

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING OCTOBER 2, 2006**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order, the North Ridgeville City Council Regular meeting dated Monday, October 2, 2006. If you will all rise for our Invocation, followed by our Pledge.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

President Arndt: If you will notice to my right, Dr. Norris is not here and it is with great delight that I have our Chief Deputy Clerk Paula Cope at our side. Chief Deputy Clerk, will you please take roll.

CALLING OF THE ROLL - ROLL CALL:

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

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

MINUTES - Corrections (if any) and Approval:

Chief Deputy Clerk of Council Cope: Minutes before Council this evening include:

Council Minutes of September 5, 2006 approved September 18, 2006, amend on page 11, the motion approving the purchase of playground loose fill surfacing by striking out 3,215.25 and inserting 3,215.35

moved by Buescher, seconded by Manning to amend the minutes of our September 5, 2006 meeting

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

Yes, 7 No, 0

moved by Jaenke, seconded by Manning to approve the minutes of our September 5 meeting as amended

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

Yes, 7 No, 0

Council Minutes of regular meeting held September 18, 2006

 moved by Jaenke, seconded by Manning to approve the minutes of the regular meeting held September 18, 2006

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, please call the roll as I have to abstain.

President Arndt: Will the Clerk please take roll.

 Yes, 6 No, 0 Abstain, 1 (Butkowski)

Chief Deputy Clerk of Council Cope: Minutes have been approved by a vote of six, zero, one.

Chief Deputy Clerk of Council Cope: Council will also note:

Parks and Recreation Commission Minutes of regular meeting August 23, 2006 and
Civil Service Commission Minutes of regular meeting September 19, 2006.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Directors reports and the Chair invites our Mayor and the Directors the opportunity to provide Council with an oral report. We would like to begin tonight with our Mayor, Mr. Gillock.

• **Mayor:**

Mayor Gillock: Thank Mr. President. Nothing earth moving tonight. I would just like to bring everyone up to date on some of our favorite projects around town.

First, the old shopping center. This is the one that is probably asked about the most. The developer needs two major anchors to make his project work as designed. He has one major anchor lined up, along with several smaller stores that have signed letters of intent. At this time, we are trying to convince him to go ahead with the outbuildings that are located up front. The project is still viable. They are working diligently to make it happen, but it seems some change may need to be made in the master plan. They continue to work to find anchors and tenants. They have not sold it. They don't have any intention to sell it. They are working on developing that. The sooner the better, but that is what is happening with that project.

The old trailer court on Lorain Road is now gone. If you have not been by there, the land has been cleared and we anticipate application being made at the next Planning Commission meeting to move ahead with the medical office building on the rear of that site. Just so that you understand, the medical building site is actually on the parcel east of the old trailer court. There were two parcels involved. They had to swap some land to make them work. The trailer court is gone. The old house and garage is gone. The land has been cleared and prepared. We anticipate a new occupancy up there soon.

Another question that might be asked as often as the shopping center is the one regarding the old gas station on Route 20 and Route 83. As most of you know, most of that dirt has been removed by the City. The City felt that because we are going to obtain that property, sooner or later, by eminent domain, we would be required to pay for the dirt to be removed anyway. The eminent domain case seems to proceed quite slowly, in my opinion, but it is moving forward. Surely, that corner will be cleaned up in the very near future.

Lastly, I would like to request an executive session after lobby to discuss property acquisition. Thank you and that concludes my report.

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

• **Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Mr. President. T 137 on your agenda is a project that was previously approved by Council as a bypass project. Ohio EPA will not approve the project under that title. T 137 changes the title to emergency wet weather bypass project to satisfy the Ohio EPA. The cost of the scope of this project remains the same. Only the title and the use it suggests has changed. I ask that Council suspend By-Laws tonight to allow this to be passed tonight without the emergency clause.

The work on the intersection on Root and Lorain is progressing ahead of schedule. We anticipate the road opening before the estimated October 12 date. We are getting a lot of calls on that. People are finding ways around, but we will be glad when it does get open again.

Finally, on October 17, the Senior Center will have flu and pneumonia shots available. The costs are 20 dollars for flu shots and 40 dollars for pneumonia shots. There some insurance plans that may apply. Call the Senior Center if you feel that your insurance would cover it. That concludes my report.

President Arndt: Thank you, Mr. Johnson.

Mayor Gillock: Mr. President, just for a point of clarification. In the Safety-Service Director's report, he talked about the road being open by October 12. We are referring to the north side of Root Road being open. The south side will be closed when the north side opens. I just don't want someone to think that Root Road will be open in its entirety. It will be a strong inconvenience for those who live south of Lorain Road once that portion is closed as the north side opens.

President Arndt: If I recall correctly, you had stated that certain dispensation has been made so that certain people will be able to get through there from the south side.

Mayor Gillock: No, that will be emergency vehicles only. The emergency vehicles do have a way that they will maintain emergency access through there. However, for the residents that live down there, they are going to either have to take Reed to Island or Sprague to whatever that road

is in Olmsted Township. So, it will be an inconvenience. They are moving along fairly quickly, but I wanted to make that point clear.

President Arndt: Thank you for that clarification. Now, we get to hear from our City Engineer, Larry Griffith.

- **Engineer:**

City Engineer Griffith: Thank you, Mr. President. On Saturday October 28th, the Lorain County Solid Waste Management District will hold their last Electronic Recycling Collection Day for 2006. The County has started collecting televisions and computer monitors because of the amount of heavy metals contained in them, especially lead. Some large televisions sets may contain as much as 15 pounds of lead and a typical 15 inch cathode ray tube computer monitor contains one and a half pounds. I will get back to you at the next Council meeting with the location and times. Thank you, that's all I have tonight.

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

- **Auditor:**

Auditor Chris Costin: Thank you, Mr. Chairman. I have no report scheduled for tonight and no other comments except that if I misheard the Safety-Service Director as he referred to ordinance T 137, I believe he actually meant ordinance number T 139. T 139 is the bypass project and that was appropriated during our original meeting in March. T 137 is regarding the sewers on Noll, Behm and Aurensen, which we will need to speak about, as that one has not been appropriated. Safety-Service Director Johnson: I did get that wrong. The correct ordinance is T 139.

President Arndt: Will our Clerk read our other reports please.

- **Other Reports:**

Chief Deputy Clerk of Council Cope: Other reports before Council this evening include:

Police Department Report for August 2006 and
Water System Operation Report for August 2006.

Senior Citizens Advisory Board Report by Council Member Olesen: I do have a very brief report from the Senior Center. The last spaghetti dinner of the year will be scheduled Friday, October 27 from 5:00p.m. to 7:00p.m. They do have take outs for this, if you just want to pick up your dinner. There is a Super Thursday Luncheon with a Halloween Theme scheduled for Thursday, October 26. You will have to call for reservations. Please, also remember that the entertainment books are on sale at the Senior Center. They are economically priced at 25 dollars per book.

Eight dollars of that purchase price comes back to the Senior Center. It is a very nice project for the Seniors.

President Arndt: Thank you, Mr. Olesen. Will the Clerk continue on with our Council Committee Reports please.

COUNCIL COMMITTEE REPORTS:

1) ADMINISTRATIVE COMMITTEE #5625 Members of Council: We have considered the matter of refunding the purchase price of a City Cemetery lot to Mr. William Walker and waiving the transfer fee of \$15.00 and recommend that this request be approved.

Signed: Chairperson Olesen and Member Jaenke.

moved by Olesen, seconded by Jaenke to accept the Administrative Committee Report #5625

President Arndt: Is there any discussion?

Council Member Olesen: Just briefly, Mr. President, if I might? This is not a precedent as we have done this in the past. What has been done in the past is that we just refund the purchase price for the lot. We don't want people speculating on cemetery lots so we refund the purchase price and then resell the lot. Fortunately, lots are more expensive now and the City will actually gain on the transaction, but that is not the purpose of this at all.

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

Yes, 7 No, 0

2) BUILDINGS & LANDS COMMITTEE REPORT #5626 Members of Council: We have considered the matter of T 94-2006, an ordinance to re-zone 34977 Center Ridge Road from R-1 to B-3 and owned by Richard L. And Allene M. Hebebrand and recommend that this request be approved and T 94-2006 be adopted by Council.

Signed: Chairperson Jaenke and Members Olesen and Manning.

moved by Buescher, seconded by Jaenke to accept Building and Lands Committee Report #5626

President Arndt: Is there any discussion?

Council Member Olesen: Mr. President. I did bring this up at the Building and Lands Meeting and I want to reiterate here for the members of Council that weren't there. What we have done here is we have designated a 1,000 foot depth parcel for commercial, which is adjacent to another 1,000 foot parcel. Keep in mind that when our commercial zoning plan was put into affect years ago, we were allowing 500 feet from the center spot in the road to have commercial zoning. This is going back 1,000 feet. It is already done on one side, so we are pretty much obligated to do it again. However, down the road, if we go further with this rezoning, the next lot is 2,500 feet deep and I think that we have to look at the depth on that in regards to rezoning in the future. We could drive a spear right into a residential neighborhood if we are not careful. I just wanted to put that point on the floor tonight.

President Arndt: Thank you, Mr. Olesen. Is there any other discussion? There being none, all

those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

3) **BUILDINGS & LANDS COMMITTEE REPORT #5627** Members of Council: We have considered the matter of T 120-2006, an ordinance to re-zone 34977 and 34953 Center Ridge Road from R-1 to B-3 and owned by The Pitts Family and recommend that this request be approved and T 120-2006 be adopted by Council.

Signed: Chairperson Jaenke and Members Olesen and Manning.

 moved by Jaenke, seconded by Manning to accept Buildings & Lands Committee Report #5627

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, just an update? This particular parcel as well as the one that was just discussed, is located across from CVS drug on Center Ridge. Our committee felt that both of those parcels should really be zoned as B-3. It just doesn't make sense that those would stay residential.

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

Yes, 7 No, 0

4) **BUILDINGS & LANDS COMMITTEE REPORT #5628** Members of Council: We have considered the matter of T 130-2006, an ordinance amending Section 1226.08, Easements and recommend that this request be approved and T 130-2006 be adopted by Council.

Signed: Chairperson Jaenke and Members Olesen and Manning.

 moved by Jaenke, seconded by Manning to accept Buildings & Lands Committee Report #5628

President Arndt: Is there any discussion?

Council Member Boose: Mr. President, just a point of clarification. At the bottom of this report, where it states recommended to be approved; shouldn't that state T 130 versus T 120?

Chief Deputy Clerk of Council Cope: Yes, that is a typo.

President Arndt: Thank you, Mr. Boose.

Council Member Buescher: Mr. President, I was wondering if Mr. Jaenke could provide a little clarification on this.

Council Member Jaenke: Mr. President, this is a recommendation from the Engineering Department where we are really clarifying the type of easements; whether the easement is for utilities or an easement for storm water or storm drainage. This just clarifies what each easement will be. This will make the interpretation from the Engineering Department a little bit better in the future.

President Arndt: Thank you. Is there any other discussion? For clarification purposes; before we vote, we have changed the wording stating, recommended that this request be approved and T 130-2006 be adopted by Council. All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

5) **BUILDINGS & LANDS COMMITTEE REPORT #5629** Members of Council: We have considered the matter of Ridgefield Subdivision No. 7 and recommend the following streets receive final acceptance as recommended by the City Engineer in a letter to Council noted at the September 5, 2006 Council Meeting:

- 1) Gatestone Road (from about midway between Cobblestone Circle and Hawks Nest Court to about 220 feet east of Pebblebrook Circle, a total distance of 983.43 feet)
- 2) Hawks Nest Court; and
- 3) Eagles Glen Court

And recommend that this request be approved and proper legislation be drawn authorizing the above.

Signed: Chairperson Jaenke and Members Olesen and Manning.

moved by Jaenke, seconded by Manning to accept Buildings & Lands Committee Report #5629

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again, just an update? These three streets that we are talking about were inspected by the City. Repairs to the streets were made by Bob Schmitt Homes and have been reinspected. At this point, the feeling is that, we should dedicate these streets. Thank you.

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

Yes, 7 No, 0

6) **BUILDINGS & LANDS COMMITTEE REPORT #5630** Members of Council: We have considered the matter of Special Development District Area designations and due to the residential nature and the impracticality of compiling a 50 acre area as shown in the Special Development District Area map adopted by Ordinance No. 3994-2006, it is recommended that Council eliminate the C designation and allow the area to become Special Development District designation A and recommend that this request be approved and proper legislation be drawn and Ordinance No. 3994-2004 be amended.

Signed: Chairperson Jaenke and Members Olesen and Manning.

moved by Jaenke, seconded by Manning to accept Buildings & Lands Committee Report #5630

President Arndt: Is there any discussion?

Council Member Jaenke: Mr. President, again, an update? The classification of C requires 50 acres and this particular section that we are talking about on Bagley, originally included the property that was purchased by Oster Homes. Oster Homes is now building on the major portion of the designation C category. What is left is the strip from where a house is next to where the old deck hockey was up to Lorain Road. The feeling is that we still want to have control over what goes into that particular parcel and designation A then says that for property that is ten acres or more that the Special Development District would qualify. So we are really cleaning up a situation where the C classification really doesn't apply anymore because there are houses being built on a major portion of that parcel. Whereas with the designation A versus B-3, we really have more control over what we have going in there in the future. So it is an advantage to the City to classify that as A rather than B-3.

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

Yes, 7 No, 0

President Arndt: We will now move to Correspondence and unless there is a surprise, there are three pieces.

Chief Deputy Clerk of Council Cope: That is correct.

President Arndt: If you would be kind enough to read those please.

CORRESPONDENCE:

Chief Deputy Clerk of Council Cope:

- 1) Received emails from Gail Minnick regarding Council's review of the Police Support Car Program.
- 2) Received a response from Mayor Gillock to Gail Minnick explaining steps taken and changes made to the Police Support Car Program effectively discontinuing the program.
- 3) Received a memo from Mayor Gillock submitting job descriptions for the position of Economic Development Director put together by the Community Development Advisory Committee

President Arndt: THE CHAIR REFERS THIS TO THE ADMINISTRATIVE COMMITTEE.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: We now come to our Audience Participation, or lobby section of our meeting and any member of our audience tonight is invited and encouraged to speak to your City Council. We simply request that you fill out the lobby form that you can find in the back of the room because it gives us the opportunity to contact you personally should there be a need to do so. You are now welcome and invited to approach your City Council. We ask that you come up to the microphone located immediately to the right of Mrs. Buescher. When you come forward, please clearly state your name and your address. At this point, the Lobby is now open.

- 1) Kevin Corcoran, on behalf of the Charter Review Committee, invited Council Members and residents to their informational night to be held at the North Ridgeville Library on November 2 to discuss the amendments they have put forth, which Council approved to go to the voters. The informational night will begin at 5:00 P.M. and will go until 8:00 P.M. There will be presentations throughout that time frame. He stated that the Committee would appreciate everyone attending.

President Arndt: The Chair does have a question of our Law Director. All of us on Council have received a draft of the proposed language for the legislation and I know historically, that several of us from time to time have read with great dismay and trepidation some of the language. The

question that the Chair raises is have you, as our Law Director, had the opportunity to carefully scrutinize that so that there is no question about what it is that we are voting on?

Law Director Crites: Not going into the issue of what exactly we could do about it if it wasn't, because that is another issue. It is rather limited. The fact of the matter is, I have had the opportunity to review it with the Administration and I am pleased to say that I think that our local Board of Elections, under the over sight and final review of our Secretary of State, have done a great job of succinctly wording the ballot provisions, in a way that, I think, correctly characterizes the issues that are being put forth to the voters this fall.

moved by Arndt, seconded by Olesen to suspend our By-Laws so that we can move into Executive Session for the purpose of discussing property acquisition

Council Member Jaenke: Mr. Chairman, point of order. I don't know if there is anyone else in the audience that may want to speak before we move on.

President Arndt: Thank you, Mr. Jaenke and for clarification sake, who else in the audience would choose to address your City Council? Thank you again, Mr. Jaenke. I am known sometimes to move a bit too quickly. It has been moved by Arndt and seconded by Mr. Olesen to suspend our By-Laws tonight to move into Executive Session. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

RECESS:

Council recessed into Executive Session to discuss the property acquisitions at 8:00 P.M.
Council resumed from Executive Session at 8:17 P.M.

ORDINANCES AND RESOLUTIONS:

- **Ordinances & Resolutions Submittals**

Clerk of Council Norris: Ordinances and resolution submittals this evening include:

T 137-2006 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 GROUTING OF THE SANITARY SEWER MAINS ON NOLL DRIVE, BEHM ROAD, AURENSEN ROAD, BAINBRIDGE ROAD AND AVON BELDEN ROAD, NOT TO EXCEED \$170,000.00.

Auditor Costin: If you deem necessary to pass this, then we would move the money out of the contingency line item onto this line item. This would be the sanitary sewer improvement fund.

Mayor Gillock: This is another part of our continuing efforts to address some of our flooding problems in the City. If you remember, we had a study completed by URS and one of the sub basins that was discussed was this one. This is grouting of sanitary sewers. However, we did

have infiltration, which caused those to back up. We did have a couple of houses with sewage in them. We need to address the INI in the sanitary sewers in that area, which is what this is.

moved by Olesen, seconded by Jaenke to suspend our By-Laws tonight to give T 137 its first reading

President Arndt: Is there any discussion?

Council Member Buescher: Mr. President, this is located within Ward 1, which is my ward. I just want to say that I appreciate that the City is going forward to take care of the ongoing problems that they have had in this area. Thank you very much.

Council Member Butkowski: Mr. Chairman, this is my neighborhood and I can tell you, positively, that there are problems on more than one street here and there are some places where it is really bad. I'm glad to see that this is happening because there are some places that you can walk by and actually smell the sewer water. They do need to be done.

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

Yes, 6 No, 0 Abstain, 1 (Butkowski)

Chief Deputy Clerk of Council Cope: Motion has been approved by a vote of six, zero, one.

T 138-2006 AN ORDINANCE APPROVING THE FINAL PLAT OF WINDSOR POINT
SUBDIVISION NO. 5 FOR RECORDING PURPOSES ONLY.

T 139-2006 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 EMERGENCY WET WEATHER BYPASS PROJECT
WHICH WILL INCLUDE CONSTRUCTION, INSTALLATION, MATERIALS
AND APPURTENANCES, AND TO NEGOTIATE AND ENTER INTO A
CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS,
SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME,
NOT TO EXCEED \$670,000.00.

moved by Boose, seconded by Olesen to suspend our By-Laws tonight to give T 139 its first reading

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, I would like to explain what this actually is for. When we get massive rains, we suffer from infiltration at the French Creek Waste Water Treatment Plant, which causes flooding. It is just rain water but, it is going into our plant and it's being treated as regular sludge. This will give us the ability in the wet weather situations to bypass the sludge settling ponds, which is the major part of the plant. The water still gets treated with chlorine, but this will allow us to avoid flooding the plant and move the rain water out of the plant.

Council Member Buescher: Mr. President, I believe that this money will come out of the French Creek fund.

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

Yes, 7 No, 0

**T 140-2006 AN ORDINANCE CREATING THE JOB POSITION OF RECYCLING
COORDINATOR AND SETTING THE COMPENSATION THEREFORE.**

moved by Mayor Gillock, seconded by Olesen to suspend our By-Laws tonight give T
140 its first reading

President Arndt: Is there any discussion?

Council Member Buescher: Mr. President, I was wondering if this should be referred to the
Finance Committee to see if we have the funds available before this is given a first reading.

Auditor Costin: Mr. Chairman, this was on the list that Council has already passed, which did go
through the Finance Committee and was appropriated already.

President Arndt: I do have a question for my own edification. On Exhibit A, it speaks to this
being working hours from 8:00 to 4:30 Monday through Friday. Is this a full time position?

Mayor Gillock: Mr. President, no, this responsibility is already being handled by our Supervisor
of the Utilities Department, Jim Whitlock. We are not speaking to the person, but to the position
on what it requires. Over a number of years, Mr. Whitlock has successfully handled our
recycling programs and has brought in over a million dollars in grants. He deals with Allied
Waste, which used to be BFI regarding our blue bag program and he has done a tremendous job
with it. However, over the years it has required more and more of his time and responsibilities
which he has assumed. It is really not part of the Utilities Supervisor's job description. We need
to recognize these responsibilities as we do with our Safety Coordinator, our Fair Housing
Coordinator, our American Disabilities position. These are responsibilities that get added on and
we need to address these. As I said, we are addressing the position, but I do want to point out
that Jim has done a tremendous job with this. Our recycling program is recognized within the
County as probably one of the best there is. He has brought in over a million dollars in grants
and this is approximately 5,000 dollars a year.

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, 7 No, 0

President Arndt: That concludes our ordinances and resolution submittals. Miss Cope, if you will
begin our first readings with T 132.

• First Readings

**T 132-2006 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4318-2006 RIDGEVILLE, OHIO, TO ENTER INTO VARIOUS AGREEMENTS WITH
THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT.**

First Reading

moved by Mayor Gillock, seconded by Olesen to dispense with the second and
third readings tonight on T 132

President Arndt: Is there any discussion?

Mayor Gillock: Mr. President, this is an example of some of the things we were just talking
about. This ordinance authorizes us to enter into an agreement with the Lorain County Solid

Waste Management District. Part of that is our recycling and composting grant program, which is a lot of paperwork that the Recycling Coordinator has to handle. Most of you know, as part of our Recycling Awareness Education Program, Jim goes out weekly and finds a house that has blue bags sitting out. If they are recycling, using those blue bags, they win a 50 dollar certificate to one of our businesses. There is also a monthly winner and a grand prize winner. That is all part of the program that he heads up. Also, the 2007 full grant agreement with the recycling district is part of this.

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

Yes, 7 No, 0

 moved by Olesen, seconded by Jaenke to adopt tonight T 132

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

Yes, 7 No, 0

Chief Deputy Clerk of Council Cope: T 132-2006 has been adopted by a vote of seven to zero and becomes permanent ordinance number 4318-2006.

 Permanent Ordinance No. 4318-2006

T 137-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4319-2006 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
 MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
 BIDDER FOR THE GROUTING OF THE SANITARY SEWER MAINS ON
 NOLL DRIVE, BEHM ROAD, AURENSEN ROAD, BAINBRIDGE ROAD
 AND AVON BELDEN ROAD, NOT TO EXCEED \$170,000.00.

 First Reading

 moved by Olesen, seconded by Jaenke to dispense with the second and third
 readings tonight on T 137

President Arndt: Is there any discussion?

Council Member Butkowski: Mr. Chairman, please call the roll on this.

President Arndt: Hearing no discussion, will the Clerk please take roll.

Yes, 6 No, 0 Abstain, 1 (Butkowski)

Chief Deputy Clerk of Council Cope: The second and third readings on T 137 have been dispensed with by a vote of six, zero, one.

 moved by Olesen, seconded by Jaenke to adopt tonight T 137

President Arndt: Is there any discussion? There being none, will the Clerk please take roll.

Yes, 6 No, 0 Abstain, 1 (Butkowski)

Chief Deputy Clerk of Council Cope: T 137 has been adopted by a vote of six, zero, one and becomes permanent ordinance number 4319-2006.

 Permanent Ordinance No. 4319-2006

T 139-2006 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4320-2006 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
 MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST

BIDDER FOR THE EMERGENCY WET WEATHER BYPASS PROJECT WHICH WILL INCLUDE CONSTRUCTION, INSTALLATION, MATERIALS AND APPURTENANCES, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED \$670,000.00.

First Reading

moved by Olesen, seconded by Jaenke to dispense with the second and third readings tonight on T 139

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

Yes, 7 No, 0

moved by Olesen, seconded by Jaenke to adopt tonight T 139

President Arndt: Is there any discussion?

moved by Mayor Gillock, seconded by Olesen to add the emergency

President Arndt: From my understanding, Mr. Mayor, there was no need for the emergency on T 139. Was that what I heard earlier?

Safety-Service Director Johnson: There isn't a need, but there is no reason why not if it is Council's desire.

President Arndt: I was under the impression that I heard differently earlier.

Council Member Buescher: Mr. President, what would be the purpose of the emergency?

Mayor Gillock: I think it is imperative that we get this addressed as soon as we can so we can start handling this water that is currently flooding our Plant, ruining our pumps and jeopardizing our insurance. For the health and welfare, we should get this done as soon as we can.

President Arndt: To restate, there is a motion by Mr. Mayor, a second by Mr. Olesen to add the emergency tonight to T 139 for the reasons stated; for the health and welfare of the community and our citizens. Is there any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: Additionally, we have a motion on the floor by Mr. Olesen and a second by Mr. Jaenke to adopt tonight T 139 with the emergency. Is there any discussion? All those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Chief Deputy Clerk of Council Cope: T 139-2006 has been adopted with the emergency and becomes permanent ordinance number 4320-2006.

Permanent Ordinance No. 4320-2006

T 140-2006 AN ORDINANCE CREATING THE JOB POSITION OF RECYCLING COORDINATOR AND SETTING THE COMPENSATION THEREFORE
First Reading

President Arndt: That concludes all of our first readings. Will the Clerk begin our second readings beginning with T 126.

- **Second Readings**

- T 126-2006 AN ORDINANCE ACCEPTING 778 SQUARE FEET OF PERMANENT
PARCEL NO. 07-00-014-105-020 ON THE NORTH SIDE OF LORAIN ROAD
AND DEDICATING IT FOR PUBLIC PURPOSES.
Second Reading
- T 127-2006 AN ORDINANCE AMENDING NRCO SECTION 286.03 REIMBURSEMENT
OF TRAVEL-RELATED EXPENSES BY OMITTING SUBSECTION
286.03(e).
Second Reading
- T 128-2006 AN ORDINANCE REPEALING 4255-2006 AND CREATING CHAPTER 1056,
CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER
RUNOFF AND STORM WATER QUALITY CONTROLS AND
REGULATIONS.
Second Reading
- T 129-2006 AN ORDINANCE AMENDING CHAPTER 1474 STORM DRAINAGE
REGULATIONS AND AMENDING ORDINANCE NO. 4256-2006.
Second Reading

President Arndt: That concludes our second readings for the evening. We now move to our singular third reading. Miss Cope, if you will begin with the one and only third reading, T 63.

- **Third Readings**

- T 63-2006 AN ORDINANCE AMENDING NRCO SECTION 242.09
REVISED UPDATING BILLING RATES AND ESTABLISHING PAYMENT BY
4321-2006 INDIVIDUALS COVERED BY EITHER PUBLIC OR PRIVATE
INSURANCE.

Third Reading

moved by Buescher, seconded by Butkowski to adopt tonight T 63 Revised

President Arndt: Is there any discussion?

Council Member Olesen: I was just wondering, because this will bring in some income, should we pass this with the emergency tonight?

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

Yes, 7 No, 0

Chief Deputy Clerk of Council Cope: T 63-2006 Revised has been adopted by a vote of seven to zero and becomes permanent ordinance number 4321-2006.

Permanent Ordinance No. 4321-2006

Mayor Gillock: Mr. President, I have an item up for correction or amendment. T 126-2006, which had its second reading regarding the dedication of 778 square feet from Faith Baptist Temple, the title indicates that it is on the north side of Lorain Road. That parcel is actually on the south side of Lorain Road. I am not sure if that makes any difference. I believe the parcel number is right, but the error is in the title.

 moved by Buescher, seconded by Boose to amend tonight T 126 to read, right after the parcel number, strike out North and replace with South side of Lorain Road and dedicating it for public purposes

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

 Yes, 7 No, 0

President Arndt: We have no old business tonight and under upcoming meeting announcements, Miss Cope if you will read our next regular meeting date.

UPCOMING MEETING ANNOUNCEMENTS:

Next Regular Council Meeting Monday, October 16, 2006 at 7:30 P.M. in Council Chambers.

ADJOURN:

 moved by Butkowski to adjourn

Meeting adjourned at 8:40 P.M.

MOTION _____ Boose _____ 2ND _____ Manning _____ DATE _____ October 16, 2006 _____

YES _____ 6 _____ NO _____ 0 _____ ABSTAIN _____ 0 _____



PRESIDENT OF COUNCIL DR. RONALD F. ARNDT



CLERK OF COUNCIL CHARLES A. NORRIS