

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING OCTOBER 1, 2001**

CALL TO ORDER 7:30 P.M.

President of Council Jean Brown: I would like to call this regular meeting to order for North Ridgeville Municipal Council, October 1st, year 2001. Please stand for the Invocation and the Pledge of Allegiance.

INVOCATION by President Brown.

PLEDGE OF ALLEGIANCE by all.

ROLL CALL

Present were Council Members Larry Overby, Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski and David Gillock and President of Council Jean Brown.

Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Thomas Beutler and Clerk of Council Jim White.

Auditor Costin arrived at 7:35 P.M.

MINUTES

Regular Council Minutes of September 17, 2001

motion by Butkowski to accept, 2nd by Swindig

President Brown: Any discussion? Corrections?

Law Director Zagrans: Madame President, on the first page under roll call, the indication that I was present at the meeting should be amended to indicate that Assistant Law Director Toni Morgan was present.

Clerk of Council White: That is correct.

President Brown: Any other discussion or corrections? Please take roll.

Yes, 7 No, 0

Council Clerk White: Motion carries seven, zero.

Please note:

Board of Zoning & Building Appeals Minutes of September 13, 2001;

Civil Service Commission Minutes of September 18, 2001; and

Planning Commission Minutes of September 11, 2001.

COMMITTEE REPORTS

Clerk of Council White:

1) BUILDINGS & LANDS COMMITTEE REPORT #7096 Members of Council: We have considered the matter of T 117-2001 and recommend that this legislation be approved as revised.

Signed: Larry Overby, Dave Gillock and Allen Swindig

motion by Overby to accept, 2nd by Gillock

President Brown: Any discussion? Mrs. Minnick?

Council Member Minnick: Madame President, I would like to make the suggestion that in the future the reports be more detail. This report meant nothing to me other than it was on T 117-2001. I had to call the Clerk today, of Council today, the Assistant Clerk of Council and fortunately she had a memo from Mr. Gillock to Assistant Law Director Toni Morgan detailing the revisions to T 117-2001. So, I would really appreciate it and I'm sure other Council Members would in the future if there could be a more detail report than this. This absolutely meant nothing.

Council Member Overby: Madame President, in the future if there's any revisions they'll be attached to the committee report.

Council Member Minnick: Okay, because there was nothing here. There was nothing attached to this committee report.

Council Member Overby: I understand that but, in the future they will be there.

President Brown: Roll.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero.

2) BUILDINGS & LANDS COMMITTEE REPORT #7094 Members of Council: We have considered the matter of T 103-2001 and recommend that this request be approved as revised.

Signed: Larry Overby and Dave Gillock

motion by Overby to accept, 2nd by Gillock

President Brown: Discussion? None, take roll please.

Yes, 6 No, 1 (Swindig)

Clerk of Council White: Motion carries six to one.

3) BUILDINGS & LANDS COMMITTEE REPORT #7097 Members of Council: We have considered the matter of Russell Preferred Properties and recommend that this request be approved as per Planning Commission.

Signed: Larry Overby, Dave Gillock and Allen Swindig

motion by Overby to accept, 2nd by Gillock

President Brown: Discussion? Please take roll.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero.

4) BUILDINGS & LANDS COMMITTEE REPORT #7098 Members of Council: We have considered the matter of the request by Con-Hirz, Inc. and recommend that this request be approved as per Planning Commission and Board of Zoning and Building Appeals.

Signed: Larry Overby, Dave Gillock and Allen Swindig.

motion by Overby to accept, 2nd by Gillock

President Brown: Discussion? None, take roll please, Mr. White.

Yes, 6 No, 1 (Minnick)

.Clerk of Council White: Motion carries six to one. That's all the committee reports that I have.

MAYORS REPORT

Mayor Hill: Yes, thank you Madame President. On Sept. 26th, Governor Taft established the Interagency Task Force on Ohio Security to develop a coordinated, comprehensive state strategy to address security issues. Lieutenant Governor O'Connor will lead the efforts to strengthen preparedness at all levels of government. The Committee will provide a comprehensive report and recommendations to the Governor and the General Assembly by Oct. 19th.

The Lorain County Emergency Operations Plan was recently completed, updated and distributed to all government agencies and offices in the county. A separate annex devoted to terrorism has been written in draft form. Emergency responders, which includes our Police and Fire Departments, are giving their input prior to finalization. For the first time in Lorain County, both public and private EMS services have a document allowing both groups to be able to call each other during times of need. The County Emergency Council is adopting an updated local Mass Casualty Response Plan in conjunction with the mutual aid pact. One of the county hazardous materials response supply trailers will be converted into a mass casualty equipment supply unit. It will be housed in a central location. Soon, all government employees will receive instruction on the possibilities of weapons of mass destruction or terrorism. There will be different levels of training. A weapons of mass destruction, terrorism section is being added to existing emergency plans for schools. At the local level, we will be involved with the measures being taken at the state and county level that I have just outlined for you. Additionally, we will continue our program of installing security devices in our city offices. These measures are intended to provide greater security for people visiting city offices, people working in city offices, documents and equipment. Our water supply is already protected and we will be taking further precautionary measures which will not be discussed.

You may have seen members of our Fire Department and our Fire Chief collecting funds for the New York City Fire Department over the last two weekends. Our residents and visitors have been extremely generous. In those four days, just a little under fifty thousand dollars was collected that will be forwarded to New York City. We want to publicly thank our Fire Department for their efforts on behalf of their brothers and sisters and our residents and visitors for caring.

You may also have seen a full-page ad from the LifeShare Blood Bank thanking people for their help during the blood drive that I told you about at the last Council meeting. I have posted it in the lobby downstairs. You will see our Fire Department and members listed and highlighted.

You may have noticed the new front of the Senior Center, Parks Department. We got rid of the overgrown and ugly bushes in front and have replaced them with landscaping and perennials. We have Gary Teel, head of maintenance and Debbie Toth, Parks Department secretary to thank for making contact with Don Hoffman of Lifestyles Landscaping. Lifestyles has donated the labor and the plants, a donation of approximately two thousand four hundred dollars. I don't know how many people know it, but Lifestyles also donates plants and labor for the area around

the gazebo, and at the islands in South Central Park. We've also had donations from Mould Plantation on several occasions. We certainly appreciate them.

We have with us Michelle Hyer and three captains to accept a proclamation on behalf of the North Ridgeville Football Boosters. The Boosters promote community pride and spirit for our teams and has established Ranger Pride Week, which we fully endorse with our Proclamation. If you just want to line up, you can hold your signs and (inaudible) and Michelle, if you could come up. You organized this. I know you worked hard. Today is the beginning of Pride Week starting with decorating our yards with blue and gold, tomorrow is "Ranger Pride Day" with businesses and residents hanging spirit signs. Wednesday, Oct. 3rd is "Decorate Your Car" day, Thursday is "Decorate Your Classroom Day" and Friday is Homecoming Day. A special section will be designated at the game with some events scheduled for alumni. I am an alumnus of North Ridgeville Schools so I hope to see some old friends at Homecoming on Friday. Michelle, thank you very much for your efforts. Do us well.

I hope you have had a chance to notice the American flag made of little individual cloth flags along Center Ridge Road in the field near the All Purpose Storage units. Freedom Flag, a community project sponsored by Signature Design Group was assembled yesterday and I understand Channel 3 news was out there, by a team of 40 North Ridgeville scouts, their parents and friends. The Scouts included Boy Scout Troop 153, Girl Scout Troops 710, 810 and 253 and Cub Scout Pack 153 and leaders Bob and Michelle Daveant and Karen Kylon. Neighbors and passers by shouted, honked and waved their support as the group set 24,000, four by five inch red, white and blue marker flags into the vacant lot donated by Frank Dettore. James Gundlach of Signature Design, which is located on Liberty Parkway in North Ridgeville, conceived the project and designed it with his brother Jay. Schrauf Landscaping prepared the site. Bill Price, Jim Gundlach and Gary Horning organized the kids and adults into teams to fill the 190 feet by 111 foot outline of Old Glory. Please try to make the trip to see it, it's well worth it.

I have, in this short report, told you about donations to your City Hall, donations from our visitors and residents for the New York City Firefighters, the efforts of our Firefighters, Ranger Pride Week and the flag by the Scouts and I really think we need to keep these things in mind as we think about what we have to be proud of in our community. Those I mentioned tonight are but a few. Thank you, Madame President.

President Brown: Thank you, Mayor. Anyone have any questions of the Mayor's oral report? Mr. Gillock?

Council Member Gillock: Mayor, do we have a written disaster plan or emergency preparedness plan for our facilities.

Mayor Hill: Yes.

Council Member Gillock: I'd like a copy of that.

Mayor Hill: I'm not sure if that's open to the public, but I will check.

Council Member Gillock: Well, I'd like a copy of it . . .

Mayor Hill: Because that is a measure of security so, I will check with the Police Department and I will let you know.

Council Member Gillock: What I'm talking about, where you might put signs up by the doors and tell people how to get out of the building or what to do in a case of an emergency. I think that's something we should have. When I checked in it before, we never had it before. That's something I'd like to look into.

Mayor Hill: I'm not sure exactly what specifically you're talking about. As far as the mass evacuation in case of an emergency or are you talking about exit signs for City Hall? I don't understand.

Council Member Gillock: Well, that would be part of it but, in most public facilities, for example you would have signs by that exit door over there where to go in an event of an emergency, how to get out of the building, where the exits are for the general public that comes in here and for the employees, where to go in case of a fire. These are pretty routine emergency preparedness plans. I'm not talking about a mass evacuation. . .

Mayor Hill: Oh, I see. Those would not be public but, we will certainly look into that.

President Brown: Any other questions of the oral report? Moving on, Safety-Service Director Mr. Johnson.

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Johnson: Thank you Madame President. Ditch cleaning was performed on the ditch that runs both east and west of relocated Route 83 to Hedgerow Park Drive.

The east ditch of Forrest Park has been cleaned as well as the ditch that runs from Shawn to Highland Drive.

The Service Department is installing 60 inch pipe at the north end of Jaycox Road. This is at the homeowners' expense and will benefit all citizens.

There were two water problems in the last two weeks.

Concrete pads were poured on Joanne, Wil-Lou and Rhonda.

Aprons were repaired because of a city responsibility on Meadow Moss, Birch and Opal.

ADA compliant sidewalks were installed at Hickory Trail and Oakwood Circle, and Hickory Trail and South Mills Creek Lane.

The process of partial depth repair was performed on Tree Moss.

Catch basin work was done on Deborah.

The two access roads off Route 83 have been paved with asphalt.

Spot berming, street patching, roadside mowing, landscaping, weed whipping and brush chipping took place as manpower and time allowed and that concludes my report. Thank you.

President Brown: Thank you, Mr. Johnson. Is there any questions of the Safety-Service Director's oral report? None, moving on, Engineer's report.

ENGINEER'S REPORT

Engineer Beutler: Thank you Madame President. I'd like to report tonight that the construction of the westerly sanitary sewers from the north terminus to Center Ridge Road are nearing completion and the work south of Center Ridge Road is just beginning. The boring pits are being constructed along Race Road in the southerly portion and the remaining sewer along Race Road will continue into November.

The water tower project is on schedule for completion in the month of November.

Senior Center and City Hall Parking Lot is scheduled for completion this construction season.

The Sugar Ridge Road reconstruction phase two is scheduled for completion this construction season.

The Bainbridge Road reconstruction project is approximately 98 percent complete with punch list items being completed by the contractor and that concludes my report.

President Brown: Any questions of the Engineer's oral report.

Council Member Borocz: Yes, Madame President. Mr. Beutler, just out of curiosity, do you have a time frame for the Sugar Ridge project?

Engineer Beutler: We have not received a schedule yet from the contractor but, it will be constructed yet this fall is what the intent of that project is.

Council Member Borocz: Thank you.

President Brown: I have a question, Mr. Beutler. Why is the water tower covered with that big cloth?

Engineer Beutler: They are painting the tower itself and due to the process their sandblasting the rust that's basically formed over the seams where they've welded preparing the actual metal for the prime coat and in the process of doing that because of the sandblasting processes that are going on, they have to shield the adjoining area.

President Brown: I've never seen that before. Thank you. Auditor's report, Mr. Costin. Mr. White, please note that he is here.

Clerk of Council White: Mrs. Brown, I did when he came in.

AUDITOR'S REPORT

Auditor Costin: Madame Chairman, no report scheduled for this meeting. I do have one request of Council. Under new business is T 131-2001, resolution accepting amounts. It's similar to what we pass each year. It's required to be past. Actually, I think by today. Apologies, we don't receive this from the County Auditor very timely. In fact, I think we received it since our last meeting. I have reviewed it and it is consistent with the ordinances we passed in the past and the rates are the correct rates so, I would request that you do pass this tonight if you would be so kind so that we can meet our statutory requirement. Thank you. No other comments.

Clerk of Council White: You do want an emergency?

Auditor Costin: We don't need the emergency. I think we just need to pass the resolution.

President Brown: Thank you. Any questions of the Auditor's oral report? Moving on, Law Director's report, Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Thank you Madame President. Three matters to report to Council on, following up on my last report on September the 4th. First of all there was a request made in connection with T 121-2001 which is on for second reading this evening. The approval of the expenditure of funds for Squire, Sanders and Dempsey, I have submitted to Council Clerk White with a copy to each member of Council a copy of the detailed itemization of time and services expended as the back up for that requested bill as Council Members had asked for.

Second, I reported back on September 4th that the Ohio Supreme Court had dismissed a mandamus challenge to the Waterbury and Meadow Lakes PCD ordinances, but that counsel for the relators who had filed the action, Mr. Phillips, had asked the court for reconsideration. I'd like to report to Council that on September 26th, The Ohio Supreme Court turned Mr. Phillips request for reconsideration down. That decision is now final and concluded and the challenge has been denied.

Finally, I had reported the election protest before the Lorain County Board of Elections concerning putting all six of the proposed Charter amendments on the November 6, 2001 general election ballot. The Lorain County Board had split evenly on the question of whether to allow three of those six proposed amendments to go on the ballot and left the manner to the Ohio Secretary of State, Kenneth Blackwell. Mr. Blackwell ruled last week, upholding the City's position that all six of the proposed Charter amendments must go on the ballot for the November 6, 2001 election. As Council Members will recall, these were the product of the Charter Review Committee that was chaired by former Mayor Richard Noll. The other citizen members of that committee were Jerry Canterbury, Bill Comerford, Click Davis, Wilbur Grentzer, Tom Lavelle, Edith Lovell, and Reverend Bill Shomo. That committee makes recommendations for changes to the City Charter at least every six years. The recommendations were then submitted to you for an ordinance to put them on the ballot at the following general election. All six of these proposed amendments were unanimously recommended by the Charter Review Committee and

as I say, given the decision by Secretary of State Blackwell they will be on the ballot on election day. Briefly to review, the first one will be whether Section 2.4 of the Charter should be amended to eliminate the limitation that the Mayor may not serve more than two consecutive terms. A yes vote on that proposed amendment would eliminate those term limits and permit the Mayor to serve more than two consecutive terms if elected by the voters. A no vote on that proposed amendment would retain the current term limitations that a Mayor may not be elected to more than two consecutive terms. The second proposed amendment would be to amend Section 3.5(c) of the City Charter to provide that a vacancy in the office of President of Council must first be filled from among the remaining Council Members who have been elected at large. A yes vote would mean that the Charter would be amended to provide that a vacancy in the Council President should be elected only from those at large Council Members who have been elected. A no vote would continue the current situation where a vacancy can be filled by any remaining elected Council Member. The third proposed amendment would be the repeal of Section 4.5 of the Charter leaving the applicable provisions of the Ohio Revised Code in place with regard to non-compliance with financial certification requirements. A Yes vote would mean that Section 4.5 of our Charter would be repealed and that the recent revisions to the Ohio Revised Code pertaining to those certification requirements would apply. A no would leave the current Section 4.5 in place and continue a possible conflict between the Ohio Revised Code and our Charter. The fourth proposed amendment is whether Section 9.7 of the Charter should be repealed. A yes vote would mean that that Section, 9.7 of the Charter, would be repealed and rezoning for multiple family dwellings would follow the same procedures as other rezoning proposals. That is to say they'd be submitted to Planning Commission and Council for approval after public notice and public hearing. That would be subject to referendum and voter approval if sufficient referendum petitions were submitted. A no vote would leave the current Section 9.7 of the Charter in place which would deny rezoning for multiple family dwellings until a total of such units equal 15 percent of all dwelling units presently zoned for such use. The fifth proposed Charter amendment is whether Section 11.9 of the Charter should be amended to provide that interest earned on City monies in any fund should be added to that particular fund balance and be used for the purposes of the fund. A yes vote would clarify the language in our Charter to provide a continuation of the present practice of interest being earned in a particular fund being added to that fund. A no vote would not clarify the language to comport to the present practice and that is the reason, in fact, for the recommendation to amend it. Finally, the sixth proposed Charter amendment is whether Sections 18.5(7) and 18.6 of the Charter should be repealed in order to clarify that the position of Parks and Recreation Director falls under the supervisory authority of the office of Mayor as would any other department head. A yes vote would mean that those provisions would be repealed and that the Parks and Recreation Director would be recommended by the Mayor with the approval of City Council and would be under the supervisory authority of the Mayor. A no vote would continue the current situation where the Parks and Recreation Director is jointly recommended by the Mayor and the Parks and Recreation Commission and approved by City Council, but the Director serves at the joint pleasure of the Commission and the Mayor. As I say, all six of these proposed amendments are now going to be on the ballot per the decision of the Secretary of State. Thank you Madame

President, that concludes my report.

President Brown: Thank you Mr. Zagrans. Does anyone have any questions of the Law Director's oral report? Seeing none, moving on to other reports.

OTHER REPORTS

Parks & Recreation Commission Liaison Report:

Council Member Overby: The Commission voted at our last meeting to ask the Finance Committee and the Auditor to look into the Commission borrowing a hundred twenty-five thousand dollars with a pay back time of five years out of the Park and Rec Improvement Fund for the new concession stand and bathrooms at the Shady Drive Complex and that concludes my report?

President Brown: Does anyone have any question of Mr. Overby's oral report? Seeing none.

Senior Citizens Advisory Board Liaison Report:

President Brown: As a Senior Citizens Advisory Liaison, I am reporting that there will be a spaghetti supper again on October 19th from five to seven at the Senior Center and that a week ago Thursday, we received a check from the State of Ohio for nine thousand eight hundred and fifty dollars presented by Mr. Manning and Mr. Armbruster to be used in building maintenance at the Senior Center. Also, we would like everyone in North Ridgeville to know that when a Mayor performs a marriage ceremony and the money that they received, they have a right to put it into a certain fund. Our Mayor Hill has donated approximately ten thousand two hundred dollars to the Senior Center for all the marriages that she has performed and as an Advisory Board Member, we thank you very much for choosing us. It has helped us tremendously. But, remember that spaghetti supper October 19th. Does anyone questions regarding my report? Moving on, Planning, Mr. Gillock.

Planning Commission Liaison Report:

Council Member Gillock: Planning Commission met of September 25th and there were two items reviewed. The first one:

Applicant:	Don Nagel, D.L.N. Family Enterprise Ltd., 4274 Case Road, Avon
Owner:	Donald C. Reisdorff, 36909 Chestnut Ridge Road, Elyria 44035 Mike Hanzel, 5209 Avon Belden Road
Request:	Preliminary Plat for 20 new homes in a cluster subdivision with minimum square footage of 13,770 square feet
Location:	5209 Avon Belden Road and unaddressed parcel, in R-1 Permanent Parcel No. 07-00-019-000-242 and -243
PC Action:	Application was approved unanimously contingent upon compliance with the recommendations of the City Consulting Engineer and that sidewalks be installed along Route 83 and compliance with the Assistant Fire Chief's recommendations.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING OCTOBER 1, 2001**

Page 10

motion by Gillock to approve, 2nd by Swindig
President Brown: Any discussion? Take roll please, Mr. White.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero.

Council Member Gillock: Second application

Applicant: Forest City Land Group, Edward W. Surovi, 50 Public Square,
Suite 1050, Cleveland, 44113

Owner: Sunrise Development Company, 50 Public Square, Cleveland,
44113

Request: Final Approval for Phase II, Waterbury PCD

Location: Chestnut Ridge Road, zoning PCD
Permanent Parcel No. 07-00-036-000-003 and -004

PC Action: Application for Final Approval of Phase II, Waterbury PCD, was
approved unanimously.

motion by Gillock to approve, 2nd by Overby

President Brown: Discussion?

Council Member Butkowski: Madame President, I have seen this before from the Fire Chief and I just want to read it to make sure everybody is aware of it. He says staffing levels of the Fire Department personnel, he says, with this proposed development and the continue development within the City the issue of increasing Fire Department personnel to respond to both fire and medical emergencies will have to be addressed. I have a lot of concern. This is going to be a real problem with everyone moving in and we have to start looking at this very closely because it's going to cut down on response time. The more work they have the longer it's going to take them to respond.

President Brown: Any other discussion? Mr. Gillock?

Council Member Gillock: I think that is a valid concern, but whether it's a planned community development or R-1 or cluster, that area is going to be developed and that is something we need to keep in mind and look at and address as we go along as that, possibly more fire houses or more staffing at some point in the future.

President Brown: Any other discussion? Take the roll please.

Yes, 6 No, 1 (Minnick)

Clerk of Council White: Motion carries six to one.

OLD BUSINESS None

NEW BUSINESS

Clerk of Council White:

T 131-2001 Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and approving the alternative method, formula and allocation of ULGF and ULGRAF and certifying them to the County Auditor.

motion by Swindig to suspend Council By-Laws to give this a first reading tonight, 2nd by Butkowski

President Brown: Any discussion? Please take roll.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero for T 131-2001 to have first reading tonight.

T 132-2001 A resolution to approve the expenditure of funds.

T 133-2001 An ordinance authorizing the Mayor of the City of North Ridgeville to turn in tractors to the State Co-Op every 300 hours to be replaced by newer tractors.

motion by Swindig to suspend Council By-Laws to give this a first reading tonight, 2nd by Overby

President Brown: Discussion? Mr. Gillock?

Council Member Gillock: I just have a question. Three hundred hours doesn't seem like very many hours on a tractor. Do we get a trade-in value for these or, how does this work?

President Brown: Mr. Johnson, can you answer that for us?

Safety-Service Director Johnson: Yes. Mr. Gillock, with the trade-in of the tractors, we had the tractors for 300 hours. At the end of 300 hours we turn them back in. There are leased for this period of time. We have a turn over rate when we reach the 300 hours at eight hundred dollars. We are at 289 last week on the tractor we had to trade-in.

Council Member Gillock: We lease them for 300 hours?

Safety-Service Director Johnson: Yes we do. The tires and the buckets stay with us. The tractor goes back. We get a new tractor and put our tires and buckets on it.

Council Member Gillock: Thank you.

Council Member Butkowski: Madame President, I would just like to know how long does a tractor last for 300 hours? About how long can we keep it for that?

Safety-Service Director Johnson: Prior to this year, in the Parks and Rec Department, we would go a complete year. In May we got this tractor. As you can see with the area of the Parks and Rec, the way they have progressed, we are using the tractors quite a bit and the 300 hours has been since May.

Council Member Butkowski: Thank you.

President Brown: Take the roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero for T 133-2001 to have first reading tonight. That's all the new business that I have.

CORRESPONDENCE

Clerk of Council White: I have three pieces of correspondence.

- 1) Received a letter from Teresa McCoy, Citizens for LCCC, requesting the City of North Ridgeville to consider sponsoring a resolution in support of Issue 1.

2) Received information from the Ohio Municipal League in regard to the OML Annual Conference to be held in Toledo, October 10, 11 and 12.

3) Received a letter from Lorain County Prosecuting Attorney Gregory A. White enclosing the Board of Commissioners of Lorain County resolution to increase the per diem incarceration fee for municipal ordinance inmates from \$55.00 to \$65.00 per day effective January 1, 2002 and submitting a first amended Lorain County Municipal Ordinance Contract. This contract must be executed no later than December 15, 2001.

President Brown: Refer it to the Finance Committee.

REFERRED TO FINANCE COMMITTEE.

Clerk of Council White: That's all the correspondence that I have.

LOBBY

President Brown: At this time we will go into Lobby. I will allow you two minutes to speak. After you give your name and address, I will start the timer. Anyone wishing to speak?

1) Dick Brent of 8659 Harris Drive asked if a new traffic survey was to be done after Bainbridge Road was completed. Asked that something be done on Root Road by Lorain. Spoke about the traffic and need for a turning signal.

2) Joe Antush of 38500 Otten Road responded to Mr. Lavelle's comments made at the last Council meeting. Spoke about the right to vote as one of our basic rights under the democratic form of government. Stated that North Ridgeville citizens and Mr. Phillips should be applauded for their efforts.

3) Chris Rangus of 9132 Reed Road questioned the City Engineer in regard to Bainbridge Road penalties and late fees. Asked what was charged to the contractor and what penalties were levied against him for being as late as he was.

Engineer Beutler: I really couldn't tell you that. I'd have to look into that and report back.

Mr. Rangus: Were they every assessed?

Engineer Beutler: I don't know. I'd have to look it up.

Mr. Rangus further stated that he would just like to make sure we get our monies back for what we put up with.

President Brown: Anyone else wishing to speak? I would like to call a recess until quarter after eight. It is now ten minutes after.

Mayor Hill: Madame President, just a couple of remarks. I want to respond to Mr. Brent asking about the traffic survey once Bainbridge Road was reopened. What there was a traffic survey for 83 and 20 to see what we needed to do with the lights and whether we needed the turn signals

back which the federal government, during their re-doing of the lights, had taken out. Actually, we're waiting to see if we get a grant for that, for that intersection traffic study and that's what that was. Now, as soon as we hear then will know whether we have to pay for it or we have found a grant.

President Brown: That's going to be at 20 and 83.

Mayor Hill: Yes.

President Brown: That's not Root.

Mayor Hill: No and it's not the whole City. Root and Lorain Road, I know, I sat through, not three Mr. Brent, I sat through and I was complaining to Mr. Johnson today, on Friday afternoon trying to go to my parents house, I probably sat through eight lights on Root Road and I was getting a little heated. What we are actually looking at and we're trying to formulate a plan to put in, not turning signals, but turn lanes at some of the worst intersections. Okay, that's one. Number two, in response to Mr. Antush's remarks, I think if you listen to carefully to what Mr. Lavelle was talking about, he was talking about a remark made to a reporter by Mr. Phillips on the afternoon of September 11th, the horrible tragedy, in which he likened the City of North Ridgeville's government as the same as flying a plane into a building. That's upsetting. Number three, Chris, you're asking about the penalties, we'll see if anything was assessed by the former Engineer, but I'm not sure that it reached the stage that they were actually fined because we don't establish the penalties, the State does. So, we'll try to look into that and find an answer. But, it's a good question. Thank you.

Council Member Minnick: Madame President, I believe the terminology was, assault on democracy, in the Sun newspaper. Thank you.

Council Member Gillock: Madame President, last year I know Council did appropriate, I believe it was five thousand dollars, for a traffic study at 83 and 20 and I do appreciate trying to get grant money to pay for that, anytime we can do that, but I kind of remember with Mr. Brent a discussion about doing a traffic study for the whole City. I'd like to revisit that and see if we did do something. I know we talked about it, about doing a traffic study through the whole City. So, you might want to look at that again. Thank you.

President Brown: Mayor, you have an answer?

Mayor Hill: Yes. No, actually what we talked about was a traffic study of the west side and that was mostly completed and as the developments come in that's when we do it. We did not discuss a traffic study, that I'm aware of, of the entire City. It was for specifically for Bainbridge Road opening and studying the intersection of 83 and 20 because the traffic was uneven because there was not traffic on Bainbridge in a consistent pattern.

President Brown: Anyone else? Council? Okay, now we'll have recess until 20 after eight.

RECESS from 8:15 P.M. to 8:20 P.M.

FIRST READINGS

Council Clerk White:

T 131-2001 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS

940-2001 DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND APPROVING THE ALTERNATIVE METHOD, FORMULA AND ALLOCATION OF ULGF AND ULGRAF AND CERTIFYING THEM TO THE COUNTY AUDITOR.

First Reading

motion by Swindig to suspend second and third reading, 2nd by Overby

President Brown: Any discussion? Take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero to suspend second and third reading.

motion by Swindig to adopt, 2nd by Overby

President Brown: We don't need the emergency?

Council Member Swindig: Mr. Costin said, no.

President Brown: Take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. T 131-2001 becomes Resolution Number 940-2001.

Permanent Resolution No. 940-2001

T 133-2001 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3729-2001 RIDGEVILLE TO TURN IN TRACTORS TO THE STATE CO-OP EVERY 300
HOURS TO BE REPLACED BY NEWER TRACTORS.

First Reading

motion by Swindig to suspend second and third readings, 2nd by Overby

President Brown: Discussion? Please take roll on the suspension.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero to suspend second and third reading for T 133-2001.

motion by Overby to adopt, 2nd by Swindig

motion by Overby to add the emergency because of the number of hours on the tractors already

President Brown: Mr. Costin?

Auditor Costin: I need to take a minute of your time. I have to apologize. I did not have a chance to look at this ordinance. It came to be because we have tractors in place already that we entered into with prior ordinances and the object was that they would be replaced annually. Now, that's how the previous ordinance on this particular tractor was drafted. As Mr. Johnson said earlier, our 300 hours occurred quicker than a year. Past experience, it was always on the first anniversary. Accordingly, with that understanding we are unsure whether or not the City autonomously had the right to just do the contract and the safest thing always to do is come back with an ordinance. With that brief introduction, what I'd like to tell you, is we need to rectify some wording in here because it has nothing to do with the State Co-op. The original tractor was purchased on the State Co-op list. It's the vendor of the tractor that we buy it from that's made the offer to replace it with new equipment for, whatever that dollar amount was, I believe eight

hundred dollars, so accordingly, if you could just bear with me, what I'd like to do before passage is amend this as follows: In the title it would read, an ordinance authorizing the Mayor of the City of North Ridgeville to replace certain, so we're going to eliminate, turn-in, and replace, certain tractors, and then eliminate, to the State Co-op, so it reads, to replace certain tractors every 300 hours. Then, when we go into the body, the body says, Whereas the State Co-op is offering and I think we should strike, the State Co-op and replace that with, a vendor, Whereas a vendor is offering. That would technically correct the verbiage to accomplish what I think we were intending to do and that was to be sure that this was an appropriate contract in the first place. Again, with that I apologize, but with all that's being going on with bonding and so forth, I just never had an opportunity to look at this. I would of made these corrections before they hit the floor. So, I apologize for that. I respectfully request you make those changes before adoption.

Council Member Overby: I remove my motion for the emergency and make a motion to amend as the auditor requested.

 motion by Overby to amend as the Auditor requested, 2nd by Swindig

President Brown: Is there any other discussion? Mr. Gillock?

Council Member Gillock: I guess my question is, did we lease these for 300 hours or is the vendor offering us. . .

Law Director Zagrans: Excuse me, point of order. We need to, since there's been a motion to amend and a second, we need to limit the discussion right now on the motion to amend and then return to a discussion on the ordinance as amended.

Council Member Gillock: Madame President, we still need (Tape 1, Side 1 ends).

Council Member Butkowski: Madame President?

Law Director Zagrans: Is that further amendment acceptable to the mover and the seconder.

Council Member Overby: Yes.

Council Member Swindig: Yes.

Council Member Butkowski: Madame President, State Co-op is in the main part here at the top too where it says, the tractors to the State Co-op. Do you want that changed to the vendor?

Auditor Costin: Just eliminate, to the State Co-op so it just follows. It will read as follows: An ordinance authorizing the Mayor of the City of North Ridgeville to replace certain tractors, parenthetically we have two such situations right now, to replace certain tractors every 300 hours. To be replaced by newer tractors, probably should insert a coma there. To be replaced by newer tractors and that would be the heading. What's of more significance is the first paragraph would read: Whereas, a Vendor is offering the option of turning in tractors for newer tractors at minimal cost. Council person Butkowski was alluding to a section one, the Mayor is hereby authorized to turn in tractors so, we would delete, to the State Co-op.

President Brown: Is that satisfactory for you Mr. Overby and Mr. Swindig.

Council Member Overby: Yes.

Council Member Swindig: Yes.

President Brown: Vote on the amendment.

 Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero on the amendment.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. Adoption.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. T 133-2001 becomes Ordinance 3729-2001 with emergency.

Permanent Ordinance No. 3729-2001

Clerk of Council White: That's all the first readings that I have.

SECOND READINGS

T 120-2001 A RESOLUTION ACCEPTING THE DONATION OF 0.190 ACRES OF LAND
941-2001 TO THE CITY OF NORTH RIDGEVILLE FROM THE FAMILY OF DR. LEE
HANG FU.

Second Reading

motion by Swindig to suspend third readings, 2nd by Overby

President Brown: Any discussion? Seeing none, take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero to suspend third reading.

motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion on the adoption? Take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. T 120-2001 becomes Resolution Number 941-2001.

Resolution No. 941-2001

T 121-2001 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

942-2001 Second Reading

Auditor Costin: Excuse me, Madame Chairman. I really had no report and comments for tonight, but maybe I should bring up another issue. These resolutions for the expenditure of funds, Council's aware of why we need to do this. In resolution form, I need to remind you that the body of this resolution, as well as the Ohio Revised Code, authorizes City Council to pay these amounts. But, it shall be within 30 days of the receipt of a certificate of fiscal officer, which certificate says that these expenditures are otherwise valid except for the technicality of the incumbrance of the purchase order the expenditure is otherwise appropriated and otherwise lawful. Now the issue comes up, the 30 days is critical and this is relatively new in the Ohio Revised Code, but I believe that this was placed in there this way so that you can move this business quickly. There's a technicality in the Revised Code, we don't have a purchase order and accordingly if the Finance Director brings it to your attention, Council says, okay let's go on. If we go beyond the 30 days then the issue becomes as this resolution or ordinance then appropriate. I don't know if the resolution would be because we're in a Charter City. I would assume the ordinance would be under home rule, but again, another gray area. Accordingly, when these items hit the floor, I would request we meet the 30 days so there's no question in the future as to the statutory language and I would like you to consider that from the time these are

introduced if there's any questions be done now. Respectfully, in the past, we've had some requests for detail and a request for detail, until it's satisfied might indicate that you have a question of passage and that's certainly acceptable, but I think what we need to do on these items in the future, so that again, we can meet the Revised Code language is to try to clear these and move on, either honor them or be done with them and I would request that we do that again due to the way the language is written.

Council Member Swindig: Madame Chairman, may I address Mr. Costin? Can we suspend third reading tonight and pass it without the emergency? Would it be sufficient?

Auditor Costin: I believe you can do that. Yes sir.

motion by Swindig to suspend third readings, 2nd by Borocz

President Brown: Is there any discussion? Mrs. Minnick?

Council Member Minnick: Mr. Costin, did you say there was no purchase order written for this?

Auditor Costin: Correct.

Council Member Minnick: And this bill is for twenty-one thousand dollars?

Auditor Costin: It's probably a couple of bills. Now, can I explain through the Chair what this is? This is related to our French Creek Treatment Plant and we have contracts for...

Law Director Zagrans: Mr. Costin, Madame Chairman, excuse me, point of order. Mr. Costin I thought perhaps you were focusing on the wrong one. You're focusing on T 132-2001 and this is T 121-2001.

Auditor Costin: I'm using this as an example of the language because I don't have the other one in front of me.

Law Director Zagrans: Right, this one relates to the two Squire, Sanders and Dempsey bills.

Auditor Costin: The matter before us, it's on it's second reading. That would be 121, we're focusing on 121. I was using the language of 132 as an example because these are standard language, I apologize. Thank you. The Squire's bill was for various litigation that you alluded to earlier. We are waiting for detail. But, once again, the point I'm trying to make is from the time these hit new business, that represents the Auditor's, what's the verbiage that they use, the certification that the expenditure was and is properly appropriated and otherwise lawful and that starts our 30 days running under the Revised Code. Thank you for...

Law Director Zagrans: Madame President, regardless of whether it's T 121-2001 or T 132-2001

Mr. Costin's point is still a good one and is still applicable. When it hits, if Mr. Costin is comfortable with this timing, when it hits new business as he said, that seems to be under the Revised Ohio Revised Code, the recent revisions, the beginning of the clock on the 30 days. So, this is new to all of us, but I think Mr. Costin's point is well taken.

Council Member Minnick: So, we do not have a purchase order for T 121.

Auditor Costin: That's correct.

Council Member Minnick: Was there any prior approval at all? I don't remember any prior approval on this. This is twenty-one thousand dollars and just tonight we received this itemized statement with everything blanked out. When are we going to start following proper procedure?

Law Director Zagrans: There was nothing improper whatsoever about the procedure that was followed. There was no requirement for prior approval so long as Council provides approval and not everything is blacked out. What is redacted from the detail description that Mr. Gillock had

requested that I obtain are the attorney-client privilege details that should not be made public because of the attorney-client privilege nature of the litigation services that they were rendering. So, what you have on the detail that Mr. Gillock requested that I obtain are the actual services on the dates they were rendered, the amount of time that was expended rendering them and the only thing that is redacted are the specifics of what each task pertain to so long as that was in the nature of an attorney-client privileged communication from the law firm to us as the client.

Council Member Minnick: Madame President, Mr. Costin, do we not need approval for anything over fifteen thousand dollars? This bill is twenty-one thousand dollars.

Auditor Costin: The answer to your question is correct, but I believe this twenty-one thousand is more than one bill. They were just accumulated in this resolution for simplicity. But, correct our Charter requires that for expenditures of fifteen thousand or more, it requires Council manic action.

Law Director Zagrans: Madame President, as a matter of fact, one of the bills was for fourteen thousand five hundred dollars, the other bill was for six thousand five hundred dollars and that's how it totals the twenty-one thousand.

Council Member Gillock: Madame President, the reason these have came up and why I question them, it's my understanding that purchase orders were not obtained for these, which is the proper course of action, these do not exceed fifteen thousand dollars so they don't necessarily need Council's prior approval. But, still expenditures in the City, to my understanding when it's appropriate, still need purchase orders. When a purchase order is not executed, then it comes to Council for approval in the form of this resolution. Now, in discussions I had, it is my understanding that we are not legally obligated to pay this bill. However, Squire, Sanders and Dempsey does a lot of work for the City, does good work for the City, if we didn't pay them, there going to sue us for the money and common sense says, we owe them the money, they performed a service for us, so we ought to pay it. But, the point, why I've been asking about some of these is, we should be getting purchase orders, I don't believe this is the route we should routinely being followed is obtaining legal services and then billing later. In fact, the other one was over a three year period for almost a hundred thousand dollars. The services were there as shown by the documents that the Law Director has provided. It's the procedural matter that I think we need to pay a little closer attention to so we don't get in these situations again.

Council Member Minnick: I have to ask why we have an additional bill for this litigation? It says the duties of the Director of Law, he or she shall act as prosecuting attorney for the municipality in any criminal proceeding brought by the municipality, he or she shall perform all other duties now or hereafter imposed by law upon solicitors of cities unless otherwise provided by ordinance of Council and shall perform such other duties as the Council or the Mayor may require consistent with his or her office. So, why are we paying a bill for twenty-one thousand dollars when my interpretation of the Law Director's duties is to represent the City in these matters unless he has Council approval?

Law Director Zagrans: The reason that the City incurred an expense in the aggregate of twenty-one thousand dollars is because of the legal problems and objections and issues that were raised by you and by members of STAMP and by Jerry Phillips in challenging the PCD ordinances.

Council Member Minnick: Point of order. This is not answering the question.

Law Director Zagrans: Certainly is.

Council Member Minnick: No it isn't. You are insinuating that I am the cause of this when the cause of this bill is because of the frivolous emergency clause was added and you are to perform you duties.

President Brown: Mrs. Minnick, this is argumentative.

Council Member Swindig: Madame Chairman, I call for the question.

Law Director Zagrans: (inaudible)

President Brown: Oh, okay, then we'll let her argue, you can continue.

Council Member Minnick: Now, we're not looking for the reason for this, that's still in Lorain County Court. The question is, why do we have to hire outside legal assistance when clearly our Charter says that you are to represent the City unless Council approves otherwise?

Law Director Zagrans: I reported to Council at the first December 2000 Council meeting that I had retain the services and expertise of Squire, Sanders and Dempsey and Calfee, Halter and Griswald regarding the issues that we're facing us that were raised by Mr. Phillips and STAMP and yourself and those included, first, whether or not it was appropriate to pass the PCD ordinances by emergency and second, whether the ordinance 3491 of 1999 was being followed and the proper procedures were being followed. We obtained the expertise of the man who wrote the book, literally, on Ohio municipal law, Mr. Babbit of Calfee, Halter and Griswald and the most experience municipal litigation attorneys in the State of Ohio who happen to practice at Squire, Sanders and Dempsey. So, I reported that we were doing so. Not one person on Council indicated that there was a problem with that. I reported at the December 16, 2000 Council meeting that we had received legal opinions from both firms and that we had commenced a declaratory judgement action with Squire, Sanders and Dempsey acting as counsel. You know it's interesting that I have been accused of conflict of interest, that I have been accused of making legal determinations and fostering litigation so I could line my own pockets and yet when in the face of those kinds of false accusations, I seek to make sure that those kinds of things can't be contended by making sure that the City has independent, outside legal representation. Now, I'm told that I'm not doing my job because I should of been representing the City with out outside legal representation. It seems to me it can't have it both ways. It's got to be one way or the other. Well, the fact of the matter is, the City has had legal representation from all of us and I believe that is an important reason why we prevailed in the Ohio Supreme Court because we did have the advise and good counsel of the fore most experts in this area in the State of Ohio.

Council Member Minnick: Madame President.

President Brown: The question was called for. Take roll please, Mr. White.

Clerk of Council White: This is on the third reading. Overby?

Council Member Overby: Yes.

Clerk of Council White: Swindig

Council Member Swindig: Yes.

Clerk of Council White: Borocz?

Council Member Borocz: Yes.

Clerk of Council White: Minnick?

Council Member Minnick: No.

Clerk of Council White: Butkowski?

Council Member Butkowski: Yes.

Clerk of Council White: Gillock?

Council Member Gillock: What are we voting on?

Clerk of Council White: To suspend third reading.

Council Member Gillock: Yes.

Clerk of Council White: Brown

President Brown: Yes.

Yes, 6 No, 1 (Minnick)

Clerk of Council White: Motion carries six to one to suspend third reading.

motion to adopt by Overby, 2nd by Swindig

President Brown: Discussion?

Council Member Minnick: Madame President, I still say that we needed Council approval for this. That Mr. Zagrans just saying on Council floor that he was considering or going to do this, it still needed Council approval and a work order and that was not done.

President Brown: Any other discussion?

Mayor Hill: Madame President, just to answer the question about no purchase order and Mr. Gillock stated something to the effect that the process is not routinely being followed, you would have to see how many purchase orders go through that office, our offices, every single day and yeah, once in a while we do miss one and not write up a purchase order and then Council is informed and it comes before Council.

President Brown: Take roll please.

Yes, 6 No, 1 (Minnick)

Clerk of Council White: Motion carries six, one. T 121-2001 becomes Resolution Number 942-2001.

Permanent Resolution No. 942-2001

T 122-2001 AN ORDINANCE APPROVING FINAL PLAN OF PHASE II OF MEADOW LAKES PCD, INCLUDING ACCEPTING THE PLAT OF MEADOW LAKES PCD PHASE II FOR FINAL APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

T 123-2001 AN ORDINANCE APPROVING FINAL PLAN OF PHASE III OF MEADOW LAKES PCD, INCLUDING ACCEPTING THE PLAT OF MEADOW LAKES PCD PHASE III FOR FINAL APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

T 130-2001 AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS
3730-2001 OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE
PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH

PARCELS, REQUIRING THE OWNER OF THE IMPROVEMENTS THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, AUTHORIZING AGREEMENTS WITH SUCH OWNERS, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, APPROVING AN AMENDMENT TO THE REVENUE SHARING AGREEMENT WITH NORTH RIDGEVILLE CITY SCHOOL DISTRICT TO APPLY TO TAX INCREMENT FINANCING AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43.

Second Reading

Council Member Swindig: Madame Chairman, I have a blank on page three that I would like to fill in. In section four, the blank, where it says, this Council hereby establishes, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Lear Nagle Road Public Improvement Tax Increment Fund and I would like to insert that into the blank in the form of a motion.

motion by Swindig to amend by inserting in the bank in section four the words, Lear Nagle Road, 2nd by Overby

President Brown: Discussion? If not, take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero.

motion by Swindig to suspend By-Laws to give this it's third reading tonight, 2nd by Overby

President Brown: Discussion? Take roll please.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero to suspend third reading.

motion by Swindig to adopt, 2nd by Overby

President Brown: Discussion? Take roll please.

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

Clerk of Council White: Motion carries six, zero, one. T 130-2001 becomes Ordinance Number 3730-2001.

Permanent Ordinance No. 3720-2001.

Clerk of Council White: That's all the second readings that I have.

THIRD READINGS

T 104-2001 AN ORDINANCE OF THE CITY OF NORTH RIDGEVILLE, LORAIN
3731-2001 COUNTY, OHIO, PROHIBITING THE USE OF SPECIAL ENGINE BRAKES
ON ANY MOTOR VEHICLE OPERATED WITHIN THE CITY OF NORTH
RIDGEVILLE.

Third Reading

motion by Overby to adopt, 2nd by Swindig

motion by Overby to amend, 2nd by Swindig, add in section one at the end,
emergency vehicles, at the request of the Fire Chief

Council Member Gillock: Read it how you want it. What do you want to add on the end there?

Council Member Overby: Emergency vehicles.

Council Member Gillock: Instead of emergency situations?

Council Member Overby: No, he wanted the emergency vehicles added to the emergency situation.

Clerk of Council White: Emergency situation and emergency vehicles.

Council Member Overby: Correct.

President Brown: Discussion? Please take roll.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero on the amendment. Now, on the adoption.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. T 104-2001, as amended, becomes Ordinance Number 3731-2001.

Permanent Ordinance No. 3731-2001

T 119-2001 AN ORDINANCE REGULATING UTILITY SERVICE PROVIDERS AND
3732-2001 CABLE OPERATORS WHO EXCAVATE ON PUBLIC LAND AND SETTING
FEES, INCLUDING FRANCHISE FEES.

Third Reading

motion by Gillock to adopt, 2nd by Borocz

President Brown: Any discussion? Seeing none, please take roll.

Yes, 7 No, 0

Clerk of Council White: Motion carries seven, zero. T 119-2001 becomes Ordinance Number 3732-2001.

Clerk of Council White: That's all of the third readings that I have.

UNFINISHED BUSINESS None

COMMITTEE MEETING ANNOUNCEMENTS

Council Clerk White:

There will be a Public Hearing Monday, October 15, 2001 at 7:00 P.M. on Meadow Lakes PCD Phase II final plan which is T 122-2001.

There will be a Public Hearing Monday, October 15, 2001 at 7:15 P.M. on Meadow Lakes PCD Phase III final plan which is T 123-2001.

The next Regular Council meeting will be Monday, October 15, 2001 at 7:30 P.M.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
REGULAR MEETING OCTOBER 1, 2001**

Page 24

Clerk of Council White: That's all the committee meeting announcements that I have.

ADJOURNMENT

motion to adjourn by Swindig 2nd by Overby
President Brown: Meeting adjourned.

Meeting adjourned at 9:57 P.M.

MOTION Butkowski 2ND Borocz VOTE October 15, 2001

YES 7 NO 0 ABSTAIN 0



PRESIDENT OF COUNCIL



CLERK OF COUNCIL