

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING SEPTEMBER 18, 2000**

President of Council Jean Brown called the meeting to order at 7:30 P.M. with the Invocation and the Pledge to the Flag.

President Brown: Roll call please.

ROLL CALL

Present were Council Members: Larry Overby, Allen Swindig, Karen Borocz, Gail Minnick, Bernadine Butkowski and Jean Brown.

Absent was Council Member David Gillock.

Also, present were Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Stewart Lovece, Auditor Chris Costin and Clerk of Council Jim White.

Absent was Mayor Deanna Hill.

Council Clerk White: Mr. Gillock is on vacation and so is the Mayor.

President Brown: Thank you.

MINUTES

President Brown: Please note the minutes from the...

Public Hearing July 17, 2000 (2001 Budget)

 motion by Swindig to accept, 2nd by Butkowski

President Brown: Any discussion? Roll please.

 Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Public Hearing Minutes of September 5, 2000 (PCD Waterbury)

 motion by Swindig to accept, 2nd by Overby

President Brown: Discussion? None? Roll please.

 Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Public Hearing Minutes of September 5, 2000 (vacate portion of Poplar Street)

 motion by Swindig to accept, 2nd by Butkowski

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

 Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Regular Council Minutes of September 5, 2000

 motion by Butkowski to accept, 2nd by Swindig

President Brown: Any Discussion?

Council Member Minnick: Yes.

President Brown: Mrs. Minnick?

Council Member Minnick: Madame President, the tape wasn't working properly and on page 13, the sixth line down from President Brown, the text should read: "Of the remaining nine open spaces, nine percent open space, how much of that is not wet lands, retention basins or parking areas. Can anyone answer that? No? Waterbury's collector road is 100 feet wide but Meadow Lakes is 80.". The rest is okay.

President Brown: Thank you. Any other discussion?

Council Clerk White: Would you give me a copy of that please.

Council Member Minnick: Yes.

Council Clerk White: I do not take short hand or long hand, and/or. Thank you.

President Brown: Please take roll.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Special Council Minutes of September 6, 2000 (T 111-2000)

motion by Borocz to accept 2nd by Swindig

President Brown: Discussion? Seeing none, roll please.

Yes, 5 No, 0 Abstain 1, (Brown)

President Brown: I abstain, I was not at that meeting.

Council Clerk White: Motion carries five, zero, one.

Special Council Minutes of September 7, 2000 (T 111-2000)

motion by Swindig to accept 2nd by Borocz

President Brown: Discussion? Seeing none, roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

President Brown: Please note the

Board of Zoning & Building Appeals Minutes of August 24, 2000.

COMMITTEE REPORTS

President Brown: Committee Reports.

Council Clerk White: I have none.

President Brown: Okay. Mayor's Report

MAYORS REPORT

Safety Service Director Johnson: The Mayor has a report tonight and a proclamation for the Ranger Pride.

The North Ridgeville Football Boosters has, for many years, promoted community participation

in pride and spirit for our teams and enabled us to participate in RANGER PRIDE WEEK; NOW, THEREFORE, the Mayor of the City of North Ridgeville does hereby proclaim the week of September 25 as RANGER PRIDE WEEK and ask all citizens, families and supporters of our young men who make up the North Ridgeville Rangers, to participate in these very important events and give our team encouragement and show them how truly proud we are.

President Brown: Are you Mr. Wisener?

Mr. Wisener: I am.

President Brown: Okay Mr. Wisener, good to meet you. We're very proud of them. You boys keep up the good work.

Mr. Wisener: We have some noise makers for you, bumper stickers.

President Brown: Oh yes, thank you.

Mr. Wisener: Now we expect you...

President Brown: I use to have him when he was a kindergartner.

Mr. Wisener: We expect you to be at the games. We'll be able to tell.

President Brown: Thank you.

Council Member Butkowski: Thank you.

President Brown: Just want to say congratulations.

Safety Service Director Johnson: Congratulations.

President Brown: I would just like to put my two cents in and say congratulations. Also, to Mrs. Hyer who is the Team Mother who works her little butt off for the guys, I really appreciate it.

Safety Service Director Johnson: And that concludes the Mayor's report.

President Brown: Any questions of the Mayor's report? Seeing none we will go to the Safety-Service Director.

SAFETY SERVICE DIRECTOR'S REPORT

Safety-Service Director Johnson: The Service Department has spent the majority of the last two weeks preparing and paving Hickory Trail. This project is completed.

The Muirwood retention area has been cleaned and the banks will be seeded this week.

The sewer vac and roadside mowing has continued as manpower allowed.

A citizen on Westfield Drive gave the Engineering Department a drainage easement and the Service Department installed drainage pipe from the back of the lots to a new outlet by the roadside. Surrounding neighbors are now able to connect to this pipe and alleviate their wet backyards.

There were two water leaks repaired in the last two weeks.

The Service Department has upgraded the drainage pipes in the backyards of the homes between

Dana and Jaycox.

Concrete work was performed on Ronald, Denise, Hickory and West Point.
That concludes my report.

President Brown: Thank you, Mr. Johnson. Are there any questions of the Safety-Service Director's report? Seeing none, moving onto the Engineer's Report, Mr. Lovece.

ENGINEER'S REPORT

Engineer Lovece: Thank you Madam President. It looks like we're going to get grant money from the Federal Government to pave the parking lot around City Hall. I thought we'd pass that good news on. We already received grant money from last year and it looks like we'll receive more grant money to pave the parking lot this year. Total estimated grant money \$84,000.00. Now that won't cover the whole entire asphalt parking lot and entrance to City Hall. We'd have to match it with some local money but we'll come to Council later on this year with that. We plan on repaving the entire parking lot, redoing the parking stalls, making it more efficient. I wanted to pass that on because everyone worked hard to get the grant. It's better doing it in one whole project rather than piecemeal. That's why it will be something if Council approves and it can be done next year.

Next topic is the Wallace Boulevard water main reconstruction. The installation of the main is approximately 95 percent complete. Starting next week the contractor will begin abandoning the old main by transferring each of the service connections from the old main to the new main. That should continue for about three to four weeks. After that it looks like we'll pave it. Just to let everyone know the project is going well and we look forward to getting it done shortly.

Stoney Ridge Road reconstruction will commence tomorrow starting with some drainage work and then we'll pulva mix the old pavement and pave it with six inches of asphalt.

Case Road reconstruction will be out to bid by the end of this month. We'll start in October. It's quite late but it can be done. Remember, that was grant money that we got about two months ago. Before Council went on recess we got notification that we can get grant money. In fact, just today I got the contract from the Ohio Public Works Commission. We're just about done with the engineering and, weather permitting, we'll get it done this year. That's 8300 feet of Case Road from Center Ridge all the way to Burns. Nice project.

Last but not least is the Bainbridge Road reconstruction. They started on the next phase and I just wanted to say, to keep the public informed, we're doing everything we can do to accelerate the project. We just got approval from the State to split one of the phases up. What's that going to do? I'll tell you. Right now the contractor is working on paving the right side of Bainbridge Road from Root Road to Wil-Lou. After that phase is done, after it is opened to two-way traffic, then they can start the bridge replacement while another crew continues on the paving from Wil-

Lou to Chestnut. Once again, we're moving different activities up, running then concurrently as much as possible. The bridge thing, the bridge is the big thing, but also the asphalt is a big thing because typically the asphalt plants close the end of November while the bridge can still continue after that. We're hopeful that we'll get it done in December. That's all I have this evening.

President Brown: Mr. Lovece, thank you. Are there any questions of the Engineer's Report? Seeing none, moving onto the Auditor's Report, Mr. Costin.

AUDITOR'S REPORT

Auditor Costin: Madam Chairman, two items of business, the first of which is the August 31, 2000 monthly report which Council should have already received.

Auditor's Written Report for August 2000

motion to accept by Swindig, 2nd by Borocz

President Brown: Any discussion regarding the written report? Roll please on that.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Auditor Costin: The second item of business is a comment and a request. You may remember that at the last meeting I indicated that we would have note legislation for issuance of bond anticipation notes at this meeting. If you'll notice under New Business, T 114 through T 120 represents those pieces of legislation. I would request that they be passed tonight with the emergency and would remind you that these are all renewal notes. They are note rollovers. I would request that these be passed with the emergency so that we can issue the new notes to repay the notes that are expiring in a couple of weeks. That concludes my report.

President Brown: Okay. Any questions of the Auditor's report? Seeing none, moving onto the Law Director's Report, Mr. Zagrans.

LAW DIRECTOR'S REPORT

Law Director Zagrans: Early this afternoon I received a letter from Gerald Phillips, the attorney for the STAMP group, complaining that the City did not appropriately respond to a public records request that he had submitted a number of weeks ago to the City and that the City responded to a number of weeks ago. I intend to investigate the matter tomorrow and send Mr. Phillips a written response the day after tomorrow either explaining to him why the City's response was appropriate under the Ohio Public Records Law, if that is what I find to be the case, or if I find that he is correct, that there are requested records that should have been produced to him, I will provide those records to him at that time. That concludes my report.

President Brown: That you Mr. Zagrans. Any questions of the Law Director's Report? Seeing none, moving on. I would like to bring to your attention other reports.

OTHER REPORTS

President Brown: Please note:

Mayor's Court Operating Trust Fund/Bail Trust Fund Report for August 2000;

Building Department Report for July 2000;

Fire Department Report for August 2000;

Water System Distribution Report for August 2000.

Parks and Recreation Commission Liaison Report:

President Brown: Do you have anything to report Mr. Overby?

Council Member Overby: No report.

President Brown: No report. Thank you.

Planning Commission Liaison Report:

President Brown: Planning Commission Liaison is on vacation so I guess we won't have a report on that.

Council Clerk White: The report is printed.

President Brown: Yes.

Council Clerk White: Do we want to go through it?

President Brown: Yes, we do.

Planning Commission Report to Council from Regular Meeting held September 12, 2000:

Applicant: Ridgefield Homes, Inc., Joseph Molnar, 8501 Woodbridge Court

Owner: Same

Request: Final Approval of Ridgefield Subdivision No. 6

Location: Part of Permanent Parcel No. 07-00-012-102-117

The Ridgefield Subdivision No. 6 application was approved unanimously and same is recommended to Council.

motion to accept by Swindig, 2nd by Overby

President Brown: Any discussion? Take roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Applicant: SprintCom, Inc., April Elliot, 9801 West Higgins Road, Rosemont, Illinois, 60018.

Owner: Dobie Pallets, Larry Moyes, 35544 Lorain Road, North Ridgeville.

Request: Permission to construct a 145 foot monopole in order to install an antenna for telecommunications purposes.

Location: 35544 Lorain Road in an I-2 (Light Industrial) zoning district.

Permanent Parcel No. 07-00-024-101-101.

The SprintCom, Inc. application was approved.

motion to accept by Swindig, 2nd by Butkowski

President Brown: Discussion? Seeing none, take roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

Applicant: Pine Ridge Estates LLC, Matt Rosner, 5309 Transportation Blvd., Garfield Heights, Ohio 44125.
Owners: Helen Barnard, 45380 Telegraph Road, Elyria; Mary Joan Junglas, 4901 Case Road, North Ridgeville; Elenore Sowders, 9160 Leavitt Road, Elyria; Sally Defibaugh, 8885 Bender Road, North Ridgeville.
Request: Final approval for Kingston Place Subdivision No. 1.
Location: Approximately 49 acres located on the east side of Case Road bordering the City of Avon in a PCD (Planned Community Development) zoning district. Permanent Parcels No. 07-00-031-000-001, 002, 003; No. 07-00-042-000-001, 002, 003, 004; No. 07-00-043-000-012.

Kingston Place PCD Phase 1 final plans were approved unanimously contingent upon City Engineer's approval.

motion to accept by Swindig contingent to the Engineer's approval, 2nd by Overby

President Brown: Discussion? Mrs. Minnick.

Council Member Minnick: In reviewing the City Planner's report for Kingston Place PCD and the Planning Commission's report to Council of their September 12 meeting, I don't see where the following items were addressed:

1. The developer has eliminated one recreation area from the original submission and the remaining primary active recreation facility area of 4.5 acres is not designated in the Phasing element map. Planning Commission should have clarified at what stage of development this active recreation area will be completed as suggested by PKG.
2. PKG suggested that the retained and impacted wetland areas be clearly designated as to acreage on the Site Plan at each phase's final approval.
3. PKG expressed concern as to whether the guest parking locations proposed on the site plan are appropriate in light of the street widths of the proposed cul-de-sacs.
4. Definite pavement type and width for the walking path were to be given.
5. In PKG's original report, they stated the traffic generation calculations appeared to be understated to a significant degree. I don't see that these have been recalculated and submitted per PKG's report. Projections were to be made for the increase in regional traffic on Case Road as pointed out in PKG's report. A need for deceleration lanes at the development access point were to be studied.
6. PKG recommended that the Planning Commission and the Administration do an overall Traffic Impact Analysis for future build out of the Northwest Quadrant. I don't see that report.
7. Per PKG's report, the Development Agreement should specify the necessary level of road improvements needed to comply with the design guideline criteria. I don't see that recommendation.
8. There had been some questions and concerns about the main interior road which haven't been addressed.

9. The Building Department stated sidewalks are not shown and required unless the requirement is waived.

10. I don't see that the water main connection was addressed if more than 50 homes will be built in Phase 1. Documentation that the required fire flow will be met was not included.

11. It is not clear whether the legal Department has received legal instruments describing the care and maintenance of common open spaces and recreation facilities per Chapter B.06.

12. For safety reasons a second means of ingress and egress should have been addressed per the Fire Department's comments.

Based on this Final Plan report for Phase 1, Planning Commission has failed to address these issues which are mandatory in Section A.10 of our PCD ordinance. This report needs to be sent back to Planning Commission to address these issues and then certify its approval to the Clerk of Council as required.

President Brown: Thank you. Any other discussion? Take roll please.

Yes, 4 No, 2 (Minnick, Butkowski)

Council Clerk White: Motion carries four, two.

Council Clerk White: That's all of Planning Commission's report that I have.

President Brown: Right. Moving onto Old Business, there is none.

OLD BUSINESS None

President Brown: New Business

NEW BUSINESS

President Brown: I would like to ask a question regarding all this for the finance of our City. Could we have each one read and then can we approve these all at one time, Mr. Costin, or do we have to do each one separate?

Auditor Costin: I believe you can suspend the By-Laws to have them all have their First Reading but, when it comes to passage, I believe our Charter requires that they each be read and passed individually.

President Brown: So I can have them all read now?

Auditor Costin: You can suspend the rules, I believe, for all of them simultaneously.

President Brown: Does anyone want to do that?

motion by Swindig to suspend By-Laws to give T 114-2000, T 115-2000, T 116-2000,

T 17-2000, T 118-2000, T 119-2000, T 120-2000 First Readings tonight, 2nd by Overby

President Brown: Discussion? Seeing none, take the roll for that please.

Council Clerk White: I have a question, point, I have to ask Eric. Don't these have to be presented as new business before the motion can be made?

Law Director Zagrans: I think that for legal purposes the presentation on the Agenda, is the presentation of them as New Business, so I think the motion is in order.

Council Clerk White: Okay. Very good.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero for T 114, 115, 116, 117, 118, 119 and 120 to have First Reading tonight. That's all of the New Business that I have.

CORRESPONDENCE

- 1) Received information from the Lorain County Commissioners concerning the proposed alternative form of Government, the County Appointive Executive Plan. This information is available to residents.
- 2) Received a letter from Joan Lowry, Corporate Affairs Manager for AT&T Broadband announcing that The Travel Channel is being added to channel 73 of the channel lineup on October 19. Showtime will be moved to channel 69.
- 3) Received a letter from Boosters Vice-President Marta L. Flood thanking Council for their support in the baseball organization; submitting a copy of the Boosters accomplishments over the past several years; and requesting the Boosters and the City continue to work together for the approval of a septic system at the Shady Drive Baseball Complex.
- 4) Received a letter from Columbia Gas to Mayor Hill advising of a change affecting Columbia Gas meter reading operations. Starting in mid-September, Bermex Contract Services will assist Columbia Gas with meter reading. The Bermex employee will carry a photo identification, will wear a gray Bermex uniform and use his or her personal vehicle which will be marked. If customers have doubts about the identity of a person, contact Columbia Gas at 1-800-344-4077.
- 5) Received registration forms for the Lorain County Summit to be held October 18, 2000 in The Spitzer Conference Center at the Lorain County Community College.
- 6) Received a letter from Caroline Hughes to Safety-Service Director Jim Johnson submitting a proposal for a 99 year lease on the land directly behind North Ridgeville Racquet Club for tennis courts.

REFER TO BUILDINGS & LANDS COMMITTEE.

- 7) Received a letter from North Royalton Director of Legislative Services Laura J. Haller submitting legislation adopted by North Royalton City Council requiring a study of the State of Ohio's motor fuel market.

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

President Brown: Thank you. I would like to refer that number six to the Buildings & Lands Committee, Mr. Overby please, for your consideration. Is that all the correspondence?

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

President Brown: We will go into the Lobby Session. I will allow you two minutes to speak. Please get a form from in the back to fill out and leave on the podium when you get done speaking.

LOBBY

- 1) Gerald W. Phillips, Attorney, 35955 Detroit Road, Avon, stated that the Charter Amendment and criticism being made concerning the Ward approval provision in the Charter Amendment by the Mayor and the Administration and the developers is identical to Section 9.7 of the North Ridgeville Charter that deals with rezoning for multi-family which provides for approval of the rezoning by a majority of voters in the entire City in each Ward in which the property so changed is located.

President Brown: Thank you. Any one else wishing to speak, please step up to the podium.

- 2) Joseph Antush, 38500 Otten Road, stated that according to the newspapers, some Council Members are against putting this Charter Amendment on the ballot but he couldn't understand Council's objection since the objective of our government is to know what the citizens want and try to give it to them.

President Brown: Thank you, Mr. Antush.

- 3) Nancy Buescher, 36669 Center Ridge Road, stated that 25 of the loveliest cities in Ohio take their rezoning issues to the voters and this charter amendment will afford our residents the same opportunity.

President Brown: Thank you, Mrs. Buescher.

- 4) Bob Miles, 34582 Lorain Road, stated that Bob Olesen is the Treasurer of a new group called Residents for Equal Vote and is the Vice Chairman for the Planning Commission and asked if this wasn't a conflict of interest?

President Brown: Thank you, Mr. Miles.

- 5) Mary Ann Miles, 34582 Lorain Road, stated that she was appalled at some Council Members remarks in the September 13, 2000 issue of the Press & Light and further stated she never told half truths, coerced or lied to anyone when circulating the charter amendment petition and that 1,944 signers could not all be politically motivated and not all be wrong.

President Brown: Thank you, Mrs. Miles. Anyone else wishing to speak? Are you going to speak on a different subject, sir?

- 6) Gerald Phillips, Attorney, 35955 Detroit Road, Avon, stated that he found highly unorthodox, our practice and procedure of giving the Mayor the authority to negotiate subdividers agreements and knew of no other cities with this practice which he felt was legislative action and should only be done under Council authority.

President Brown: Thank you. Anyone else wishing to speak at the Lobby session?

- 7) John Prajzner, 35140 Mildred Street, thanked Council for approving the Charter Amendment for the ballot and reminded Council they were all up for re-election next year and the residents will take note on how every issue was voted on.

President Brown: Thank you, Mr. Prajzner. Any one else wishing to speak?

- 8) Nancy Buescher, 36669 Center Ridge Road, stated that the Chamber of Commerce sent out a letter within the past few days on Chamber letterhead which is extremely questionable and contains false information and she is going to ask the Chamber to retract that letter and notify all Chamber Members.

President Brown: Thank you. Anyone else wishing to speak? Okay, I would like to call a ten minute recess until 20 minutes after.

Council Clerk White: The mikes are still going to be on in case you want to talk. I'm going to record.

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

FIRST READINGS

President Brown: We will go into the First Readings. Mr. White.

T 105-2000 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS.

902-2000 First Reading

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

President Brown: Discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero to suspend second and third readings.

motion by Swindig to adopt, 2nd by Overby

motion to add the emergency by Swindig, 2nd by Overby

Council Member Swindig: The reason for the emergency is this is an outstanding bill we would like to pay to get off the books.

Council Clerk White: Any discussion?

President Brown: Discussion? Roll please.

Council Clerk White: On the emergency.

President Brown: On the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 105-2000 becomes 3606-2000.

Law Director Zagrans: Mr. White.

Council Clerk White: Yes Sir.

Law Director Zagrans: I believe it becomes Resolution No. 902-2000.

Council Clerk White: Yes it does. You're absolutely correct. I'm not reading very well. It becomes Resolution 902-2000.

Permanent Resolution No. 902-2000.

Council Clerk White: Thank you Mr. Law Director

President Brown: Do we have to put the emergency on there?

Council Clerk White: yes sir, ma'am. I'm having a gender gap problem too.

President Brown: You're allowed to do that.

T 106-2000 AN ORDINANCE AUTHORIZING THE CHIEF OF POLICE TO
3606-2000 CONTRIBUTE CERTAIN UNCLAIMED PROPERTY TO A PUBLIC
 AGENCY OR NON-PROFIT ORGANIZATION.

First Reading

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

President Brown: Discussion? Roll.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero to suspend second and third readings.

motion by Swindig to adopt, 2nd by Borocz

President Brown: Do we have to add the emergency?

Council Clerk White: No.

President Brown: We don't?

Council Clerk White: No ma'am.

President Brown: Okay.

Council Clerk White: Any discussion.

President Brown: Any discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 106-2000 becomes Ordinance No. 3606-2000.

Permanent Ordinance No. 3606-2000

T 112-2000 AN ORDINANCE VACATING A PORTION OF DODGE AVENUE.

First Reading

motion by Overby that this goes to Buildings & Lands

Council Member Swindig: If he would amend that to send it to Buildings & Lands and Planning I will second it.

Council Member Overby: I will amend it.

President Brown: Any discussion on the amendment?

Council Clerk White: On the motion to go to Planning.

President Brown: We're sending it to Buildings & Lands.

Council Clerk White: Right.

2nd by Swindig

President Brown: And Planning. Vote please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero for T 112-2000 to go to Buildings & Lands and Planning.

T 114-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3607-2000 \$4,700,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
FOR THE PURPOSE OF IMPROVING AND EXPANDING THE CITY'S
FRENCH CREEK WASTEWATER TREATMENT PLANT AND ACQUIRING
AND INSTALLING INSTRUMENTATION AND EQUIPMENT THEREFORE,
IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES
AND WORK INCIDENTAL THERETO.

First Reading

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

President Brown: Discussion on the suspension?

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Borocz

motion by Swindig to add the emergency, 2nd by Butkowski

President Brown: Discussion? Vote on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero on the emergency. Now, for the adoption.

President Brown: We're on the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 114-2000 becomes Ordinance No. 3607-2000 with the emergency.

Permanent Ordinance No. 3607-2000

T 115-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3608-2000 \$3,000,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
FOR THE PURPOSE OF IMPROVING THE MUNICIPAL WATERWORKS
SYSTEM BY CONSTRUCTING AN ELEVATED WATER STORAGE TANK
AND CLEARING AND OTHERWISE PREPARING AND IMPROVING THE
SITE THEREOF AND BY INSTALLING AND MODIFYING PRESSURE
REDUCING VALVES IN VARIOUS LOCATIONS, IN EACH CASE
TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK
INCIDENTAL THERETO.

First Reading

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

President Brown: Discussion on the suspension? Roll please

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Overby

motion by Swindig to add the emergency due to the replacement of the
outstanding notes that we have and I would like to add it to the prior one we
passed for the reason for the emergency, 2nd by Overby

President Brown: Any discussion on the emergency? Take the roll please on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero on the emergency. For the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 115-2000 becomes Ordinance No. 3608-2000
with the emergency.

Permanent Ordinance No. 3608-2000

T 116-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3609-2000 \$500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
THE PURPOSE OF IMPROVING STONEY RIDGE ROAD AND CERTAIN
OTHER DESIGNATED STREETS BETWEEN CERTAIN TERMINI IN THE
CITY BY RECONSTRUCTING THE PAVEMENT BASE, WHERE
NECESSARY, PREPARING THE SURFACE AND SURFACING AND
RESURFACING, IN EACH CASE TOGETHER WITH NECESSARY
APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

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

President Brown: Discussion? On the suspension please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Borocz

motion by Swindig to add the emergency due to the pay off of the preceding
notes, 2nd by Overby

President Brown: Discussion? Seeing none, on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 116-2000 becomes Ordinance No. 3609-2000
with the emergency.

Permanent Ordinance No. 3609-2000

T 117-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF

3610-2000 \$500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING BAINBRIDGE ROAD FROM AVON BELDEN ROAD (STATE ROUTE 83) TO CHESTNUT RIDGE ROAD, IN COOPERATION WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO, BY GRADING, DRAINING, WIDENING, CONSTRUCTING AND RECONSTRUCTING THE PAVEMENT BASE, WHERE NECESSARY, SURFACING AND RESURFACING AND CONSTRUCTING CURBS, GUTTERS AND SIDEWALKS, TOGETHER WITH NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

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

President Brown: Mr. Overby did you second that?

Council Clerk White: Yes he did.

President Brown: Discussion? Roll call on the suspension please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Overby

President Brown: Any discussion on the adoption?

motion by Swindig to add the emergency, 2nd by Overby

Council Member Swindig: Due to the replacement.

President Brown: Roll on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 117-2000 becomes Ordinance 3610-2000 with the emergency

Permanent Ordinance No. 3610-2000

T 118-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3611-2000 \$400,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING THE MUNICIPAL WATERWORKS SYSTEM BY CONSTRUCTING AND INSTALLING WATER LINES, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

First Reading

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

President Brown: Discussion? Seeing none, please take roll.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Borocz to adopt, 2nd by Swindig

motion by Swindig to add the emergency due to the replacement of the, 2nd by

Borocz

President Brown: Discussion? Roll on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 118-2000 becomes Ordinance 3611-2000 with the emergency.

Permanent Ordinance No. 3611-2000

T 119-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3612-2000 \$300,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
 THE PURPOSE OF IMPROVING THE MUNICIPAL WATERWORKS
 SYSTEM BY REPLACING A WATER LINE ON WALLACE BOULEVARD,
 TOGETHER WITH NECESSARY APPURTENANCES AND WORK
 INCIDENTAL THERETO.

First Reading

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

President Brown: Discussion? Roll.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Overby

motion by Swindig to add the emergency because the October 19 maturity date,
2nd by Borocz

Council Clerk White: Discussion? On the motion for the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 119-2000 becomes Ordinance No. 3612-2000 with the emergency.

Permanent Ordinance No. 3612-2000

T 120-2000 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
3613-2000 \$200,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR
 THE PURPOSE OF IMPROVING CASE ROAD FROM CENTER RIDGE
 ROAD TO BURNS ROAD BY GRADING, DRAINING, RECONSTRUCTING
 THE PAVEMENT BASE, PREPARING THE SURFACE AND SURFACING,
 IN EACH CASE TOGETHER WITH NECESSARY APPURTENANCES AND
 WORK INCIDENTAL THERETO.

First Reading

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

President Brown: Any discussion? Seeing none.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt, 2nd by Overby

motion by Swindig to add the emergency, 2nd by Borocz

President Brown: Any discussion on the emergency?

Council Member Swindig: Due to the expiration date of the previous one.

President Brown: Okay. Roll please on the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero on the emergency. For the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 120-2000 becomes Ordinance No. 3613-2000 with the emergency.

Permanent Ordinance No. 3613-2000

T 121-2000 AN ORDINANCE CREATING AND ESTABLISHING THE
3614-2000 QUALIFICATIONS AND SALARY FOR THE PART-TIME POSITION OF
ASSISTANT COOK AT THE SENIOR CENTER.

First Reading

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

President Brown: Discussion? Roll.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

motion by Swindig to adopt

Council Member Butkowski: And add the emergency in order to hire him.

Council Clerk White: I need a second for the adoption first

President Brown: Gee wiz, we have a trio.

Council Clerk White: You're the boss ma'am, tell me who.

President Brown: Mrs. Borocz.

2nd by Borocz

motion by Swindig to add the emergency, 2nd by Borocz due to we want to get this
job rolling

President Brown: We want to get it filled. Roll please.

Council Clerk White: On the adoption.

President Brown: On the emergency

Council Clerk White: On the emergency.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. On the adoption.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 121-2000 becomes Ordinance No. 3614-2000 with the emergency.

Permanent Ordinance No. 3614-2000

T 122-2000 AN ORDINANCE AMENDING SECTION 1228, APPENDIX II

3615-2000 ENTITLED "STREET STANDARDS" OF THE NORTH RIDGEVILLE
CODIFIED ORDINANCE.

First Readings

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

President Brown: Discussion? Seeing none, roll please.

Yes, 5 No, 1 (Minnick)

Council Clerk White: Motion carries five, one.

motion by Overby to adopt

President Brown: Discussion?

Council Clerk White: I'm sorry, who seconded?

Council Member Swindig: I did.

2nd by Swindig

President Brown: Seeing no discussion, roll please on the suspension.

Council Clerk White: No, this is on the adoption.

President Brown: Sorry.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero on the adoption. T 122-2000 becomes Ordinance
No. 3615-2000.

Permanent Ordinance No. 3615-2000.

T 123-2000 AN ORDINANCE AMENDING SUBSECTION (G)(5) OF SECTION
1294.01 ENTITLED "INTERPRETATIONS AND EXCEPTIONS IN
GENERAL" OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES.

First Reading

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

President Brown: Discussion? Roll please.

Yes, 5 No, 1 (Minnick)

Council Clerk White: Motion carries five, one.

motion by Overby to adopt, 2nd by Swindig

President Brown: Discussion? Roll please.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero T 123-2000 becomes Ordinance No. 3616-2000.

T 124-2000 AN ORDINANCE AMENDING SUBSECTION (49) ENTITLED "FAMILY"
OF SECTION 1240.10 OF THE NORTH RIDGEVILLE CODIFIED
ORDINANCES.

First Reading

motion by Overby to suspend second and third, 2nd by Borocz

President Brown: Discussion? Vote on the suspension please

Yes, 5 No, 1 (Minnick)

Council Clerk White: Motion carries five, one.

motion by Overby to adopt, 2nd by Swindig

President Brown: Discussion?

Law Director Zagrans: May I have a point of order please.

President Brown: Yes.

Law Director Zagrans: I don't have my Codified Ordinance book with me but Section 1240 of the Codified Ordinances, Mr. Safety-Service Director, do you know whether that is part of the Zoning Code?

Engineer Lovece: You want me to run and get it?

Law Director Zagrans: Yes, if you don't mind. I just need to know if it's part of the Zoning Code because if it is we cannot suspend second and third readings. Sorry for the hold up.

Council Clerk White: That's okay. I'd rather hold up now then have to do it later.

Council Member Butkowski: Madame President can we go on and then come back.

President Brown: Can we do that or should we wait?

Law Director Zagrans: The matter has already been called on the agenda. Unfortunately, I don't think we can.

Engineer Lovece: No charge.

Law Director Zagrans: Madame President?

President Brown: Yes.

Law Director Zagrans: Section 1240 is a part of the Zoning Code of the City of North Ridgeville and therefore we cannot suspend second and third readings for that. Furthermore, T 123-2000 which amends Subsection (g)(5) of 1294.01, that is also part of the Zoning Code and we cannot suspend second and third readings to adopt that so I think you need a motion to rescind that and just give it a first reading for tonight.

President Brown: That's number T 123?

Law Director Zagrans: Right. That is the only one that has been considered thus far that I didn't catch in time.

so moved by Swindig, 2nd by Overby

Council Clerk White: There's a motion on the board to rescind the adoption, the second and third readings of T 123-2000, motion made by Swindig, 2nd by Overby. Is that correct?

Law Director Zagrans: Correct.

President Brown: Now what do we do?

Council Clerk White: Is there any discussion?

Law Director Zagrans: You need to discuss and vote on it.

President Brown: Discuss it, vote on it.

Council Clerk White: Right. No discussion, we'll vote.

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero.

President Brown: So that's a first reading tonight.

Council Clerk White: First reading only.

motion to rescind the suspension on T 124-2000 by Borocz, 2nd by Overby

President Brown: Discussion? Vote please

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 123 and T 124 have first reading only tonight.

T 125-2000 AN ORDINANCE DELETING SECTION 1240.(55) ENTITLED "HOME
OCCUPATION" OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES.
First Reading

T 126-2000 AN ORDINANCE DELETING SUBSECTIONS (B)(8) AND (B)(15) OF
SECTION 830.02 ENTITLED "USE REGULATIONS" OF THE NORTH
RIDGEVILLE CODIFIED ORDINANCES.
First Reading

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

Council Member Minnick: Madame Chairman.

President Brown: Yep.

Council Member Minnick: May I ask why?

Council Member Overby: Because I want to.

Council Member Minnick: Because you want to. Okay.

Council Member Overby: The Zoning Board requested these things. They need these things to
do their jobs properly and that's why we're going through this.

Council Member Minnick: Normally when we have three readings that gives the public a chance
to give their opinion and as evidenced in everything that's done, everything is rushed through and
mistakes are made and having three readings, that does give the opportunity to catch those
mistakes. That's all I have.

Council Clerk White: Do we have a second for that?

Council Member Swindig: Yes, I second that.

President Brown: And that was discussion.

Council Clerk White: I understand the discussion, I didn't hear the second though.

President Brown: Take the roll please.

Yes, 4 No, 2 (Minnick, Butkowski)

Council Clerk White: Motion fails four to two to suspend second and third. T 125-2000 has had a
first reading only.

Law Director Zagrans: That was T 126-2000.

Council Clerk White: I'm sorry, T 126-2000. I have it marked, I just read it incorrectly. T 126
has first reading only.

T 127-2000 AN ORDINANCE AMENDING SUBSECTION (B)(7) OF SECTION
3616-2000 830.02 ENTITLED "USE REGULATIONS" OF THE NORTH RIDGEVILLE
CODIFIED ORDINANCES.
First Reading

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

President Brown: Discussion?

Council Member Minnick: Madame Chairman may I ask why?

Council Member Overby: Same reason.

Council Member Minnick: Same comments.

President Brown: Roll please.

Yes, 5 No, 1 (Minnick)

Council Clerk White: Motion carries five, one to suspend second and third readings.
motion by Overby to adopt, 2nd by Swindig

President Brown: Discussion on the adoption? Roll please

Yes, 6 No, 0

Council Clerk White: Motion carries six, zero. T 127-2000 becomes Ordinance No. 3616-2000.
Permanent Ordinance No. 3616-2000

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

SECOND READINGS

T 103-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND
ENTER INTO A SUBDIVIDER-DEVELOPMENT AGREEMENT WITH
FOREST CITY MANAGEMENT FOR THE DEVELOPMENT OF THE
WATERBURY PCD.
Second Reading

T 104-2000 A RESOLUTION GRANTING PRELIMINARY APPROVAL FOR THE
PROPOSED PLANNED COMMUNITY DEVELOPMENT SITUATED ON
APPROXIMATELY 640 ACRES LOCATED BETWEEN SUGAR RIDGE,
BENDER, AND CHESTNUT RIDGE ROADS AND ADJACENT TO THE
BORDER WITH EATON TOWNSHIP AND KNOWN A WATERBURY.
Second Reading

T 108-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND
ENTER INTO A SUBDIVIDER-DEVELOPMENT AGREEMENT WITH ALL-
PURPOSE CONSTRUCTION, INC. FOR THE DEVELOPMENT OF THE
MEADOW LAKES PCD.
Second Reading

T 109-2000 A RESOLUTION GRANTING PRELIMINARY APPROVAL FOR THE
PROPOSED PLANNED COMMUNITY DEVELOPMENT SITUATED ON
APPROXIMATELY 595 ACRES LOCATED EAST OF CASE ROAD, WEST
OF STONEY RIDGE ROAD, NORTH OF CENTER RIDGE ROAD AND
SOUTH OF THE BORDER WITH AVON AND KNOWN AS MEADOW
LAKES.
Second Reading

T 110-2000 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND
ENTER INTO A SUBDIVIDER-DEVELOPMENT AGREEMENT WITH NRP
GROUP LLC FOR THE DEVELOPMENT OF THE KINGSTON PLACE PCD.

Second Reading

Council Member Minnick: Madam Chairman, I have to inquire why this is even on the agenda when we haven't given final approval yet. It's bad enough we won't see the agreement before its approved.

THIRD READINGS

President Brown: Third Readings. We have none.

UNFINISHED BUSINESS

President Brown: We have no Unfinished Business, either.

Council Clerk White: Okay.

President Brown: Committee Meeting Announcements. Before we get into the Committee Announcements, Larry, I would like to assign to you Richfield Homes Subdivision Number 6 so that you can give us a report on that, please. Okay? Thank you. Now, Committee Announcements.

COMMITTEE MEETING ANNOUNCEMENTS

Next Regular Council Meeting Monday, October 2, 2000 at 7:30 P.M.

Public hearing Monday, October 16, 2000 at 7:00 P.M. regarding the PCD on Meadow Lakes.

Safety Committee Meeting Wednesday, September 20, 2000 at 7:00 p.m.

Public Hearing Monday, November 6, 2000 at 7:20 P.M. on vacating a portion of Dodge Avenue.

President Brown: Safety Committee, was that approved? Did you get in touch with Robin?

Council Member Minnick: Yes, Ma'am.

President Brown: Okay. Just wanted to make sure.

ADJOURNMENT

motion by Swindig to adjourn, 2nd by Overby

Meeting adjourned at 9:08 P.M.

MOTION Swindig 2ND Butkowski DATE October 2, 2000

YES 6 NO 0 ABSTAIN 1 - Gillock

Jean K. Brown
PRESIDENT OF COUNCIL

Jim White
CLERK OF COUNCIL