

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING SEPTEMBER 8, 2015**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Tuesday, September 8, 2015 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members President Kevin Corcoran, Terrence Keenan, Robert Olesen, Roseanne Johnson, Dr. Ronald Arndt and Dennis Boose.

President Pro-Tem Bernadine Butkowski was excused.

Also present was Law Director Andrew Crites, City Engineer Scott Wangler, Safety-Service Director Jeffry Armbruster, Auditor Chris Costin and Assistant Clerk of Council Tara L. Peet.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the Council meeting minutes of August 17, 2015. Are there any comments, corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Zoning and Building Appeals meeting minutes of August 27, 2015, the Civil Service Commission meeting minutes of August 18, 2015 and the Workers Comp Safety Committee minutes of August 27, 2015.

Moved by President Corcoran and seconded by Arndt to bifurcate the lobby session to have two separate lobby sessions – the first is designed to allow people to speak on issues that are before Council that we are going to vote on this evening and the second session at the end of the meeting is to allow people to bring up any issues that they would like us to address.

President Corcoran: As a point of conversation, I think at this point this experiment has gone on for quite a while and it has been going well. I think at this point we should probably look at amending the By-laws and just making this permanent change instead of...

Councilman Arndt: Can we do that by virtue of a motion or does the...

President Corcoran: Unfortunately, there is a process where it will have to be provided in writing to everybody so many days in advance of a vote. We will do that – fourteen days. So we will do that soon, but for now, we will just vote on the motion, unless anyone has something to add? Okay.

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

Yes – 6

No – 0

LOBBY (REGARDING AGENDA ITEMS ONLY):

President Corcoran: That means we are open for lobby session where you can discuss the items that are on the agenda this evening. Please approach the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody who would like to address us on these items tonight? Seeing none we will move on to Administrator's reports. Mr. Armbruster, you are up first.

ADMINISTRATORS REPORTS:

A. Mayor: Excused.

B. Safety-Service Director: As you all know last Thursday, the rains began. It rained very hard in the evening on and off to the point some night it really came down on the top of my roof. I was up thinking well, how are we going to be the next day? Honestly, there were no issues that I am aware of that the City is aware of. There might have been some issues, but they were certainly not called in. As of Friday morning, I thought to myself, you know what; I am going to go out to French Creek because you know there is a lag time when the water actually goes into the sewer here in North Ridgeville – you got about seventeen miles or ten miles to get out there and it goes through the pipes. We just put in a 2.5 meg generator. I called Corey up and I said you told me how good it works, let's make it work. We physically took the peak of that day and were able to blend off the generator to make sure that it would work in the peak times and it actually came on. We shut off CEI and brought it back up. You couldn't even see the lights blink. There wasn't a computer glitch and the switching gear in the computer process that is down there with that caterpillar generator – that 2.5 meg generator was outstanding. At the peak time, we had it running that 2.5 meg generator was running at about 1.88 megs and running that plant. About fifteen, twenty minutes after it was shut down, it actually wound itself down because it has got to cool itself off because the size of the generator would probably fit on a fifty-three foot trailer. That is how large it is out at French Creek. It works outstandingly under pressure. It was money well spent. If you remember the generator we had out before was only a five hundred kilowatt or megs. We have 2.5 out there now. It was running the entire plant. All five pumps and the entire plant were running perfectly with no glitch.

Most recently, the switch over to roads. There has been a lot of chatter on the Internet, on Facebook and a lot of chatter from individuals out there with regards to the condition of Jaycox Road. Rest assured, this Administration and this City Council did not pay for something and did not finish something as of this right now unless they get out there today, I don't believe they finished the road today. The process we are using is economic, is environmentally friendly. We used this last year on Chestnut Ridge where we actually go in and use a machine that actually grinds the material – the asphalt, up; puts it inside the machine, heats it up and they put an emulsion in there that glues it back together and it becomes rejuvenated asphalt. It is laid back down and it has to sit; it has to stay there a minimum of seven days before you can come back

and do the next passes of the live virgin asphalt that is going to go over this week. The Administration was not in any way or this City Council – it is the process that we used in order to save money and become more environmentally friendly and as we become more familiar with the product and its use; and more communities use this which they are using not only in the United States and the State of Ohio, but also in Europe. This is probably where it got started over in Europe where they were recycling there asphalt over there. They didn't have as much money as us in the U.S. They figured out how to get it done. We will be back on Jaycox and it will be a smooth road. I look forward to having that and then maybe we can take the folklore that is out there and make it into real fact that it is a good road and not one that is worse than it was last winter.

Going further on that, Bagley Road will be finished. They put a first coat on and we did that because we recognize as we got that coat on that we needed to do two lifts instead of one lift. A lift means more asphalt rather than a shorter amount of asphalt. We were able to widen the curve, that very dangerous curve, there that we have the light. We figured that out how we can change the pace and give people a better way to get around that corner. Those of us that drive it on a day-to-day basis recognize that there are some chuck holes that pop up and there is nothing we can do unless we widen the base of the road and that corner. Hopefully people don't cut that corner even further because we will maybe get out of the right-of-way there.

The second material will be going down tomorrow or Thursday. It will be the same material that we are putting on and there is a stiffness that they add that to the asphalt that goes over what is already there. Cook Road should be completed today. I was up there earlier. We took it all the way to Olmstead Township and brought it up to Lorain Road.

Those projects are going very well. That will complete our asphalt work except for we still got some work to do out on Bender where we are going to do some tar and chipping out there. That completes my report this evening.

Councilman Arndt: I wonder if I might make a statement and a question. A statement and the question then directed to our Safety-Service Director. It seems to me that if all of us in this room remember as recently as a year or a year and a half ago a house filled with people ready to just shoot us and tear us up because of all the flooding and so forth that we had going on in this City and the commitment as a result of what the Administration and City Council has voted on to continue to work alleviate those issues and we have had several pretty nasty rain not least of which Jeff alluded to here just a few days ago and to hear the good news that we are not having these massive flooding areas, in my view, is a testament to the things that are actually being done and so rather than talk only about the bad things; the things that don't work, I maintain that we need to at least declare that there has been some really wonderful things that have gone on and my feeling is if you want people to see who is a duck, you need to talk like a duck, walk like a duck and quack like a duck and quite frankly, I think the City and the Administration and our crews out there have done a hell of a job. That was my statement. The question is as I recall for these studies for the EQ basins and so forth, we needed a minimum of two inches of rain. It

seems to me that we have had that on several occasions with that being stated, where might we be with that process?

Safety-Service Director Armbruster: We met most recently with Aecom and there will be a preliminary report coming out on the EQ basin within the next two to three weeks. All of the computers and the rains that we had in the sewers have been removed. We have enough data, not more than enough data, because we allowed them to study it. It is one thing when you are going to be spending, or possibly spending, millions and millions of dollars; going back to the generator – we wanted a generator that is going to run the entire plant. We want an EQ basin that is going to work the way it was originally...if we hurry these processes up, they won't give us the data that we need. When Aecom comes out and gives us this presentation sometime in October or November, whenever they get it done because they want to make sure that it is right so that we have some bankers, we have a doctor, an engineer, a hospital executive – we've got an administrator from the ...we've got a lawyer on City Council. We want to make sure that this is right. When this comes out, there will be no question that Aecom's numbers will match up and we will have an EQ basin and the process that you will be able to look at as to where it is positioned, why it is positioned and how much it is going to hold and what it will be used for.

Councilman Arndt: I was simply just looking to find out where we were at on that process. Thank you.

Councilman Keenan: Mr. Chairman, I would like to follow-up because in fact, I wanted to ask about the EQ basin as well. I have most of my answer, thank you. My question is, at the time we approved the appropriation for that study, they were going to come back with preliminary findings and then a final report. I just would encourage us not to skip that step. I think the preliminary report is important.

Safety-Service Director Armbruster: Right. It will be not skipped. Rest assured that the placement of the EQ basin is not going to impact building area that we would be able to build on.

Councilman Keenan: Thank you.

President Corcoran: Thank you everybody. Mr. Engineer.

C. Engineer: Thank you Mr. President. I would like to address an issue regarding waste liquids getting into the storm system. We ran into a situation with a commercial property that was doing some things in violation to EPA standards and put quite a bit of effort in to get that stopped and I thought I would mention it for the residential end as well. Probably one of the greatest potential for waste liquids getting into storm system is home vehicle maintenance. Many home repairs of vehicles generate various liquids such as oil, engine fluid, coolant and even some gasoline. When attempting to perform repairs at home that are likely to generate waste liquids, make accommodations to collect the fluids and dispose of them in a safe manner. I would like to remind people that the Service Department accepts waste petroleum products and engine coolant. That concludes my report.

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

D. Auditor: Yes Mr. President, how are you this evening? I actually have no report, no formal report scheduled for this meeting as you know. I would like to comment on T 115-2015 when it has its third reading this evening. That concludes my lack of report and comments.

President Corcoran: Thank you sir.

E. Other Reports:

President Corcoran: We have the June & July 2015 Building Department reports, the July 2015 Mayor's Court reports and the July 2015 Parks and Recreation Director's reports.

Councilman Boose: Mr. President, I would just like to make a comment – the Parks and Recreation report – something significant – we learned at our past Parks and Recreation Commission meeting that we have through funding by Communities Preventing Chronic Disease Program, we have been able to get \$14,000 in funding on a grant that is costing the City zero dollars for bike racks at all of our parks. This is South Central, Frontier, the soccer complex and Shady Drive. They are really nice. They are fun racks. They actually spell words like “bike”, “play”, “fun”, “sport” and they are very colorful. When you see them, they are not going to be the normal green or browns that we typically have in our parks system. They are actually going to be bright reds and yellows. It is something, if you think back on it, right now none of our parks have bike racks and though how many in our community leisurely use bikes? So it is a great opportunity. I just wanted to share that we spent no City dollars and you will see them installed very soon. Thank you.

President Corcoran: Thank you Mr. Boose. There are no Committee reports.

COUNCIL COMMITTEE REPORT(S): None.

President Corcoran: There is no correspondence.

CORRESPONDENCE: None.

President Corcoran: We have no old business.

OLD BUSINESS: None.

President Corcoran: Moving on to new business.

NEW BUSINESS:

Ordinance and Resolution submittals

Assistant Clerk of Council Peet:

T 130-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ENTER INTO A CONTRACT WITH ANDRITZ-SEPARATION, INC. FOR THE REPAIR OF CENTRIFUGE #1 AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$129,029.00.

(Introduced by Mayor Gillock)

Councilman Arndt: Mr. President, I would like to direct a question, just for my own clarification, I wish when I was practicing, I was the only dentist to be found anywhere in the entire state of Ohio and I then would have this unique opportunity to charge whatever fees and so forth that I choose. My question isn't so much that this dollar amount is that this company being the sole provider, the only one apparently on the planet or anywhere near by that can do this. Does this leave us in any kind of vulnerable position? It is simply a question. I am just asking for a little clarification.

Safety-Service Director Armbruster: That is fairly pointed. When you have one person that you can go to get it repaired, you are always vulnerable to the staff that they have to repair it and the facilities that they have. Unfortunately, in this case, we have Andritz and the best in the industry across the world and a centrifuge that needs \$129,000 worth of work because it is flying around at about 4,000 rpm's like a jet engine. There are these little metal things going around it. In order for it to be repaired appropriately, it has to be torn down such as a jet engine and put back together such as a jet engine and there are very few companies that you can go to even to go to even to fix the jet engine. Fortunately for us, Andritz fixes their own centrifuge and that is who we have to go to. We are kind of left with that issue to deal with.

Law Director Crites: Mr. President, if I can add something – there is a safeguard built into this and I can speak to it because early in my term as a newly appointed Law Director when we purchased this centrifuge, it was then I learned that there is stiff competition in the centrifuge construction sale industry. Because of that, I cannot rattle off the names and I cannot run off the names of the competitors, but it would be business suicide for Andritz to hold us over the barrel and crank our service fees because it would get out amongst the municipalities and the government entities that they are doing that. They don't collude like our airlines do. They actually fight tooth and nail to get the business. It is not a legal opinion, it is just a little bit of the history about the fact that it would not be in their interests to stick us up over the service.

Councilman Arndt: I just simply need a little clarification.

Councilman Keenan: Mr. President, I just want to follow-up; it is \$129,000. It is worthy of questioning. It is worthy of how do we get comfortable. That is all.

Safety-Service Director Armbruster: Mr. President, I can only tell you when this Administration found out the cost of \$129,000, I did backflips over to French Creek to figure out what the heck

was going on. Immediately, it is mind boggling to me that this centrifuge has to have that much work done to it.

Councilman Boose: Is this normal maintenance work? Did something break? How long now after this work is done – is this going to take care of it for the next ninety days? five years?

Safety-Service Director Armbruster: It is on hours used. It is on, if you running at 4,000 rpm's if everything else is running appropriately, internal air conditioning and all that kind of stuff; it really depends on how we maintain it and we do a pretty darn good job of it ourselves, but when you are talking about an engine, a centrifuge that is going at 4,000 rpm's; it has got to be pretty finely tuned as to how it is getting rid of those solids. I guess Terry I need some help on that. You listen to that thing run and it is flying.

Councilman Keenan: Mr. President, I believe that we have a fine, outstanding man in Corey out there and I rely heavily on his judgement. I just think it would be great if at the next reading, Corey showed up and just gave us a little explanation. I think you are right on point – number of hours, routine maintenance, etc. – it is a big number but it is big piece of equipment. Just a little more explanation behind it would be really more helpful.

President Corcoran: My question is how quickly does this need to be done?

Safety-Service Director Armbruster: We have to ship it out so the longer we wait...it really needs to be done right away.

President Corcoran: Thank you.

Auditor Costin: I can add one comment of interest, when we did our appropriations back in March, there was an estimate to repair that centrifuge of \$140,000. I don't know if that estimate was after he had looked around or inquired but at least that was set in the appropriation for this repair. You appropriate \$140,000 and they actually estimated \$129,000.

President Corcoran: Thank you very much. Moving on then to T 131.

Assistant Clerk of Council Peet:

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

President Corcoran: T 132.

Assistant Clerk of Council Peet:

T 132-2015 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO
FORDSON CONCRETE AND CONSTRUCTION IN THE AMOUNT OF
\$4,800.00.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Boose to suspend By-laws to give T 132 a first reading.

President Corcoran: Are there any comments or questions?

Councilman Boose: If I could ask the City Auditor – I believe it is my understanding although we are expending this \$4,800 that this is going to eventually be reimbursed as part of the overall project that the City received a grant for the trail system. Is that correct?

Auditor Costin: I have to be honest, I don't recall that. I don't know if that is allocable to that or not. I will tell you that it has been appropriated. Again, it was an oops ordinance in that the work was done before we had a valid purchase order. I am sure this was contemplated but I don't know all the details behind this particular expenditure.

Law Director Crites: Mr. President, this was a concrete pad that went under the new outdoor fitness equipment which was secured via a grant.

President Corcoran: Thank you. All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: That is the end of new business.

RECESS:

President Corcoran: Would anyone like a recess?

Moved by Johnson and seconded by Arndt to dispense with the recess.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 6 No – 0

President Corcoran: Moving on to first readings. We have T 120.

FIRST READINGS:

Assistant Clerk of Council Peet:

T 120-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PRADCO FOR PROFESSIONAL SERVICES RELATING TO COMPETITIVE PROMOTIONAL EXAMINATIONS AND THE ASSESSMENT PROCESS FOR A CLASSIFIED POSITION IN THE FIRE DEPARTMENT WITHIN THE CITY OF NORTH RIDGEVILLE, NOT TO EXCEED \$25,000.00.

(Introduced by Mayor Gillock)

Moved by President Corcoran and seconded by Olesen to dispense with the second and third readings for T 120.

President Corcoran: Mr. Crites, you have a comment.

Law Director Crites: Yes, for Council's edification – this is a service being hired to conduct the Civil Service examinations for the new fire department potential hires and the test is scheduled for October 24th so we have to move quickly here. I might note also for what it is worth that this Ordinance technically is not required by law because it is less than \$25,000. The statutory threshold is \$50,000. It was presented by the Civil Service Clerk and in my opinion; you can never be too conservative in getting Council ratification with expenditures. With that being said, this needs to be passed. No need for the emergency so we can test for new fire.

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

Yes – 6

No – 0

Moved by Arndt and seconded by Johnson to adopt T 120.

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

Assistant Clerk of Council Peet: The motion carried, 6-0 and becomes **Ordinance number 5272-2015**.

Yes – 6

No – 0

President Corcoran: T 121.

Assistant Clerk of Council Peet:

T 121-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.
(Introduced by President Corcoran)

President Corcoran: T 122.

President Corcoran: Just as a way of reminder: T 121, 122, 123 and 124 are our continuation of our TIF Ordinances that we have been passing for quite some time. You will just hear them. They sound the same and they are almost the same except they are different areas of the City. T 122.

Assistant Clerk of Council Peet:

T 122-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.
(Introduced by President Corcoran)

President Corcoran: T 123.

Assistant Clerk of Council Peet:

T 123-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.
(Introduced by President Corcoran)

President Corcoran: T 124.

Assistant Clerk of Council Peet:

T 124-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Corcoran)

President Corcoran: T 125.

Assistant Clerk of Council Peet:

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

(Introduced by Mayor Gillock)

President Corcoran: T 128.

Assistant Clerk of Council Peet:

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

(Introduced by Mayor Gillock)

President Corcoran: T 132.

Assistant Clerk of Council Peet:

T 132-2015 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO FORDSON CONCRETE AND CONSTRUCTION IN THE AMOUNT OF \$4,800.00.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by President Corcoran to suspend second and third readings for T 132.

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

Yes – 6

No – 0

Moved by Johnson and seconded by Arndt to adopt T 132.

President Corcoran: Are there any comments or questions?

Moved by Johnson and seconded by Olesen to add the emergency clause to T 132 in order to pay the invoice within thirty days.

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

Yes – 6

No – 0

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

Assistant Clerk of Council Peet: The motion carried, 6-0 and becomes **Resolution number 1363-2015.**

Yes – 6

No – 0

President Corcoran: That is the end of first readings. Moving on to second readings – we have T 103.

SECOND READINGS:

Assistant Clerk of Council Peet:

T 103-2015 AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE IN N.R.C.O. CHAPTER 1426.

(Introduced by Mayor Gillock; Referred to B&L on 07/06/2015; B&L on 07/20/2015; Report accepted on 08/03/2015; First reading 08/17/2015)

President Corcoran: T 105.

Assistant Clerk of Council Peet:

T 105-2015 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 242.05: *SERVICE DEPARTMENT* AND DEFINING THE GROUNDS MAINTENANCE SUPERVISOR POSITION.

(Introduced by Mayor Gillock; Referred to Admin on 07/06/2015; Admin on 07/20/2015; Report accepted on 08/03/2015; First reading 08/17/2015)

President Corcoran: T 106.

Assistant Clerk of Council Peet:

T 106-2015 AN ORDINANCE AMENDING ORDINANCE NUMBERS 3268-97 AND 3710-2001, PARKS AND RECREATION MAINTENANCE SUPERVISOR AND DEFINING THE ASSISTANT GROUNDS MAINTENANCE SUPERVISOR POSITION.

(Introduced by Mayor Gillock; Referred to Admin on 07/06/2015; Admin on 07/20/2015; Report accepted on 08/03/2015; First reading 08/17/2015)

President Corcoran: T 107.

Assistant Clerk of Council Peet:

T 107-2015 AN ORDINANCE AMENDING ORDINANCE NUMBER 2725-93 AND
Amended SUBSEQUENT AMENDMENTS THERETO, UP TO AND INCLUDING THE
MOST RECENT AMENDMENT, BY CHANGING AND/OR ESTABLISHING
THE PAY RATE SCALE OF THE FULL-TIME POSITION OF ASSISTANT
GROUNDS MAINTENANCE SUPERVISOR.

(Introduced by Mayor Gillock; Referred to Admin on 07/06/2015; Admin on 07/20/2015; Report accepted on 08/03/2015; First reading 08/17/2015; Amended by substitution on 08/17/2015)

Law Director Crites: Thank you Mr. President. As you see before you, there is an again modified version of this Ordinance that has been kicked around for some time. I can very quickly explain the most recent amendments. I was approached by the City Auditor who pointed out understandably that two of the existing sections – those which were Section 1 and Section 2 that simply addressed the title of the positions in that department. They are being removed by this new revision which I would suggest a motion be made to amend by substitution. It was extraneous language, not necessary for this Ordinance which the Auditor as I understand would prefer stand alone to establish the wages and eliminate confusion down the road, especially at the hands of the codification company. I will state the two sections which have been removed from this final, hopefully, amendment are redundant and repetition of what already exists in T 105 and T 106.

Moved by Johnson and seconded by Boose to amend T 107-2015 Amended by amending by substitution.

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

Yes – 6

No – 0

President Corcoran: T 118.

Assistant Clerk of Council Peet:

T 118-2015 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS
LOCATED IN THE PIONEER RIDGE PHASE 9 SUBDIVISION AT
WATERBURY, AND DEDICATING THEM FOR PUBLIC PURPOSES.

(Introduced by Mayor Gillock; First reading 08/17/2015)

President Corcoran: T 119.

Assistant Clerk of Council Peet:

T 119-2015 AN ORDINANCE REPEALING N.R.C.O. SECTION 1062.15, *BURIAL OF
INDIGENTS*.

(Introduced by Mayor Gillock; First reading 08/17/2015)

President Corcoran: Moving on now to third readings – first up is T 99.

THIRD READINGS:

Assistant Clerk of Council Peet:

T 99-2015 A RESOLUTION DECLARING THE CITY’S SUPPORT OF THE PRESERVATION OF COMMERCIAL USE AND VIABILITY OF PARCELS OF REAL PROPERTY EFFECTED BY THE U.S. RT. 20 (CENTER RIDGE ROAD) IMPROVEMENT PROJECT IN CIRCUMSTANCES WHERE GOVERNMENTAL ACQUISITION OR APPROPRIATION OF REAL PROPERTY INTERESTS RENDER ANY PARCEL NONCONFORMING UNDER THE NORTH RIDGEVILLE CODIFIED ORDINANCES ZONING AND BUILDING REGULATIONS.

(Introduced by Mayor Gillock; Referred to B&L and PC on 06/15/2015; B&L on 07/06/2015; PC on 07/14/2015; B&L and PC reports accepted on 07/20/2015; First reading on 08/03/2015; Second reading 08/17/2015)

Moved by Johnson and seconded by Arndt to adopt T 99-2015.

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

Assistant Clerk of Council Peet: The motion carried, 6-0 and becomes **Resolution number 1364-2015.**

Yes – 6

No – 0

President Corcoran: T 114.

Assistant Clerk of Council Peet:

T 114-2015 AN ORDINANCE ADOPTING THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR 2016-2025.

(Introduced by Mayor Gillock; First reading on 08/03/2015; Second reading 08/17/2015)

Moved by Arndt and seconded by Johnson to adopt T 114-2015.

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

Assistant Clerk of Council Peet: The motion carried, 6-0 and becomes **Ordinance number 5273-2015.**

Yes – 6

No – 0

President Corcoran: T 115.

Assistant Clerk of Council Peet:

T 115-2015 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT
Amended TO EXCEED \$600,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE
OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE
CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING,
RECONSTRUCTING AND REHABILITATING SANITARY SEWERS,
SANITARY SEWER CONNECTIONS, MANHOLES AND CLEAN OUTS,
TOGETHER WITH NECESSARY APPURTENANCES AND WORK
INCIDENTAL THERETO.

(Introduced by Mayor Gillock; First reading on 08/03/2015; Amended by substitution on 08/03/2015; Second reading 08/17/2015)

Moved by Olesen and seconded by Johnson to adopt T 115-2015 Amended.

President Corcoran: Mr. Costin, you had a comment.

Auditor Costin: Just a brief reminder; if you recall back on T 125, this project is the City's portion of the sanitary sewer that we are wanting to put in for the Center Ridge Road construction. When this project was previously bid, it came in significantly higher than was estimated. What the Mayor did was postpone rebidding it until I believe he wants to do it this month. Now we also amended T 115 to allow us to issue bond anticipation notes up to the amount of \$600,000 in case we did not need that full amount. I would recommend that we pass T 115 tonight with the emergency so that it is in place when the Mayor does bid T 125. We are not allowed to enter into a contract or pass that legislation until we have already received our commitment on the BAN's if we need them. To keep this project moving along, the most expedient thing to do would be to pass T 115 with the emergency. This gives us the ability to start issuing the BAN's and then once he bids the project, we know how much, if any, if the new BAN's that we have to issue and then we come back to Council at the second meeting in September or first meeting in October and you then can pass the legislation T 125 which our Charter would preclude you from doing until the BAN's are in place and committed to.

Moved by Olesen and seconded by Johnson to add the emergency clause to T 115
Amended his ordinance for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely enter into and carry out its obligations under contracts for the improvements described in Section 1, which are urgently to eliminate potential hazards to the environment, persons and property.

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

Yes – 6

No – 0

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

Councilman Keenan: Mr. President, may I just ask for one more time the Auditor to state the source of funds for repaying this up to \$1.6 million for the sewer line.

Auditor Costin: The source of the repayment will be from our sewer revenues; our sanitary

sewer revenues.

Councilman Keenan: In lieu of any kind of levy or special tax or anything else...

Auditor Costin: There will be no special tax, but remember, Council has the right to raise rates and we in fact did that a couple years ago in anticipation of any projects that would be forthcoming.

Councilman Keenan: Thank you.

President Corcoran: Clerk, please call the roll.

Assistant Clerk of Council Peet: The motion carried, 6-0 and becomes **Ordinance number 5274-2015.**

Yes – 6

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: The next regular Council meeting will be on **Monday, September 21, 2015 at 7:30 P.M.** in Council Chambers.

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

President Corcoran: This is your opportunity to address the items of your concerns within the City to Council. This gives us an opportunity to respond to your concerns. If you wish to address Council, please approach the podium and state your name and address for the record and ask away. You will still be given three minutes to speak on the topic of your choice. Would anybody like to address Council this evening? Seeing none, we have one more announcement. Mr. Keenan.

Terry Green, 6893 Root Road: stated he wants something done regarding the conditions of 6873 Root Road and encouraged Council to adopt the Ordinance that gives more tools to the Building Department regarding enforcement.

Safety-Service Director Armbruster: Mr. President, the process of the address that Mr. Green was talking about is in its third hearing with the judge. It is ongoing through; it takes such a long time and our Law Director can attest to it; such a long time to get something like this through. I know it is going through the court system and working through it but it takes so long and it is in municipal court in the City of Elyria.

President Corcoran: Thank you. Our second person is not here. Is there anybody else that would like to address Council this evening?

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 8:17 P.M.

Approval of minutes:

A stylized handwritten signature, possibly reading 'K. Corcoran', consisting of a large loop and a horizontal line.

PRESIDENT OF COUNCIL

A handwritten signature in cursive script, appearing to read 'George E. Linder'.

CLERK OF COUNCIL