

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING SEPTEMBER 19, 2011**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Monday, September 19, 2011 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, President Pro-Tem Roseanne Johnson and President Kevin Corcoran.

Absent was Council Member Bernadine Butkowski.

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

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Public Hearing minutes of September 6, 2011 regarding T 68-2011 amending N.R.C.O. § 1240.01. Are there any comments or corrections to that? If there are no objections, then we will approve those minutes and seeing none, those minutes are approved.

President Corcoran: You also have before you the Council minutes of the regular meeting held September 6, 2011. Are there any comments or objections to approve those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Planning Commission minutes of September 13, 2011 and Workers Comp Safety Committee minutes of August 25, 2011.

LOBBY:

President Corcoran: That brings us to the Lobby session of our meeting. If there is anybody who wishes to address Council, now is your time. You have three minutes to speak on the topic of your choice. Please limit it to city business. Is there anybody who wishes to address Council this evening? All right, thanks for coming. We will move on to the Administrator's reports, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President, on September 8th, we held two open houses at French Creek Wastewater Treatment Plant to explain the new anaerobic digester project. Mayor Hunter, some City Council members of Sheffield Village and zoning officials attended, as well as a few local residents. No significant objections were noted and we hope to proceed with the project as soon as we receive the permit to install from the Ohio EPA.

This Wednesday, City officials will travel to Akron, Ohio to make a presentation to the TRAC (Transportation Review Advisory) Committee regarding the widening of Center Ridge Road and I just received an email not too long ago from a resident that was wondering what was happening on Center Ridge Road, because it seems like nothing is being done. This is an opportune time for me to take a few moments to run through slides that we are going to be using for that presentation. There is only about ten of them. We will do this very quickly, but it will give you an overview of where we are at. Obviously, it is the Center Ridge Road Widening Improvement Program and the area under consideration basically goes from Stoney Ridge to Lear Nagle and what we are talking about doing is widening it from the existing three lanes to five lanes with a sidewalk on the north side and a multi-purpose path on the south side. The reason we need to do this is, as most of you know, we have a lot of congestion up there and there are safety issues with access in and out of businesses. We also have pedestrian and bike safety issues and as we continue to grow it is going to get worse and worse. These are just some pictures showing some of the congestion. It does note that if nothing is done or if nothing is built, within a few years, five of the ten intersections will function at the level of service known as "F", which is as bad as you can get and three others will operate at a level of service known as "E". This describes it when it is built out, but that is the direction we are going, if we don't do something to improve that street. Safety is an issue with 318 total accidents in that area between the years 2007 and 2009. Most accidents occurred during the daylight on dry pavement and moving straight ahead. That all points to congestion problems. There are no other issues really entering into it. It is congestion. Pedestrian and bike safety - 58 percent of the project links the safety issue to the fact that there are no sidewalks and no bike paths. We will do that and that will help to provide safe routes to schools. As most of you know, our population has been growing. In 1990 we were at 21,500 and over a ten year period to 2000, we grew to slightly over 22,000. The growth was less than 1,000. Over the last decade, we grew almost over 7,000. We are at 32 percent growth and we continue in that direction. Last year we did over 243 new home starts. This year we are going to be down a little bit, but we will still be over 200. We do continue to grow. What we will do is widen the pavement from three lanes to five lanes, add curb and gutters, storm sewers, a six foot sidewalk on the north and a ten foot multi-purpose path on the south. We will realign some of the curb cuts or accesses including the realignment of the offset of Root and Ridgeview Road. We will take out some traffic signals and

synchronize the remaining ones. Where there is more than one curb cut going into a business, we'll try to combine those and eliminate some of those. We are building two access roads to remove some of the access to U.S. 20. Current status, as we started on this in 2003. In 2003, I came into office December 1 and Denny Johnson and I met with ODOT and that same month, we had a commitment of five million dollars towards the project. We have worked on it since and as you can see there was a lag time when the TRAC Committee was basically not functioning. However, the preliminary design was authorized a year and a half ago. We have completed traffic counts. We completed the accident study. These are all things that are required to be done by ODOT. We've done the subsurface exploration, utilities, and a red flag summary. We submitted reports to ODOT. We've done some environmental assessments. We continue to do the evaluation from the widening and we will be ready for discussions on preliminary engineering this December. If we get there, there will be a public meeting in January of 2012. This is the last slide and the most interesting and one that includes the budget and schedule. If you see the top horizontal line, the first step was the corridor study, which cost 190,000 dollars and the city paid that entire amount. We did that in 2005. On the next line, 2005 through this year, there was a project delay because TRAC was not funding or ranking any new projects. The next step will be the preliminary engineering. That is estimated to cost 895,000 dollars of which our portion will be 224,000 dollars and TRAC at 671,000 dollars, if they approve our application this Wednesday. If they do that, that will be done 2011 to 2012. Further down the road, we will then get into detailed design, which is estimated at this point to cost almost 2.3 million dollars. We would be responsible for 570,000 dollars of that. TRAC would be requested to contribute 1.7 million dollars. That would begin in 2012 if everything falls into place. The next big step then would be the right of way acquisition, which is estimated to cost 6.9 million dollars. We will basically split that 50/50 with TRAC. We would be required to pay 3.5 million dollars and TRAC would pick up 3.4 million dollars during the 2014 year and then finally construction. If everything was perfect; if the sky stayed blue and it doesn't rain and everything works, we could begin construction in 2016 at a total construction cost of 31,270,000 dollars. The city would be responsible for 8.2 million dollars. Of course, we would have to figure out where we are going to get that; whether it be a bond issue, street levy fund, or some kind of income tax. We would anticipate NOACA (Northeast Ohio Area Coordinating Agency) contributing eight million dollars toward the construction and TRAC kicking in 15 million dollars. If you look at the total project investment, believe it or not, this is a 41.5 million dollar project, which we have been working on for eight years and we will continue working on as it has been our number one priority to widen that. We have spent a lot of time and tax payer's dollars and we continue to try to make that a reality. I believe that is the last slide. That gives you an overview on where we are at on Center Ridge Road. Again, we will be going to a TRAC meeting Wednesday and hopefully we will get their commitment and we will continue to move forward. Thank you and that concludes my report.

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

B. Safety-Service Director:

Safety-Service Director Armbruster: Thank you, Mr. President. We continue, the Administration and the Service Garage, as well as the Engineering Department to work on drainage problems throughout the city; specifically, this evening, Councilman Jaenke and I talked about issues over on Butternut Estates, which we are still trying to resolve some issues over there. I think we will be able to resolve these issues as we work forward on the project.

Our full depth concrete sidewalk street repair continues. We are on job number six with Gregory Trucking. On September 22, at the Theresa and Pleasant intersection; the west side of southbound Pleasant will be closed. When you get to Theresa and Pleasant, please be careful as you get through that area, that is where the intersection will be taken care of in terms of full depth concrete.

Other than that, things went well while the Mayor was gone. I know he enjoyed his fishing trip. I can only say that there were days during that time he was gone, I wished he was here, but we got through it. Everybody deserves a vacation. Welcome back Mayor. That concludes my report.
President Corcoran: Thank you, Mr. Armbruster. Mr. Engineer.

C. Engineer:

Engineer Wangler: It is time to start thinking as we are getting the cooler weather and the leaves are going to be falling. I want to remind everyone to do their part to keep culverts unobstructed and catch basins free of debris so everything functions as intended.

President Corcoran: Thank you, Mr. Engineer. Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you, all that is on my agenda tonight is the Auditor's written report for August that Council has already received. I have no other comments.

President Corcoran: Thank you, Mr. Costin.

E. Other Reports:

President Corcoran: Other Reports, please note the August 2011 Fire Department Report, August 2011 Plant/Distribution System Operating Report, and the August 2011 Police Support Car Report.

COUNCIL COMMITTEE REPORTS:

President Corcoran: There are no Council Committee reports. There is some correspondence.

CORRESPONDENCE:

Clerk of Council Smith:

1) A letter dated September 1, 2011 from Avon Lake Municipal Utilities informing the City of North Ridgeville of their cost associated with the relocation of an ETL1 transmission line.

Council Member Olesen: Mr. President, can I get an explanation as to why we owe this money, in line with the fact that they still owe us some money for tap in fees.

Mayor Gillock: Mr. President, first off, tap in fees or sewer fees is a city issue. That is Avon. This information before you is Avon Lake, which is a different city. Avon Lake doesn't owe in sewer taps. ETL1 is a high pressure water line that comes from Avon Lake, through Avon down Lear Nagle Road where it is a 36 inch high pressure line. It goes through there to be used for such items as a couple of weeks ago, when we were shooting water through manhole 30 feet in the air with 150 pounds of pressure. This line turns right at Lorain, goes down to Root and it continues to go on down to Medina County. There is also another line, ETL2, which follows the Westerly sewer on the west end of town that also goes down to Medina County and those two lines do have cross connections so they are redundant. Years ago, when ETL1 was built, all the cities that wanted to buy water out of that line signed a contract and as part of that contract, we are responsible for our pro rata portion of expenses and so forth. We buy water out of that, but we pay for that line as we did with ETL2. If you remember, not too long ago, we bought an additional three million gallon capacity out of ETL2 and at that time, we had to pay for our portion of the construction costs. I don't remember the exact numbers whether it was 250,000 to 280,000 dollars that we would pay over a number of years. The Auditor may remember the exact numbers, but we pay for it over a number of years. ETL1 has been there for a number of years, which we have our pro rata responsibility to pay for maintenance, operation and repairs to that line. Due to the new intersection being built at Lear Nagle, this line would then be under 30 feet of dirt; under a ramp and covered with concrete, which is not a good situation. So, Avon Lake Municipal Utilities, which is a separate entity from Avon Lake City, just as French Creek Wastewater is separate from North Ridgeville, made the decision that they need to relocate that line. Underground Utilities was awarded the project for 1,136,725 dollars. Eighty-Five Thousand dollars of that went specifically toward Avon, which was deducted, so the ETL1 fund balance has 237,000 dollars in it. They deducted that, so that leaves them with a balance of 814,955 dollars. North Ridgeville uses 13.8 percent of the water that goes through that line. We purchase 2.5 million gallons of water a day that totals 18.1; therefore our pro rata share is 112,563.00 dollars. As you will note, in that letter, there are three options on how we can pay for that and we have to determine how we are going to pay. We are under contract and obligated to pay our pro rata share of that expense. Thank you.

President Corcoran: Thank you. Are you okay with that Mr. Olesen.

Council Member Olesen: Generally, I am, yes.

President Corcoran: All right moving on.

OLD BUSINESS:

President Corcoran: There is no old business. We are moving on to new business. First up we have a Planning Commission recommendation.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission recommendations to Council from their September 13, 2011 meeting:

APPLICANT: Stan Katanic, Pulte Homes of Ohio, LLC, 387 Medina Road, Suite 1700, Medina, OH 44256
OWNER: Pulte Homes of Ohio, LLC, 387 Medina Road, Suite 1700, Medina, OH 44256
REQUEST: Final plat approval for Cluster Development, Phase 9 in Pioneer Ridge, Waterbury PCD
LOCATION: East of Bender Road, North of Corporation Line, South and East of Pioneer Ridge Phase 8
Permanent Parcel Nos.: 07-00-036-000-002, 07-00-037-000-531, -574, -575
PC ACTION: Approved by a vote of five to zero.

It was moved by Olesen and seconded by Boose to accept the Planning Commission recommendation.

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

Yes, 6 No, 0

President Corcoran: Planning Commission recommendation is accepted. Moving on to T 87.

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 87-2011 AN ORDINANCE REPEALING ORDINANCE NO. 2104-86 ADOPTING JOB DESCRIPTIONS PREPARED BY THE CIVIL SERVICE COMMISSION.

President Corcoran: The Chair is going to refer that to the Administrative Committee. T 88.

Clerk of Council Smith:

T 88-2011 AN ORDINANCE AMENDING N.R.C.O. § 854.03 *SOLICITATION WITHOUT INVITATION ON PRIVATE PROPERTY DECLARED A NUISANCE.*

President Corcoran: The Chair will refer this to the Safety Committee. T 89.

Clerk of Council Smith:

T 89-2011 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, AMENDING RESOLUTION 1236-2011 AND APPROVING AND RATIFYING AN APPLICATION FOR A TAX INCENTIVE FOR RHENIUM ALLOYS, INC.

It was moved by Mayor Gillock and seconded by Olesen to suspend the By-Laws to give T 89 a first reading this evening.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, I would ask the Law Director to give an explanation of why we have this ordinance.

Law Director Crites: Certainly. Thank you, Mr. Mayor and thank you, Mr. President. What we are doing, if you recall, with previous passed legislation, is granting the Community Reinvestment Area (CRA) tax abatement treatment for new business known as Rhenium Alloys. Our original CRA, if you will let me use that acronym, legislation passed in 1994 also allows us to abate the increase in the value of real property that comes, not only from new construction, but also from renovation. The County Auditor's office interpreted our previous agreement and legislation to not specify that we also intended to abate the renovations, which I think was clearly intentioned, as one who participated and attended the Tax Abatement Review Board meeting, it was the clear intention of the Tax Abatement Review Board. What you have before you is a piece of legislation amending the previously authorized community reinvestment area agreement specifically by the addition of paragraph five you will see in the attachment. I am referencing the actual agreement. It would be page three of the contract, if you may; paragraph five that adds a new paragraph to specifically include in our agreement, if Council would so authorize the abatement of the increase in property that comes from the renovations or remodeling to the existing structures. The original 1994 legislation allowed that abatement to go on for 12 years. That is what we are seeking. That is what this agreement is purporting to grant the business is the full 12 years. They are receiving 15 years on the new construction, which is the maximum granted or authorized by the 1994 piece of legislation. There; finally, and just to understand the context of it, it is their intention to invest 3,000,000.00 dollars in this new business and 2,150,000.00 dollars of that was in new acquisition of the property and new construction and 850,000 dollars was for the remodeling. To the degree that the 850,000 dollars that they intend to invest causes an increase in the value of the property, which of course it will, that is what this amendment is seeking to apply the abatement to.

Council Member Olesen: I just have a question. How many employees have they brought to North Ridgeville with this?

Mayor Gillock: I believe they are bringing 75 total.

President Corcoran: Any other questions?

Council Member Boose: One of the other corrections I noted is that on the original resolution; under section one of the first page, it called it a class one community reinvestment area and actually it is a class two. So, I saw that we made that correction. Class two allows, if I am correct, a 15-year abatement on the acquisition and a 12-year abatement on the improvements.

Law Director Crites: Correct, but also class two mandates that they bring, I believe, at least 50 jobs. I am glad you noticed that because it is more applicable to what they are doing.

Council Member Boose: Which also poses the question on page two of the Exhibit 2, it talks about the fact that they were to bring five to 10 employees in 2011. Due to the delay in the project, is that still feasible?

Law Director Crites: I am not aware of the progress. Maybe the Mayor can speak to that as to where they are now.

Council Member Boose: Originally, if I can, Mr. President, the original application indicates that the project would be completed by March of this year. Since it is September, I don't want to hold them to five to 10 and then not be able to get the abatement.

Law Director Crites: If I may, Mr. President. Yes, that occurred to me as well, Mr. Boose, but I didn't feel it was the task before me or my place to make that decision. A simple way of saying it is that I wanted to let the business still try to accomplish that goal and if they don't; as we have done recently, they can come back to Council. I think we recently did that with KLC Properties and amended the legislation to move the whole abatement back a year, which is a simple fix.

Council Member Boose: Okay and then the final thing, I had three typographical errors on page one of Exhibit 2; it references Exhibit 1 as Exhibit A. It needs to be changed Exhibit 1, under the third bottom whereas.

Law Director Crites: Where are you at again?

Council Member Boose: Page one of Exhibit 2, the third bottom whereas, it says herein attached is Exhibit A. We have it marked as Exhibit 1. We should probably change that to make it match.

Law Director Crites: This can be confusing. You are on the first page of the agreement. Correct?

Council Member Boose: Correct.

Law Director Crites: The first whereas.

Council Member Boose: No, the third from the bottom whereas.

Law Director Crites: Actually, this is confusing. In the agreement that is accurate because the attachment to the agreement; the application is Exhibit A, but for the purpose of the legislation, which we have always, of course and past practice, attached the application as it is done here as Exhibit 1. So, it is Exhibit 1 for the ordinance, but Exhibit A for the contract. So, that actually is correct as it reads in that whereas.

Council Member Boose: In my Exhibit, it actually says tabbles, but that is okay. It doesn't say Exhibit, it says tabbles.

President Corcoran: I see where he is referring to.

Council Member Boose: And then finally, under page six, under item 16, there should be a space between or and local. That is all I have. Thank you.

Law Director Crites: What was that?

Council Member Boose: Item 16 on the last page. There should be a space between or and local in the first sentence. Page six, item 16.

Law Director Crites: First sentence?

Council Member Boose: Yes. Thank you.

President Corcoran: Any other questions? There was a motion on the floor by the Mayor and seconded by Mr. Olesen to give T 89 a first reading this evening. All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 89 is added to the first readings.

Law Director Crites: Mr. President, as a matter of direction. If Council was so inclined to pass it, I see no need to add the emergency to it. We are looking at a fiscal tax year and a thirty day passage would be fine.

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President Corcoran: Thank you for that.

Law Director Crites: That is why I am here.

RECESS:

It was moved by Buescher and seconded by Olesen to dispense with recess.

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

Yes, 6 No, 0

President Corcoran: Moving on now to first readings. T 80.

FIRST READING:

Clerk of Council Smith:

T 80-2011 A RESOLUTION ACCEPTING THE TOWN CENTER DISTRICT PLANNING
1241-2011 STUDY.

First Reading

It was moved by Mayor Gillock and seconded by Olesen to dispense with the
second and third readings on T 80

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, we completed this planning study kind of as an adjunct to the Master Plan. We got a grant from NOACA for 60,000 dollars. Before we can be reimbursed for that 60,000 though, we have to have this study accepted by Council and that is basically why it is in front of Council now, so that we can get paid for it and get our money back.

Council Member Johnson: I wondered if the Master Plan Committee received copies of these plans that we have.

Mayor Gillock: They are not in function any more. There is no Master Plan Committee.

Council Member Olesen: Mr. President, I want to say I was very impressed by what they put together for the city. That is a fantastic plan. Now, I will add that I think we need to do that on Lorain Road too. That should be next.

President Corcoran: Any other comments or questions? Clerk, please call the roll.

Clerk of Council Smith: (Buescher) abstain, (Boose) yes, (Jaenke) yes, (Olesen) yes,
(Johnson) yes, (Corcoran) yes.

Yes, 5 No, 0 Abstain, 1

Clerk of Council Smith: One absent and one abstention and it passed by five.

It was moved by Olesen and seconded by Boose to adopt T 80.

President Corcoran: Any comments or questions?

Council Member Boose: Mr. President, just for the record. There is nothing in here that ties the city, other than the 15,000 dollars we owe for the survey, to pay anything or to move forward on any of these projects unless funding is found and obviously appropriated?

Mayor Gillock: Mr. President, we've already paid Burgess and Niple 75,000 dollars. This just accepts the program so we can get reimbursed for what NOACA said that they would pay. There is no spending attached directly to this ordinance.

Council Member Boose: Thank you.

President Corcoran: It was moved and seconded to adopt T 80. Clerk, please call the roll.

Clerk of Council Smith: (Buescher) abstain, (Boose) yes, (Jaenke) yes, (Olesen) yes, (Johnson) yes, (Corcoran) yes.

Yes, 5 No, 0 Abstain, 1

Clerk of Council Smith: One abstention and one absentee and it passed. It becomes Resolution Number 1241-2011.

Permanent Resolution No. 1241-2011

President Corcoran: T 83.

Clerk of Council Smith:

T 83-2011 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

First Reading

President Corcoran: T 84.

Clerk of Council Smith:

T 84-2011 AN ORDINANCE ESTABLISHING REGULATIONS FOR DOMESTIC AND
4862-2011 INDUSTRIAL USERS AND WASTE HAULERS TO THE FRENCH CREEK
WASTEWATER DISTRICT.

First Reading

It was moved by Mayor Gillock and seconded by Olesen to dispense with the second and third readings on T 84

President Corcoran: Are there any comments or questions?

Mayor Gillock: This is an update of our regulations for our domestic and industrial users to haul into French Creek. It is required by the Ohio EPA and it is required by federal and state law that we implement this program. Do we need the emergency on this?

Safety-Service Director Armbruster: It would be nice.

Mayor Gillock: It would be nice, but we do have to get this adopted pretty quickly. Our permits hinge on our adoption of this ordinance. This is basically the model ordinance as put out by the Ohio EPA that we have to adopt as our rules and regulations. If you want to know more about it, you'll have to talk to French Creek, which we can arrange.

Council Member Boose: Mr. President, I would like that. I thought, perhaps, we were going to have this go to committee, because, is this a change of a current ordinance that we have or is this a whole new ordinance?

Mayor Gillock: Essentially, it is an update.

Council Member Boose: Do we know what the updated information is?

Safety-Service Director Armbruster: This is done every year. All of this information has been submitted and permitted by the Ohio EPA. It has been accepted by the EPA. If there are any changes to this document at all, it has to go through the whole process again. So, you have to meet the criteria from the wastewater treatment plant with the Ohio EPA in order to; this is the final process to finalize the PTI, (Permit To Install) and all of the things that go within this ordinance to meet the criteria with the Ohio EPA. It is not as though this is the last step to their rules and regulations to meet to allow French Creek to operate as they operate.

Mayor Gillock: This is just the rules and regulations that we are required to operate under and any pretreatment or industrial that is being hauled in or sewer septic that is being hauled in, this lays out all the guidelines and limits (inaudible) all of which are basically dictated by the Ohio EPA. We have to adopt it.

Council Member Boose: So there is nothing in this document that is specific to French Creek or our facility other than what the EPA would require anyone to have?

Safety-Service Director Armbruster: That is true, but it is specific to French Creek.

Council Member Boose: How so?

Safety-Service Director Armbruster: Because it is a wastewater treatment plant that has certain limits within its own definition. The size and all the different things, all the anaerobic digesters and all of those things that are there so, it is specific to the limits of what French Creek can handle so it is specific to French Creek.

Council Member Boose: Other than the limitations that the plant has as far as pricing, costs, fees all of that is straight from what any other similar plant in the state requires?

Mayor Gillock: That is not correct because we determine our own prices based upon what it cost us to treat the sewage. There are other regulations in here such as individual wastewater discharge permit revocation. We set the standards at the plant. We give permits to the other cities. We give permits to the waste haulers. We set the rules that they have to follow, which is specific to our plant, but it is all approved by the Ohio EPA and it would dictate how we would, for example, revoke a permit or what would qualify for revocation such as tampering with monitor equipment. It is a custom document for French Creek, but it follows the EPA guidelines as to how it is written. We then submit it to the Ohio EPA. They review it and they make suggestions and send it back and we redo it again, then we send it back and we finally get it to where they accept it and then it has to be adopted by Council. So, yes, it is specific to French Creek, but there isn't anything from the Ohio EPA that says French Creek has to do this, but the rules and regulations are specific as to how they operate.

Council Member Boose: My only comment is that it would have been nice to have this discussion in committee so that we could all know what our options may or may not have been.

Mayor Gillock: We've been working on this for months and months. We can still get Mr. Habib in but it is a very highly technical document. It is not something that you can get a whole lot out of, but if you want to refer it to Utilities, we can get Mr. Habib to meet.

President Corcoran: Do you remember when the deadline is that we have to have this accomplished by?

Safety-Service Director Armbruster: This is something that we do on a yearly basis.

Mayor Gillock: This is an update and it is a little bit different. (Inaudible) Not right off hand, I don't know what the deadline is.

Council Member Johnson: You said that we do this on a yearly basis. Are there major differences from last year to this year?

Safety-Service Director Armbruster: No.

Mayor Gillock: They are not major differences. It is just an update. We have time. They aren't going to shut our plant if we don't pass this tonight.

Council Member Johnson: I don't see anything controversial.

Safety-Service Director Armbruster: We've been working on this since last fall. We can have somebody come in or I can come in and make a presentation with regards to what it took, we would be more than happy to do that and it will be the driest conversation we will probably ever have in a committee meeting. Quite honestly, the process that this goes through with the Ohio EPA is talking with the Engineers and they look at the processes at what French Creek can or cannot do within the permitting of discharging as to how much ammonia you can have or not have and it is certainly, quite honestly, I understand it from a level not at the level of an Engineer. It is the only way that French Creek can operate and it is brought to City Council so at least you are aware of how technical it can be, but if we need to have a committee meeting, then we can do that.

Council Member Boose: Mr. President, please don't get the impression that I'm trying to question the EPA or the experts on all of this, because believe me that is not my area of expertise as well. My basic questions would be what material differences that are on this document versus the previous one and the monetary connotations within the document as far as fees and surcharges and things like that. I'm assuming that from your comments that this is something that City Engineer's, the French Creek people, the Treasurer have all looked at it and said yes, the paid daily flow of less 5,000 GPD, then 400 bucks is the right amount.

Mayor Gillock: We didn't change any fees. That would have taken a separate approval. The fees are in here on page forty-three and they are the same as what they always were in what they pay.

Council Member Boose: So, I am guessing that now is the time and there is no reason to change fees or increase fees. You are pleased with the fees? Then I have no issue. Again, it would have been nice to have a committee meeting.

President Corcoran: I didn't refer it at the time because I didn't think it was necessary.

Mayor Gillock: We would be glad to do that.

President Corcoran: It was moved by the Mayor and seconded by Olesen to suspend the By-Laws to give T 84 a first reading tonight. All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Olesen and seconded by Johnson to adopt T 84.

President Corcoran: Any comments or questions on the adoption? Clerk, please call the roll.

Clerk of Council Smith: (Buescher) yes, (Boose) yes, (Jaenke) yes, (Olesen) yes, (Johnson) yes, (Corcoran) yes.

Yes, 6 No, 0

Clerk of Council Smith: Measure passes with one absent and it becomes Ordinance Number 4862-2011.

Permanent Ordinance No. 4862-2011

President Corcoran: T 89.

Clerk of Council Smith:

T 89-2011 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH
1242-2011 RIDGEVILLE, OHIO, AMENDING RESOLUTION 1236-2011 AND
APPROVING AND RATIFYING AN APPLICATION FOR A TAX INCENTIVE
FOR RHENIUM ALLOYS, INC.

First Reading

It was moved by Olesen and seconded by Jaenke to dispense with the second and third reading on T 89.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, I have a procedure question for the Law Director. Since this is approving and ratifying an application for tax incentive, can we dispense with the second and third reading or do they have to be read?

Law Director Crites: We have no provisions in our Charter or state law that prohibits the dispensing with the readings.

President Corcoran: Any other comments or questions? All those in favor of dispensing with the second and third readings say aye. Those opposed say no.

Yes, 6 No, 0

It was moved by Olesen and seconded by Jaenke to adopt T 89.

President Corcoran: Are there any comments or questions?

Council Member Boose: Mr. President, again, it is wonderful to have a business relocate to our city and expand their services and bring their employment to our community. It is great news.

President Corcoran: Any other comments? Clerk, please call the roll.

Clerk of Council Smith: (Buescher) yes, (Boose) yes, (Jaenke) yes, (Olesen) yes,
(Johnson) yes, (Corcoran) yes.

Yes, 6 No, 0

Clerk of Council Smith: Passed with one absent and becomes Resolution Number 1242-2011.

Permanent Resolution No. 1242-2011

SECOND READINGS:

President Corcoran: There are no second readings and we will move on to third readings. T 73.

THIRD READINGS:

Clerk of Council Smith:

T 73-2011 AN ORDINANCE APPROVING THE FINAL PLAT OF STONEGATE, PHASE
4863-2011 2 IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

Third Reading

It was moved by Boose and seconded by Jaenke to adopt T 73.

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
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President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: (Buescher) yes, (Boose) yes, (Jaenke) yes, (Olesen) yes,
(Johnson) yes, (Corcoran) yes.

Yes, 6 No, 0

Clerk of Council Smith: Passed with one absent and becomes Ordinance Number 4863-2011.
Permanent Ordinance No. 4863-2011

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: Upcoming meeting announcements:

Our next regular Council meeting will be held on October 3, 2011 at 7:30 P.M., right here in
Council Chambers.

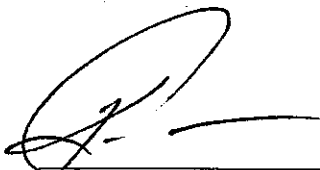
ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the city this evening, meeting is
adjourned.

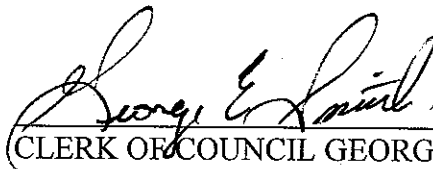
Meeting adjourned at 8:20 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on
October 3, 2011.



PRESIDENT KEVIN CORCORAN



CLERK OF COUNCIL GEORGE E. SMITH