NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING SEPTEMBER 4, 2012

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: I call to order the Tuesday, September 4, 2012 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 Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran. Also, present was Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin, and Assistant Clerk of Council Tara Peet. Absent was Mayor David Gillock.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You also have before you the minutes of the regular Council meeting held July 16, 2012. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Drainage and Flood Control minutes of April 24, 2012, Parks & Recreation Commission minutes of June 27, 2012, Civil Service Commission minutes of July 17, 2012, Parks & Recreation Commission minutes of July 25, 2012, Board of Zoning and Building Appeals minutes of July 26, 2012, Safety Committee minutes of August 6, 2012, Planning Commission minutes of August 14, 2012, Finance Committee minutes of August 23, 2012, Board of Zoning and Building Appeals minutes of August 23, 2012, and Tax Abatement Review Board minutes of August 27, 2012.

LOBBY:

President Corcoran: This brings us to our lobby session of the meeting. This gives you the opportunity to speak to Council. There are a couple of rules. When you approach the podium please state you name and address for the record. You have three minutes to speak. Please limit it to that one topic. You do have the opportunity to speak again on another topic. Those are pretty much the general rules. If you have any questions, I'll answer them about the rules. Would anyone like to address Council this evening?

Bill Gluvna, 33065 Cobblestone – thanked City Council, the Mayor, Jeff Armbruster and retired Safety Service Director, Denny Johnson for their hard work, support and service.

Hazel Sferry, 33025 Hidden Hollow Court – thanked the Police Chief and Councilman Olesen for their hard work on the deer issue. Mrs. Sferry expressed her concerns regarding deer hunting in North Ridgeville and the lack of experience required to receive a hunting license.

It was moved by Buescher and seconded by Boose to allow an additional three minutes time.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7 - Yes 0 - No

President Corcoran: Is there anybody else that would like to address Council this evening?

Don Johnson, 8368 Jennings Road, Olmstead Township – asked for permission to drive his truck down St. Rte. 83 to Bagley Rd. Mr. Johnson stated driving outside of North Ridgeville causes him an additional 9 mile drive.

President Corcoran: Mr. Johnson, we don't have the power to do something like that, but the Safety-Service Director, Mr. Armbruster and the Police Department, I'm sure they can work together to at least have a conversation with you. Anyone else like to address Council this evening? Seeing none, we will move on to the Administrator's Reports. Mr. Safety-Service Director.

ADMINISTRATORS REPORTS:

A. Mayor:

Safety-Service Director Armbruster: I am filling in for Mayor Gillock this evening as Acting Mayor. I don't know if those of you have noticed the historic district signs that have gone up on Center Ridge Road, on both sides of Center Ridge and on Stoney Ridge. It actually identifies the historic district – Old Town Hall and some of the buildings we have there, including the cemetery. I want to especially announce this evening that Alan Willoughby who has been in this fair community, as a resident, probably more years than I have lived here. He actually wanted the third sign. We agreed to buy two signs for Center Ridge and Alan donated $55 for the price of that sign to go up on Stoney Ridge. Alan you did a great job and we got the three signs and he participated in where they are today and they look good. We look forward to having those signs up and people recognizing that Old Town Hall is there other than just on the building but in the signage. We have a retirement. Bill Gluvna retired and did an outstanding job. We had several people that had applied for the position. Council, not meaning this Council, but back when Mr. Gluvna was appointed, the Mayor asked Council's approval to move forward with Mr. Gluvna's appointment. Speaking with Mayor Gillock today, I would suggest this evening, on behalf of the Administration, we would like to have his replacement, Al Swindig, if it is approved, to take over. Al brings twenty-eight and a half years. Al is here this evening. This is the first time, which I am aware of, in the community that we actually are taking someone that has learned and developed his skills all the way through the process. I believe Al will do an outstanding job in this community. We've looked beyond a lot of things and took someone that we know we would like to see.

It was moved by Acting Mayor Armbruster and seconded by Olesen to appoint Al Swindig as Service Superintendent.

President Corcoran: Are there any comments or questions on the motion?

Councilman Olesen: Mr. President, I think that young gentleman has earned his stripes.

President Corcoran: All those in favor say yes. Those opposed say no. Congratulations to Mr. Swindig.

7-Yes 0-No

Safety-Service Director Armbruster: To continue, we have a laundry list of legislation this evening since we just finished our August vacation. The Administration would like to have Council consider, just rather than an introduction, T 86, T 87, T 88, T 90, T 91 and T 67 to move forward on these projects as they have been in the hopper for some time over the past several months.

Councilman Olesen: Do you want the emergency on any of these?

Safety-Service Director Armbruster: In Chris's case, I would defer to the Auditor's Report. In all these cases, if there is money involved, the money is already in our budget. So it is not going outside the ordinary to pass them this evening. We would have to write a purchase order. Do we need them immediately, no. We would like to order a car. If it is appropriate, then an emergency should be, but I don't think so. We can let the legislation go so we can move forward on it.

Councilwoman Johnson: Just for clarification, you want action on T 67 this evening?

Safety-Service Director Armbruster: Yes.

Councilwoman Johnson: Did you want to substitute that with the copy that is here.

Safety-Service Director Armbruster: Yes. Might I add, when it comes to the internet access and to the telephones, I would like to move that as quickly as possible and ask for the emergency clause because these are things we have been working on and we want to get them in place sooner rather than later. It is in the budget and it will take us awhile to have the professionals come in and help our IT staff. Steve, you would like to see it with the emergency to move forward?

Steven Dove: Yes, please.

Councilman Boose: Since we are talking about T 67 now, rather than in second readings, if I can, I did talk to the Auditor's office today; not the Auditor, but the Assistant Auditor. She had a concern about T 67 that she had yet to receive and I talked to her this afternoon, the details of where the monies were coming from within the IT budgets. She was hesitant to move forward until she had that and could review it.

Auditor Costin: T 67 has not specifically been appropriated. So, either we have to find the monies to reappropriate it or it has to replace other existing costs. That is the information I believe we were waiting on.

Information Services Director Dove: In regard to the funds, even if we get it passed with an emergency today, there is a three month wait time before the services can even be installed on the internet. That would be the beginning of December before they even begin the installation. We would be looking at January next year for the start of services. I had actually just walked into the room when Mr. Boose had gotten off the phone with Teresa to speak to her about that. I wanted to see exactly how that appropriations works; if we needed to get it appropriated from today through the end of the year, even though it is not possible to get that service until mid-December.

President Corcoran: Do you want to speak to the funds where the monies would come from?

Information Services Director Dove: I have the handout (distributed). The funds would be coming out of several different funds. Computer services would be taking, as we currently do, the internet services for City Hall. We pay for the primary service here and we would continue to do that. I did appropriate for that in my appropriations. As for the service garage, fire stations one and two, French Creek: fire one and two would both come out of the fire's funds. The fund number on the sheet is 101.142.53238-that is their phones. We would need to appropriate $500 per site. That would be $1000 for fire. $500 for the public building which would cover the service garage and $500 for French Creek, and that is a monthly fee. That would be $6,000 for public building; $12,000 for fire and $6,000 for French Creek and that would be for all of 2013. Again, we won't be able to get this in before January 1.

Councilman Boose: Mr. President, if that is the case, do you need the emergency?

Information Services Director Dove: No, I suppose not. It would be the beginning of February, I suppose.

Councilman Boose: The funds that you spoke to are for 2013? Are there funds needed for 2012? I mean, don't we need to have the money appropriated for 2012 in order to …

Information Services Director Dove: The installation charges total at most $5,000 and that would be coming out of a Capital Project Fund I requested at the beginning of the year.

Auditor Costin: The way our appropriations work, of course, before we spend any money we have to appropriate before we incur any services, we have to issue a PO. We can't issue a PO until we have an appropriation. We do have a new appropriation ordinance planned for the next Council meeting and any additional costs for this year we can include in that new appropriation ordinance. We do have some contingency funds in capital projects and in the general fund that we can use for any shortages. I am not aware of any existing additional monies in the service garage; that is probably why we moved it to public building, I would guess. I would suspect that what we will probably need to do is differ to the next meeting passing this piece of legislation when we can amend the appropriation ordinance and then we can pass it at that meeting. As far as normal operating costs for next year, that would be in 2013 appropriations. As you remember, we pass temporary appropriation. I guess if I may, through the Charter Steve, my question is are we replacing any existing costs that are occurring or are these all new?

Information Services Director Dove: It will be replacing existing costs next year. Each site has its own internet services currently. Those are not passed by any ordinance or anything like that. It varies per site. I don't have that information on hand with me.

Auditor Costin: By next meeting then, what we should do is work with our office so we could determine; and we don't have to have the temporary appropriation information but will there be additional costs. We will need to know that going into this year. So two things: item number one is any costs we have to incur this year-i.e. the $5000 installation. We have to appropriate that because we have not appropriated that. Even though there is money appropriated still available, we still need to do that. We can do that at the next meeting and pass that ordinance at the next meeting. Step number two is if there are any additional operating costs that we are going to incur this year; let's say they get it done in November, we are going to have to appropriate that too. That is the information that our office was waiting for.

B. Safety-Service Director:

President Corcoran: Mr. Armbruster, did you have anything else to add?

Safety-Service Director Armbruster: No sir, I do not.

President Corcoran: That brings us to the Engineer.

C. Engineer:

Engineer Wangler: I got two things: at the last meeting we talked about the bidding problems we had on our Chestnut Road and we rebid. We actually had a very good price; we awarded it to Karvo Paving. You might start to see them moving around on that road. They have a schedule and they are going to try and have that completed by the middle of November. Also we are moving forward on the quiet zone. The quiet zone has some construction work further down the way on Chestnut. The coordination of those two schedules, I'm not really in control of what goes on with the railroad there. We are keeping our fingers crossed that it won't create too much of a headache, but we want both of those projects to move forward. Secondly, we have been having some water supply complaints in Richfield, specifically on Gatestone. We have been working on that. Last week we were poking around looking for a mystery valve that was on a drawing and hoping we could find it. We were unsuccessful with that. We got some other things in our model that weren't in reality. We are trying to track down the solution to that and I don't want to spend money on something that is not going to solve the problem. I'm not in any hurry. I want to make sure it fixes the problem before we do that. That is the end of my report.

President Corcoran: I just wanted to clarify: with our rebid of the Chestnut Road project, it is all one phase now, right? So we are talking about both projects that we had talked about previously being completed by the middle of November.

Engineer Wangler: Yes, it was awarded as one.

President Corcoran: Okay, thank you very much. Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you Mr. President. Number one, Council should have received the July report. We did have a recess for the month of August, so the July report is on your agenda. In addition to the Mayor's requests, I'd like to draw Council's attention to two resolutions: T 79 and T 80. Both of these, the work has been completed. On T 79, the work was completed on June 22. T 80, there were services that were performed in June and July. Both of these again, we had technical issues internally at no fault of the vendor. I would recommend that Council consider passing these tonight so that we can get them paid. I do not have the authority to pay them because of the noncompliance with our purchase order system per Ohio Revised Code. So I would like to draw Council's attention to those and have you consider passing those tonight. That concludes my report and my comments. Thank you.

President Corcoran: Thank you very much.

E. Other Reports:

President Corcoran: Other reports: June & July 2012 Building Department Reports, June & July 2012 Fire Department Reports, June & July 2012 Support Car Reports, and July & August 2012 Parks & Recreation Director's Reports

COUNCIL COMMITTEE REPORTS:

SAFETY COMMITTEE REPORT dated August 6, 2012 which authorizes the Law Director to amend T 75-2012 with the changes agreed to at the August 6, 2012 Safety Committee meeting and recommends approval by City Council.

It was moved by Olesen and seconded by Johnson to accept the Safety Committee Report.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

6-Yes 1-No (Buescher)

It was moved by Olesen and seconded by Butkowski to suspend By-laws to give T 75-Revised a first reading this evening.

President Corcoran: Any comments or questions on the motion?

Councilman Olesen: Mr. President, all things being considered when looking at the legislation, if it went the whole circuit without suspending By-laws, it would probably be mid-November before we could enact this legislation. This will take us two weeks closer. If you are a hunter and you know what hunting is all about, you will know that primary bow hunting season, the leaves are still on the trees for camouflage. The season actually starts at the end of this month. So I'd like to make it somewhat early into the season to be successful for the first year.

Councilwoman Buescher: Mr. President? There was only one Committee meeting during Council recess in the month of August which did not give Council itself the opportunity to ask a lot of the questions that needed to be asked, and certain issues to be addressed, particularly safety issues. I have to say that Mrs. Sferry that went to lobby, pretty much expressed my same feelings about the concerns of hunting in the City. I don't think there was sufficient time given to the whole piece of legislation. This is why I voted no on the Committee report. Thank you.

Councilman Boose: Mr. President? Councilman Olesen mentioned to me earlier tonight that he was going to ask to have this and at that time, I sort of figured out that there would be three meetings in which this could be addressed by residents, but actually this ordinance was not on the agenda this evening. If we go forward and give it a first reading this evening, there will only be two meetings, theoretically, that residents will have the opportunity to speak on the ordinance while it is on the agenda. I think there should be three. This was a very controversial issue several years ago and I believe if we are trying to allow hunting in our City, residents should have the opportunity to have the three readings that legislation is suppose to have. Based on that, I do not recommend suspending the By-laws. Thank you.

President Corcoran: Is there anyone else that would like to speak on this issue?

Councilman Olesen: I appreciate Mrs. Sferry's comments and I think she has every right as a citizen to express those. If you look back at the meetings that we did have, we covered the safety factors. We talked about that in a five year period only two bow hunting accidents occurred in Ohio with 400,000 hunters in the field. I don't think our experience in North Ridgeville is going to be any different unless we have complete idiots in our community, and I think I give our people more credit than that. I am assuming that everything is going to be according to state; we are not going to have an accident. When you are hunting from a tree stand, you are hunting down and you can see for a quarter of a mile to a half mile. I feel we should get this thing rolling before it is too late and it is totally ineffective for this year.

Councilwoman Johnson: I have a question of Mr. Olesen – if we did not put this on for a first reading today and it went the normal route, when would it be passed? What meeting? Do you have the time table?

Councilman Olesen: If we did everything by the book it would be mid-November.

Councilwoman Johnson: Mid-November. When is the season over?

Councilman Olesen: The season is over early in January. Very few people bow hunt like in December and January. There is no cover on the trees and it is very difficult.

Councilwoman Johnson: I understand, but there still is time, right? This is a controversial issue and it probably should have three readings. I just want to make sure there will still be a partial season and there will be. I am in favor of this ordinance, so you know.

Councilman Olesen: Mr. President, do you remember that the Police Department is coordinating this thing and they have to have some kind of a yardstick as to when they can start assigning hunting areas and passing out the rules and if we are going to be jumping all over the board, then we can't do this.

President Corcoran: I understand what your point is Mr. Olesen. I am just letting you know right now there have been three people who have expressed concerns about putting this on for a first reading and in order to suspend the By-laws and give it a first reading we will need a super majority, which would mean five. Right now it looks like even if everyone else voted for it and three voting against, it wouldn't be enough to suspend the By-laws.

Councilman Boose: Mr. President, as a point of order for Mr. Olesen; the information given at the Committee meeting that we discussed this at is that the hunting season is from the last Saturday in September through the first Sunday in February. So they would have all of January. That would be two months.

Councilwoman Buescher: Mr. President, I just have one more comment please. Mr. Olesen claimed that there was a lot of discussion on this issue and there was but that was with a different Council and a few years ago. There was not adequate discussion this time. What information that has been acquired since then and different issues that have to be looked at seriously impact the City. I think the people will give us some input on this and we should take our time with it.

Councilwoman Butkowski: Mr. Chairman, we did have a Committee meeting and it was publicized.

Councilwoman Buescher: Mr. President that was one Committee meeting when the whole of Council was in recess.

President Corcoran: And with that we will call the vote by roll call.
4-Yes 3-No (Buescher, Boose, Johnson)

President Corcoran: The motion fails for failure to get the super majority. Moving on.

CORRESPONDENCE:

1. A letter dated July 13, 2012 from the Department of Commerce – Division of Liquor Control regarding alcohol permits.

2. A letter dated July 19, 2012 from the Clerk of Council's office regarding a typographical error in numbering in duplicate Ordinance number 4939-2012 - *An Ordinance amending appropriation Ordinance nos. 4905-2012 & 4920-2012 for the City of North Ridgeville, Ohio for the period commencing January 1, 2012 and ending December 31, 2012* which will now be known as Ordinance number 4946-2012.

3. A letter dated July 25, 2012 from City Engineer, Scott Wangler regarding completion of the Braemore Subdivision.

4. A letter from the City of Westlake dated August 9, 2012 notifying the City of North Ridgeville of an application received for a wireless telecommunications facility.

5. A letter dated August 28, 2012 from City Engineer, Scott Wangler in response to the EPA Storm Water Audit.

6. A letter dated August 6, 2012 from Parks and Recreation Director, Kevin Fougerousse, requesting the allocation of $1,000 from the Recreation Improvement Fund for tree cutting in South Central Park.

    It was moved by Boose and seconded by Buescher to approve the expenditure of $1,000 from the Recreation Improvement Fund for tree cutting in South Central Park

President Corcoran: Any comments or questions on the motion?

Councilman Boose: Mr. President, as the liaison to the Parks and Recreation Commission, just want to note that the Park and Rec Commission did consider the matter in July and did unanimously pass it and the recommendation for our approval. Thank you.

President Corcoran: Thank you. Any other comments? All those in favor say yes. Those opposed say no.

7 - Yes 0 - No

7. A letter dated August 23, 2012 from Parks and Recreation Director, Kevin Fougerousse, requesting the allocation of $2,000 from the Recreation Improvement Fund to replace existing sidewalk in South Central Park.

    It was moved by Boose and seconded by Buescher to approve the expenditure of $2,000 from the Recreation Improvement Fund for the replacement of the existing sidewalk in South Central Park.

President Corcoran: Any comments or questions on the motion?

Councilman Boose: Mr. President, for those of you that have frequented South Central Park in the last thirty days or so, you will see that there have been several paths that have been done by the City and it looks fantastic. The City did a great job on it. Now you can actually go from the road that goes into the park over to the pavilion that is facing Bainbridge. They actually redid all of the sidewalking that went from the Community Cabin to the playground area where the water fountain is and back out to alongside where the Splashpad is. The only section that needs to be replaced is from the Splashpad out to the parking lot. That is what this money will be going towards. Again, at the last meeting in August, the Park and Rec Commission asked that the recommendation be approved to pass this. Thank you.

President Corcoran: Any other comments? All those in favor say yes. Those opposed say no.

7 - Yes 0 – No

OLD BUSINESS: None

President Corcoran: There is no old business. Moving on to new business.

NEW BUSINESS:

Assistant Clerk of Council Peet:
Planning Commission recommendations to Council of meeting held August 14, 2012:

APPLICANT:	Telamon Construction Inc., c/o Michael C. Bossetti, 5505 Milan Road, Sandusky, OH 44870
OWNER:	MVM Real Property Holding, LLC, P.O. Box 215, Elyria, OH 44036
REQUEST:	To construct an 18,900-square-foot manufacturing building
LOCATION:	Taylor Parkway in an I-3 District Permanent Parcel Nos.: 07-00-047-000-085 & 07-00-047-000-107
PC ACTION:	Approved by a vote of five to zero.

It was moved by Olesen and seconded by Boose to accept the Planning Commission's recommendations.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.
7-Yes 0-No

Ordinance and Resolution Submittals

Assistant Clerk of Council Peet:
T 78-2012 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.

President Corcoran: T 79.

Assistant Clerk of Council Peet:
T 79-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ATLAS ELECTRICAL CONSTRUCTION, INC. IN THE AMOUNT OF $3,370.82.

It was moved by Olesen and seconded by Boose to suspend By-laws to give T 79 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.
7-Yes 0-No

Assistant Clerk of Council Peet:
T 80-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO URS CORPORATION IN THE AMOUNT OF $21,061.95.

It was moved by Olesen and seconded by Boose to suspend By-laws to give T 80 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.
7-Yes 0-No

Assistant Clerk of Council Peet:
T 81-2012 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.25.

Assistant Clerk of Council Peet:
T 82-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR LOCKBOX SERVICES PROVIDED BY A FINANCIAL INSTITUTION.

Assistant Clerk of Council Peet:
T 83-2012 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN BRAEMORE SUBDIVISION AND DEDICATING THEM FOR PUBLIC PURPOSES.

Assistant Clerk of Council Peet:
T 84-2012 AN ORDINANCE AUTHORIZING THE CASH-OUT OF 600 HOURS OF SICK TIME.

President Corcoran: The Chair will refer this to the Finance Committee.

Assistant Clerk of Council Peet:
T 85-2012 AN ORDINANCE AMENDING ORDINANCE NO. 4693-2009 BY INCREASING THE AMOUNT PAID TO CT CONSULTANTS, INC. FROM $119,800.00 TO $120,697.12 FOR THE IMPLEMENTATION OF CHIP GRANT FUNDS.

It was moved by Boose and seconded by Olesen to suspend By-laws to give T 85 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

Assistant Clerk of Council Peet:

T 86-2012 AN ORDINANCE AUTHORIZING THE PURCHASE OF A NEW VEHICLE FOR THE MAYOR FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED $30,000.00.

It was moved by Boose and seconded by Olesen to suspend By-laws to give T 86 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

Assistant Clerk of Council Peet:

T 87-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MARSH-MCBIRNEY, INC., A HACH COMPANY, FOR PROFESSIONAL METERING SERVICES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED $30,000.00 OVER A 5-YEAR PERIOD.

It was moved by Olesen and seconded by Butkowski to suspend By-laws to give T 87 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

Assistant Clerk of Council Peet:

T 88-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF ELYRIA FOR THE PURCHASE OF WATER.

It was moved by Butkowski and seconded by Johnson to suspend By-laws to give T 88 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

Assistant Clerk of Council Peet:
T 89-2012 AN ORDINANCE APPROVING THE EXPENDITURE OF FUNDS TO MULTIPLE VENDORS FOR LABOR, MATERIALS AND APPURTENANCES RELATED TO THE REPLACMENT OF THE GRATING IN THE FILTER BUILDING AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED $30,000.00.

Assistant Clerk of Council Peet:
T 90-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SOFTWARE SOLUTIONS FOR THE PURCHASE OF FINANCIAL SOFTWARE, LICENSING AND APPURTENANCES FOR THE CITY AUDITOR'S OFFICE, AND FOR THE PURCHASE OF HARDWARE AND APPURTENANCES FROM THE STATE CO-OP OR FROM MULTIPLE VENDORS AT AN EQUIVALENT OR LESSER PRICE, NOT TO EXCEED A TOTAL CUMULATIVE AMOUNT OF $140,000.00.

It was moved by Olesen and seconded by Butkowski to suspend By-laws to give T 90 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

Assistant Clerk of Council Peet:
T 91-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A NEW TELEPHONE SYSTEM TO BE USED IN FOUR CITY- OWNED BUILDINGS FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED $100,000.00.

It was moved by Butkowski and seconded by Johnson to suspend By-laws to give T 91 a first reading.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.

7-Yes 0-No

RECESS:

It was moved by Butkowski and seconded by Boose to dispense with recess.

President Corcoran: All those in favor say yes. Those opposed say no.
7-Yes 0-No

President Corcoran: Moving on to first readings. We are going back to T 79.

FIRST READING:

Assistant Clerk of Council Peet:
T 79-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ATLAS
1260-2012 ELECTRICAL CONSTRUCTION, INC. IN THE AMOUNT OF $3,370.82.

It was moved by Boose and seconded by Olesen to dispense with the second and third readings this evening.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.
7-Yes 0-No

It was moved by Boose and seconded by Olesen to adopt T 79.

President Corcoran: Any comments or questions on the motion? Roll call vote.
7-Yes 0-No
Permanent Resolution No. 1260-2012

President Corcoran: T 80.

Assistant Clerk of Council Peet:
T 80-2012 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO URS
1261-2012 CORPORATION IN THE AMOUNT OF $21,061.95.

It was moved by Olesen and seconded by Boose to dispense with the second and third readings this evening.

President Corcoran: Any comments or questions on the motion? All those in favor say yes. Those opposed say no.
7-Yes 0-No

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

President Corcoran: Any comments or questions on the motion? Roll call vote.
7-Yes 0-No

Permanent Resolution No. 1261-2012

Councilwoman Butkowski: I don't think 1261 is a resolution number.

Councilwoman Johnson: Yes it is.

Councilwoman Butkowski: I'm sorry. Yes it is.

President Corcoran: T 85.

Assistant Clerk of Council Peet:
T 85-2012 AN ORDINANCE AMENDING ORDINANCE NO. 4693-2009 BY
4947-2012 INCREASING THE AMOUNT PAID TO CT CONSULTANTS, INC. FROM $119,800.00 TO $120,697.12 FOR THE IMPLEMENTATION OF CHIP GRANT FUNDS.

It was moved by Boose and seconded by Buescher to dispense with the second and third readings for T 85.

President Corcoran: Any comments or questions on the motion?

Councilman Boose: Mr. President, I spoke with the Auditor's office and the Safety-Service Director today and the extra funds are actually available funds still from the 2009 federal grant that we have. There was an asbestos issue in one of the homes which increased the cost and the original ordinance was not written up to an approximate, rather, it was written to an exact amount. That is the reason why for the extra funds.

President Corcoran: Thank you. I just wanted someone to explain. All those in favor say yes. Those opposed say no.
7-Yes 0-No

It was moved by Boose and seconded by Buescher to adopt T 85.

President Corcoran: Any comments or questions? Roll call vote.
7-Yes 0-No
Permanent Ordinance No. 4947-2012

President Corcoran: T 86.

Assistant Clerk of Council Peet:
T 86-2012 AN ORDINANCE AUTHORIZING THE PURCHASE OF A NEW VEHICLE
4948-2012 FOR THE MAYOR FROM THE STATE CO-OP, OR TO ADVERTISE FOR

Amended BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED $30,000.00.

It was moved by Olesen and seconded by Boose to dispense with the second and third readings for T 86.

President Corcoran: Mr. Auditor do you want to explain this.

Auditor Costin: The vehicle was authorized for the City during appropriations, but I think the City needs to be cautious because this really is not a vehicle for the Mayor, it is a vehicle for the use by City staff. If it were exclusively for the Mayor, that would result in additional taxable compensation, which he is not allowed to receive. He has to comply with the federal laws just like everybody else. It really is intended, to the best of my knowledge, to be a City vehicle and accordingly, I think it would be wise to amend the ordinance to replace "Mayor" with "City."

It was moved by Boose and seconded by Buescher to exchange the word "Mayor" to "City."

President Corcoran: Any comments or questions? All those in favor say yes. All those opposed say no.

7-Yes 0-No

President Corcoran: So now we have the Amended version of T 86 that we have already had a motion and a second on to dispense with the second and third readings. All those in favor say yes. Those opposed say no.

7-Yes 0-No

It was moved by Olesen and seconded by Johnson to adopt Amended T 86. Roll call vote.

7-Yes 0-No

Permanent Ordinance No. 4948-2012

President Corcoran: T 87.

Assistant Clerk of Council Peet:

T 87-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4949-2012 CONTRACT WITH MARSH-MCBIRNEY, INC., A HACH COMPANY, FOR PROFESSIONAL METERING SERVICES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED $30,000.00 OVER A 5-YEAR PERIOD.

It was moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 87.

President Corcoran: Any comments or questions? All those in favor say yes. All those opposed say no.

7-Yes 0-No

Auditor Costin: I'm sorry. $25,000 was actually appropriated here. I'm not sure if we would encumber or not because this covers a multi-year period. $5,000 if we do encumber would come from another line item that is available for appropriation.

It was moved by Boose and seconded by Olsen to adopt T 87.

President Corcoran: Any comments or questions? Roll call vote.

7-Yes 0-No

Permanent Ordinance number 4949-2012

President Corcoran: T 88.

Assistant Clerk of Council Peet:

T 88-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4950-2012 CONTRACT WITH THE CITY OF ELYRIA FOR THE PURCHASE OF WATER.

It was moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 88.

President Corcoran: Mr. Armbruster do you want to speak on this?

Safety-Service Director Armbruster: This is a good deal for the City. It is substantially below their rates at this point. It is a ten year contract that locks us in to $1.20 and allows us to fix our water system with additional less expensive water then what we are getting from Avon Lake or from Rural Water. This is an outstanding opportunity for the City of North Ridgeville to purchase water from Elyria for the next ten years at a set rate.

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

7-Yes 0-No

It was moved by Olesen and seconded by Johnson to adopt T 88. Roll call vote.

7-Yes 0-No

Permanent Ordinance number 4950-2012

President Corcoran: T 90.

Assistant Clerk of Council Peet:

T 90-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4951-2012 CONTRACT WITH SOFTWARE SOLUTIONS FOR THE PURCHASE OF FINANCIAL SOFTWARE, LICENSING AND APPURTENANCES FOR THE CITY AUDITOR'S OFFICE, AND FOR THE PURCHASE OF HARDWARE AND APPURTENANCES FROM THE STATE CO-OP OR FROM MULTIPLE VENDORS AT AN EQUIVALENT OR LESSER PRICE, NOT TO EXCEED A TOTAL CUMULATIVE AMOUNT OF $140,000.00.

It was moved by Butkowski and seconded by Boose to dispense with the second and third readings for T 90.

Councilman Boose: Mr. President, this was discussed in appropriations earlier this year. The software and licensing is approximately $113,000 with the balance no more than $25,000. So it should be around $148,000 or $149,000. So the $140,000 covers it.

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

7-Yes 0-No

It was moved by Boose and seconded by Butkowski to adopt T 90.

7-Yes 0-No

Permanent Ordinance number 4951-2012

President Corcoran: T 91.

Assistant Clerk of Council Peet:

T 91-2012 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A NEW
4952-2012 TELEPHONE SYSTEM TO BE USED IN FOUR CITY- OWNED BUILDINGS FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED $100,000.00.

Councilman Boose: Mr. President, I have a question for the Auditor. In speaking with Teresa today, we were talking about this ordinance and how it kind of relates to T 67 with the internet. According to Teresa there is only about $60,000 available in Capital Projects. The rest are IT budgets and operation budgets. Do we know if this is already appropriated?

Auditor Costin: $60,000 is correct and it is in Capital Projects. That was appropriated for the project. What we also do is we set aside a certain amount of money in IT every year for transition, turn-over, replacement and so forth. Mr. Dove is in the audience with us tonight. He indicated that if passed, the additional monies up to the amount needed, not to exceed $100,000 would come out of his budget.

Councilman Boose: So that has already been appropriated?

Auditor Costin: It has already been appropriated.

It was moved by Boose and seconded by Buescher to dispense with the second and third readings for T 91.

President Corcoran: All those in favor say yes. Those opposed say no.
7-Yes 0-No

It was moved by Boose and seconded by Buescher to adopt T 91. Roll call vote.
7-Yes 0-No
Permanent Ordinance number 4952-2012

SECOND READINGS:

Assistant Clerk of Council Peet:
T 67-2012 **Amended by Substitution** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A 60 MONTH AGREEMENT FOR HIGH SPEED INTERNET AND DATA SERVICES FOR SIX CITY OWNED BUILDINGS FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR, IN ACCORDANCE WITH LAW, AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED A $5,000.00 ONE-TIME FEE FOR INSTALLATION AND CONSTRUCTION, AND NOT TO EXCEED $48,000.00 ANNUALLY FOR INTERNET AND DATA SERVICES.

It was moved by President Corcoran and seconded by Johnson to amend by substitution the revised version of T 67.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.
7-Yes 0-No

THIRD READINGS:

T 63-2012 **4953-2012** AN ORDINANCE AMENDING CHAPTER 854, *PEDDLERS, CANVASSERS AND SOLICITORS.*

It was moved by Olesen and seconded by Boose to adopt T 63. Roll call vote.
7-Yes 0-No
Permanent Ordinance number 4953-2012

MEETING ANNOUNCEMENTS:

President Corcoran: Next regular Council meeting will be held on Monday, September 17, 2012 at 7:30 P.M. right here in Council chambers.

ADJOURNMENT:

President Corcoran: With no other business this evening, the meeting is adjourned.

Meeting adjourned at 8:40 P.M.

Approval of minutes:

These minutes were approved at the regular meeting of the North Ridgeville Municipal Council on September 17, 2012.

PRESIDENT KEVIN CORCORAN

Tara L. Peet
ACTING CLERK OF COUNCIL TARA L. PEET