025 (AS SHOWN BY LEGAL DESCRIPTION ATTACHED); FROM B-2 CENTRAL BUSINESS DISTRICT AND R-1 RESIDENCE DISTRICT TO R-2 MULTIPLE RESIDENCE DISTRICT AND OWNED BY RIDGE MINERALS, LLC.

(Introduced by petition of Ridge Minerals, LLC on 08/11/2015; Referred to PC and B&L on 08/17/2015; B&L on 09/08/2015; PC on 09/10/2015; Both reports accepted on 09/21/2015)

****Will need amended by substitution on the floor****

Councilman Keenan: Mr. President? When is it appropriate to amend by substitution?

President Corcoran: Right now.

Moved by Keenan and seconded by Boose to amend T 129 by substitution.

President Corcoran: I am assuming Mr. Keenan you are referencing the amended version that has been left on our desk that is what we are looking to substitute?

Councilman Keenan: Yes. I sit on the Building and Lands Committee and at that meeting there was discussion about adding a whereas to this Ordinance in the whereas actually, I believe, the Law Director can confirm, it is the fourth whereas in this amended version and it simply goes on to talk about the fact that the Administration took a step to validate our Charter in one of the provisions in the Charter was that eighty percent of the zoned land zoned R-2 was being used for multi-family. They did an audit and brought forward their results to the Building and Lands Committee. It was reviewed and thought very appropriate. That is why this amendment is in this Ordinance right now, to include that whereas.

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

Clerk of Council Smith: The motion passed with one no vote.

Yes – 6

No – 1 (Butkowski)

President Corcoran: T 129-2015 has been amended by substitution. T 133.

Clerk of Council Smith:

T 133-2015 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. §721.15(D).

(Introduced by Mayor Gillock)

Councilman Olesen: Mr. President? This is the sale of City equipment we are not using, is there any reason to prolong this? Or can we just go ahead and sell it now while the weather is warm?

Mayor Gillock: I think we are going to put it on Govdeals. The next Ordinance also. This are things that the City owns that has a value of more than \$1,000 that they no longer need that we wish to sell and get rid of.

Moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 133.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President? I would mention real quickly that this one is a 1996 Dodge Ram, an old air compressor and Waste-tech septic hauler system with control panel.

President Corcoran: Thank you Mr. Mayor. All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

Moved by Olesen and seconded by Butkowski to adopt T 133.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5282-2015**.
Yes – 7 No – 0

President Corcoran: Moving on now to T 134.

Clerk of Council Smith:

T 134-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE OLIVE AVENUE, LEWIS STREET, BRANCH STREET AND CROSS STREET WATER MAIN REPLACEMENT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,265,000.00.
(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to dispense with the second and third readings for T 134.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President? In the spring I addressed this, all the way back in appropriations back in February; again we were waiting for the Auditor's Department to do what they had to do to get this moving forward. It is already late in the season and it would certainly be to the benefit of the City, but most importantly the residents in those areas to get this moving

as quickly as possible so as much can be done before the weather does turn and then have it finished up in the spring. Thank you.

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

Yes – 7

No – 0

Moved by Boose and seconded by Johnson to adopt T 134.

Moved by Boose and seconded by Johnson to add the emergency clause to T 134 due to the health, safety and welfare of the community and timing issues due to weather.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5283-2015.**

Yes – 7

No – 0

President Corcoran: T 135.

Clerk of Council Smith:

T 135-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A LOAN AGREEMENT AND PROMISSORY NOTE WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY FOR THE LEAR NAGLE ROAD WIDENING AND IMPROVEMENT PROJECT.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third readings for T 135.

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

Yes – 7

No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 135.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5284-2015.**

Yes – 7

No – 0

President Corcoran: T 136.

Clerk of Council Smith:

T 136-2015 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
KOKOSING MATERIALS, INC. IN THE AMOUNT OF \$24,350.92.
(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 136.

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

Yes – 7

No – 0

Moved by Butkowski and seconded by Olesen to adopt T 136.

Moved by Butkowski and seconded by Olesen to add the emergency clause to T 136 in order to pay the invoice within thirty days.

President Corcoran: On the emergency clause, are there any comments or questions?

Auditor Costin: I would just like to clear up a potential misunderstanding, it doesn't have to be paid within thirty days, it has to be considered by Council within thirty days. Since the work has been done and we owe the debt, I think it is appropriate to pass with the emergency for that reason, but not because we are required to.

President Corcoran: On the emergency clause itself, all those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: On the adoption, with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1365-2015.**

Yes – 7

No – 0

President Corcoran: T 137.

Clerk of Council Smith:

T 137-2015 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Johnson to dispense with the second and third readings for T 137.

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 Johnson to adopt T 137.

Moved by Boose and seconded by Johnson to add the emergency clause to T 137 due to the October 31st deadline.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1366-2015**.

Yes – 7

No – 0

President Corcoran: That is the end of first readings. Moving on to second readings – we have T 131.

SECOND READINGS:

Clerk of Council Smith:

T 131-2015 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. §721.15(D).

(Introduced by Mayor Gillock; First reading 09/21/2015)

Moved by Olesen and seconded by Boose to dispense with the third reading for T 131.

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

Yes – 7

No – 0

Moved by Olesen and seconded by Boose to adopt T 131.

President Corcoran: Are there any comments or questions?

Councilman Keenan: Is an emergency appropriate?

President Corcoran: We did not add an emergency to the one before.

Councilman Keenan: Is that necessary?

President Corcoran: No, we are okay. Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5285-2015.**

Yes – 7

No – 0

President Corcoran: Moving on to third readings – we have several, but I wanted to just add a little preamble: T 121, 122, 123 and 124 are our TIF Ordinances that we have been passing for the last several months. These should be the last few that come for a while. These are Ordinances that capture increases in tax money that would normally go to the county. We keep it here in North Ridgeville. We can use it for infrastructure purposes. Besides infrastructure improvements, it will also help and attract businesses is essentially the purpose of the Ordinances. With that being said, Mr. Clerk, T 121.

THIRD READINGS:

Clerk of Council Smith:

T 121-2015 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; First reading 09/08/2015; Second reading 09/21/2015)

Moved by Olesen and seconded by Butkowski to adopt T 121.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5286-2015.**

Yes – 7

No – 0

President Corcoran: T 122.

Clerk of Council Smith:

T 122-2015 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; First reading 09/08/2015; Second reading 09/21/2015)

Moved by Olesen and seconded by Johnson to adopt T 122.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5287-2015.**

Yes – 7

No – 0

President Corcoran: T 123.

Clerk of Council Smith:

T 123-2015 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; First reading 09/08/2015; Second reading 09/21/2015)

Moved by Olesen and seconded by Butkowski to adopt T 123.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5288-2015.**

Yes – 7

No – 0

President Corcoran: T 124.

Clerk of Council Smith:

T 124-2015 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; First reading 09/08/2015; Second reading 09/21/2015)

Moved by Olesen and seconded by Johnson to adopt T 124.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5289-2015**.

Yes – 7

No – 0

President Corcoran: T 125.

Clerk of Council Smith:

T 125-2015 AN ORDINANCE AMENDING ORDINANCE NO. 5254-2015, WHICH AUTHORIZED THE CENTER RIDGE ROAD WIDENING SANITARY SEWER PROJECT AND OTHER APPURTENANCES, BY INCREASING THE AMOUNT FROM \$1,000,000.00 TO \$1,600,000.00.

(Introduced by Mayor Gillock; First reading 09/08/2015; Second reading 09/21/2015)

President Corcoran: At this time we are going to postpone any action on this until the next meeting. There are still some items that need to be taken care of before we can move ahead with this. T 128.

Clerk of Council Smith:

T 128-2015 A RESOLUTION DESIGNATING FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES.

(Introduced by Mayor Gillock; First reading 09/08/2015; Second reading 09/21/2015)

Moved by Johnson and seconded by Butkowski to adopt T 128.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1367-2015**.

Yes – 7

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: There will be a public hearing on T 129-2015 which has been amended tonight and is the issue regarding the change in zoning on Monday, October 19, 2015 at 7:15 P.M. in Council Chambers. The next regular Council meeting will be on Monday, October 19, 2015 at 7:30 P.M. in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS):

President Corcoran: This is our second lobby session of the meeting. This is your opportunity to address Council and the Administration on any items of concern within the City. If you would like to address Council, step up to the podium and state your name and address for the record. Is there anybody that would like to address Council this evening?

ADJOURNMENT:

President Corcoran: Thank you for coming. Seeing no other business, this meeting is adjourned. The meeting was adjourned at 8:21 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL