**NORTH RIDGEVILLE MUNICIPAL COUNCIL**
**MINUTES OF**
**REGULAR MEETING SEPTEMBER 3, 2002**

**CALL TO ORDER:** 8:00 P.M.
President of Council David Gillock: I would like to call this Regular meeting of the North Ridgeville Municipal Council of September 3, 2002 to order. Would you please stand for the Invocation and Pledge.

**INVOCATION:** lead by President of Council David Gillock.

**PLEDGE OF ALLEGIANCE:** by all.

**CALLING OF THE ROLL - ROLL CALL:**
Present were Council Members Nancy Buescher, Allen Swindig, Josanne Pagel, Bob Olesen, Bernadine Butkowski, Denny Johnson and David Gillock.
Also, present were Mayor Deanna Hill, Safety-Service Director Jim Johnson, Law Director Eric Zagrans, Engineer Tom Beutler, Auditor Chris Costin and Clerk of Council Chuck Norris.

**MINUTES - Corrections and Approval:**
President Gillock:
Public Hearing Minutes of July 15, 2002 regarding 2002 tax budget
motion to approve by Swindig, 2nd by Olesen
President Gillock: Is there any discussion in regards to the 2002 tax budget hearing? If not, please call the roll.
Yes, 6 No, 0 Abstain, 1 (Butkowski)
Clerk of Council Norris: Minutes are approved by a vote of six, zero, one abstention.

President Gillock:
Public Hearing Minutes of July 15, 2002 regarding T 64-2002
Public Hearing Minutes of July 15, 2002 regarding T 42-2002
Public Hearing Minutes of July 15, 2002 regarding T 81-2002
Public Hearing Minutes of July 15, 2002 regarding T 82-2002
Public Hearing Minutes of July 15, 2002 regarding T 83-2002
Public Hearing Minutes of July 15, 2002 regarding T 84-2002
Public Hearing Minutes of July 15, 2002 regarding T 85-2002
Public Hearing Minutes of July 15, 2002 regarding T 86-2002
Is there any opposition to accepting these all at once? Do we have a motion to approve the Public Hearing minutes for T 64, T 42, T 81 through T 86?
motion by Pagel, 2nd by Olesen to approve
President Gillock: Is there any discussion? Please call the roll on the Public Hearing minutes

for the zoning issues.
Yes, 6 No, 0 Abstain, 1 (Butkowski)
Clerk of Council Norris: Minutes are approved by a vote of six, zero, with one abstention.

President Gillock:
Regular Council Minutes of July 15, 2002
motion by Pagel to approve, 2nd by Buescher
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 6 No, 0 Abstain, 1 (Butkowski)
Clerk of Council Norris: Minutes are approved by a vote of six, zero and one abstention.

President Gillock:
Special Council Minutes of July 22, 2002 regarding T 94-2002
motion by Pagel to approve, 2nd by Olesen
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 6 No, 0 Abstain, 1 (Butkowski)
Clerk of Council Norris: Minutes are approved by a vote of six, zero and one abstention.

President Gillock:
Special Council Minutes of July 31, 2002 regarding T 96-2002
motion by Pagel to approve, 2nd by Butkowski
President Gillock: Are there any corrections or additions? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Minutes of the Special meeting are approved by a vote of seven to zero.

President Gillock:
Special Council Minutes of July 31, 2002 regarding T 95-2002
motion by Butkowski to approve, 2nd by Pagel
President Gillock: Are there any corrections or additions? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: July 31 Special meeting Minutes are approved by a vote of seven, zero.

President Gillock: Please note:
Planning Commission Minutes of July 9, 2002 and August 13, 2002;
Board of Zoning & Building Appeals Minutes of June 27, 2002, July 25, 2002 and August 22, 2002;
Parks & Recreation Commission of June 24, 2002 and July 24, 2002;
Civil Service Commission Minutes of July 16, 2002; and
Board of Drainage and Flood Control Minutes of April 24, 2002.

**COMMITTEE REPORTS:**

Clerk of Council Norris:
STREETS, SIDEWALKS & BRIDGES COMMITTEE REPORT (Buildings & Lands Committee Report) #7198 Members of Council: We have considered the matter of opening Mildred Street to Jaycox and recommend that this request be approved and proper legislation be drawn authorizing the administration to negotiate a contract for extending Mildred Street to Jaycox.
Signed by Chairperson Allen Swindig, Members Denny Johnson and Bob Olesen and Nancy Buescher.
Council Member Pagel: Mr. President, point of order, this is not Buildings and Lands Committee, this is Streets and Sidewalks Committee.
President Gillock: That is correct. I believe it's just typed on the agenda.
Council Member Swindig: It's wrong on the committee report too.
President Gillock: We can just make the correction. We don't need a motion because it is Streets and Sidewalks.
motion by Johnson to accept, 2nd by Buescher
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Committee report is approved by a vote of seven to zero.

**QUESTIONS FOR THE FOLLOWING WRITTEN REPORTS:**

President Gillock: We have no written reports, this evening, from the Administration.

**Mayor:** None

**Safety-Service Director:** None

**Engineer:** None

**Law Director:** None

**AUDITOR'S REPORT:**

Auditor's Written Financial Report for July 2002.
motion by Swindig to approve, 2nd by Butkowski
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Auditor's Report is approved by a vote of seven to zero.

President Gillock: Mr. Costin, is there anything you'd like to add.
Auditor Costin: No further comments.

**OTHER REPORTS:**

President Gillock: Please note:
Police Department Support Car Report for June and July 2002;
Police Department Activity Report for June and July 2002;
Police Department 2001 Annual Report;
Public Water System Operation Report for June and July 2002;
Building Department Report for June and July 2002;
Mayor's Court Operating Trust Fund/Bail Trust Fund Report for July 2002;
Fire Department Report for July 2002; and
Service Department Activity Report for July 9 through August 28, 2002.

Planning Commission Liaison Report:
Clerk of Council Norris: Planning Commission Regular meeting held August 13, 2002:

Applicant: All-American Sports, LLC, 37000 Center Ridge Road
Owner: All-American Sports, LLC, 37000 Center Ridge Road
Request: Addition to east end of existing building for food and ice cream service
Location: 37500 Center Ridge Road, in B-2
Permanent Parcel No. 07-00-033-000-031 and 07-00-033-000-032
PC Action: Approved
motion to approve by Olesen, 2nd by Pagel
President Gillock: Open for discussion.
Council Member Olesen: All this is, is an enlargement on one of the buildings. There's no variance or anything else on the project.
President Gillock: Thank you. Any other discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Report is approved by a vote of seven to zero.

Applicant: F.J.D. Properties, LLC, 37000 Center Ridge Road
Owner: Five-Grand Corporation, 37000 Center Ridge Road
Request: Extension of building to the west and north for additional office space
Location: 37000 Center Ridge Road, in B-2, Permanent Parcel No. 07-00-033-000-029
PC Action: Approved
motion to approve by Olesen, 2nd by Pagel
President Gillock: Is there any discussion?
Council Member Olesen: Mr. President, all this is, it's an enlargement of the office building.
President Gillock: Is there any other discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Report to approve carries by a vote of seven to zero.

Applicant: Wagler Homes of Cleveland, Inc., 3730 Tabs Drive N.W., Uniontown, 44685; Patrick Long, Vice President of Operations, Wagler Homes
Owner: Wagler homes of Cleveland, Inc., 3730 Tabs Drive N.W., Uniontown
Request: Preliminary site plan approval; detached cluster site, part of Waterbury
Location: Chestnut Ridge Road, in Waterbury PCD
Permanent Parcel No. 07-00-036-000-072
PC Action: Approve contingent upon 25 foot street width
motion to approve by Olesen, 2nd by Swindig
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 6 No, 1 (Butkowski)
Clerk of Council Norris: Report is approved by a vote of six to one.

Applicant: Oster Construction, Inc., Tom Oster, President, 6150 Park Square Drive, Lorain, 44053
Owner: Alfred & Jean Porkolab, Porkolab Family Trust, 8303 Marigold Lane, Mainesville, 45039
Request: Preliminary subdivision approval per Chapter 1282 (cluster)
Location: Stoney Ridge Road, in R-1
Permanent Parcel Nos. 07-00-031-000-001, -002 and -003
Permanent Parcel Nos. 07-00-042-000-001, -002 and -003
PC Action: Approved
motion to approve by Olesen, 2nd by Swindig
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 6 No, 1 (Johnson)
Clerk of Council Norris: Report is approved by a vote of six to one

**OLD BUSINESS:**

T 95-2002 An ordinance providing for the re-division of wards within the City of North Ridgeville, Ohio in accordance with Section 3.1 of the Charter.
Postponed July 31, 2002.
President Gillock: This was postponed awaiting the delivery or obtaining several pieces of information which we have not yet received. So, this will remain under old business. New business.

**NEW BUSINESS:**

Clerk of Council Norris:
Request for new D1, D2, D3 and D3A liquor permit from Anthony M. Valore for 34139 Center Ridge Road.
President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

Request for new D1 liquor permit from Donatos Pizzeria Corp, DBA Donatos Pizza for 33701 Center Ridge Road.
President Gillock: REFERRED TO BUILDINGS AND LANDS COMMITTEE.

T 97-2002 An ordinance providing for the publication for posting of ordinances.
motion by Pagel to suspend By-Laws to have a first reading tonight, 2nd by Swindig
President Gillock: Is there any discussion?
Council Member Pagel: Mr. President, I brought this ordinance forward after talking to some members of the community and right now, in ward three, it is posted in the Fire Station Number Two. It's a very small fire station. It's not accessible really, that much, to the residents to go in and out, no where for parking and that. So, we thought it would be better if we had it at a community center. Both Worcester's and Don Mould both step forward. Unfortunately, Worcester's is not accessible 24 hours a day and Don Mould's is. We felt it was better to post there, Don Mould's, and make it more available to the community members at 24 hours a day.
President Gillock: Thank you. Any other discussion? If not, please call the roll on the suspension.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.
President Gillock: T 97-2002 will receive a first reading this evening.

Clerk of Council Norris:
T 98-2002 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to purchase a passenger van 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 $31,600.00.
motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Buescher
President Gillock: Is there any discussion of suspension of By-Laws? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend to first reading carries by a vote of seven to zero.
President Gillock: T 98-2002 will receive a first reading this evening. T 99.

Clerk of Council Norris:
T 99-2002 A resolution of support for Issue Two Project Priorities.
motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Pagel
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

T 100-2002 An ordinance amending NRCO Section 1060.10.

Council Member Butkowski: I would like to refer this to Utilities.
President Gillock: REFERRED TO UTILITIES COMMITTEE.

Clerk of Council Norris:
T 101-2002 An ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to enter into various agreements with the Lorain County Solid Waste Management District.
motion by Swindig to suspend By-Laws to give this a first reading tonight, 2nd by Pagel.
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

T 102-2002 An ordinance amending Ordinance 3587-2000, authorizing the City of North Ridgeville to enter into a cooperative agreement with the City of Elyria, City of Lorain, and Republic Technologies International for the preparation and cost sharing of a Lower Black River Quality Dissolved Oxygen Model, by increasing the amount from $100,000.00 to $150,000.00.
Council Member Butkowski: Mr. Chairman, I would like to refer this to Finance, please.
President Gillock: Before I do that, which I don't have a problem with, I would to ask Mayor Hill who has introduced this, when we did this the first time, we didn't have a choice in the matter, is this pretty much the same thing or . . . .
Mayor Hill: Correct. We have no choice in the matter. This is a requirement that we are facing to clean up the Black River and we have been ordered to do so and to share in the cost. The cost has escalated however, as they normally do.
Council Member Johnson: It is my understanding that Republic Technology International doesn't exist anymore.
Mayor Hill: I don't know what the E.P.A. will do with Republic Technologies, however, we have our cost assessed.
Law Director Zagrans: Mr. President, I believe at least a portion of the cost overrun is to pick up the share of RTI for the other municipalities who are sharing in it.
President Gillock: Are there any specific time deadlines on this?
Mayor Hill: I'd like to refer that to the Safety-Service Director.
Safety-Service Director Johnson: At the time we came to you for the one hundred thousand dollars, this was an estimated cost. Right now, the City of Elyria is paying all the cost and we are reimbursing them. At the present, we are 15, 20 thousand dollars in arrears to them and I would like to see this go on so we could pay our bill because the firm that is doing the testing is coming back and they are being paid by Elyria. We are actually replenishing Elyria's money. Actually, we don't know what the total will be but, hopefully this will be enough to carry everything.
President Gillock: With that information, do you still want this referred to Finance?
Council Member Butkowski: Yes, because I have to find the money somewhere. We're going

to have a meeting next week, Finance meeting.
Auditor Costin: I believe the previous expenditures have been charged to French Creek operations. This will not affect our general fund, our regular City operations. This is a function of the French Creek Sanitary Sewer Plant, if that's the only issue.
Council Member Butkowski: If that's the case, go ahead with it then.
Council Member Pagel: Mr. President, if Mrs. Butkowski did remove her referral then I'll move to suspend By-Laws to have a first reading tonight.

motion by Pagel to suspend By-Laws to have a first reading tonight, 2nd by Swindig

President Gillock: Mrs. Butkowski agreed that that was the only issue to drop the request for a referral. Is there any discussion on the suspension? Mr. Johnson?
Council Member Johnson: Mr. Chairman, I'd like to learn more about the ordinance before we vote on it. I'm against suspending By-Laws. Thank you.
President Gillock: Anyone else? Please call the roll on the suspension.

Yes, 6 No, 1 (Johnson)

Clerk of Council Norris: Motion to suspend carries by a vote of six to one.
President Gillock: T 102-2002 will receive a first reading this evening.

Clerk of Council Norris:
T 103-2002 An ordinance authorizing the Mayor to enter into a contract with a consulting engineering firm for the negotiation and acquisition of sanitary sewer easements for the West Center Ridge Sewers from Race Road west to the corporation line, not to exceed $90,000.00.
Council Member Butkowski: Mr. Chairman, I want to refer this to Finance.
President Gillock: REFERRED TO FINANCE COMMITTEE.

Clerk of Council Norris:
T 104-2002 An ordinance authorizing the Mayor to enter into a contract according to law and in a manner prescribed by law with a consulting engineering firm for a traffic study in order to make improvements to the existing traffic signals located at the intersections of Center Ridge Road and the following: Emerald Street, Cornell Avenue, Wallace Boulevard, Pitts Boulevard, Olive Avenue, Jaycox Road, Ridgeview Boulevard, Root Road, and Ridge Plaza, not to exceed $85,000.00.
Council Member Pagel: Mr. President, I'd like to refer that to Streets, Sidewalks and Bridges and the Finance Committee, please.
President Gillock: REFERRED TO STREETS, SIDEWALKS AND BRIDGES COMMITTEE AND FINANCE COMMITTEE.

Clerk of Council Norris:
T 105-2002 An ordinance authorizing the Mayor to advertise for bids and enter into a contract according to law and in a manner prescribed by law for the purpose of

constructing a sidewalk on Root Road from Bainbridge Road to Center Ridge Road, and to negotiate and enter into a contract with a consulting engineering firm for plans, specifications, and construction phase services for same, not to exceed $120,000.00.

motion by Mayor Hill to suspend By-Laws for a first reading, 2nd by Swindig

President Gillock: Is there any discussion on the suspension? Mrs. Butkowski?

Council Member Butkowski: I would like to defer to the Auditor for where we will get the 63 thousand dollars.

President Gillock: We have a motion to the suspension right now. Let's finish with that first. Does someone else want to speak in regards to suspending By-Laws? Mr. Johnson?

Council Member Johnson: This is a CDBG Grant for about half the money, there is a question about where the rest of the monies are going to come from, whether it's there. I think that needs to be answered before we move ahead.

Council Member Pagel: My question was actually, because there was a CDBG funding, was this appropriated? We have to get it done by the end of this year. Was this appropriated, in the past, knowing that we were going to do this project?

President Gillock: Mr. Costin, all this seems to fall right in your lap. Would you like to address these questions?

Auditor Costin: I want to welcome everybody back, first of all. Actually, we were not aware of this in appropriations and it has not been appropriated at this time. Of course, if the money is available, the block grant portion, if that's in the process of collection then we would be able to appropriate that briefly or in the near future, I should say. If you want me to go on and answer where we're going to get our portion from, we would have to defer back to capital projects and look at something we haven't used yet and the only thing that I'm sure, not absolutely but, pretty sure we're not going to expend this year, in speaking with the Fire Chief is the rescue vehicle. While we had money appropriated for a rescue vehicle, that vehicle is no longer available to him and I think he is looking at doing something next year or in terms of a lease purchase which would, if Council so chooses, free up 175 thousand dollars or some portion of that to be re-appropriated for something else. Without studying the various other line items, I'm not sure what other items we're not going to move forward on. We do have a 49 thousand dollar contingency in that fund as well. What we would have to do is reclassify something that's already been appropriated that we anticipate won't be spent this year.

Council Member Olesen: Mr. President, I think we should keep in mind, this could be another venue for our school children to walk on as they get up to the Middle School. Heaven knows we don't have anything for them on Center Ridge.

President Gillock: Anyone else? We are voting on the suspension of By-Laws to give this a first reading this evening. Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

T 106-2002 An ordinance amending Ordinance 3777-2002 by increasing the amount from $10,000.00 to $25,000.00 for preparation of plans and specifications for the Gloria Street petition.

President Gillock: Mayor Hill, on this Gloria Street engineering cost, is this total amount assessable to the property owners?
Mayor Hill: I'll refer that to our City Engineer.
Engineer Beutler: That is all part of the cost, the project cost that is assessed to the property owners, correct.
President Gillock: So, in the long run, this should not cost us any money. Mr. Johnson?
Safety-Service Director Johnson: The only cost we would have would be what would be in the City's right-of-ways. If there's seven feet to the street, that would be the City's responsibility.
President Gillock: Correct. We had talked about that before. This is a large increase but, it's not hitting our budget to any great degree.
Council Member Olesen: Mr. President, I've had a number of calls from residents in this area. That's a dead spot on Gloria Avenue and there's water that collects there and they are worried about mosquitoes. There's not a lot of water that collects there but, enough to concern the residents and I would love to see this project move ahead.
President Gillock: Thank you. Anyone else?
Clerk of Council Norris: T 107.
Mayor Hill: Excuse me. I kind of missed the opportunity here so I have a chance to go back and move to suspend By-Laws for a first reading.

motion by Mayor Hill to suspend By-Laws for first reading, 2nd by Swindig

President Gillock: Is there any discussion on the suspension? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend is approved by a vote of seven to zero.
Mayor Hill: Thank you for allowing me to correct that.

T 107-2002 An ordinance authorizing the Mayor to negotiate and enter into a contract with a consulting architectural firm to provide a cost study for the design, placement, construction and furnishing of a Public Safety Building to house police, fire and dispatch services, and for the renovation of a portion of City Hall, not to exceed $17,500.00.

motion by Pagel to suspend By-Laws for a first reading tonight, 2nd by Olesen

President Gillock: Is there any discussion?
Council Member Pagel: Mr. President, this sorely needs our attention at this time and it's going to be a long process anyway, even if it does go to furcation and I believe anything we can do to move this along would be very appropriate for the safety services.
President Gillock: And these funds were appropriated. Mr. Johnson?
Council Member Johnson: Can anybody explain what it means, and for the renovation of a portion of City Hall? As I understand it, 17 thousand five hundred dollars was appropriated for

the police and fire safety building.
President Gillock: Mayor Hill, would you like to address that particular question since this is your ordinance.
Mayor Hill: I would love too but, this is the ordinance that was given to us to submit so, I can't explain that for you.
President Gillock: Was this written by the Law Department? Mr. Zagrans, would you like to address that?
Law Director Zagrans: I have no idea why it says that. That could be a mistake.
Council Member Pagel: Mr. President, could we amend this?
President Gillock: If this would be a subsidiary motion, we can amend it at any time.

motion by Pagel to amend to remove the phrase, and for the renovation of a portion of City Hall, 2nd by Johnson

President Gillock: Is there any further discussion on the amendment? If not, please call the roll on the amendment.

Yes, 7 No, 0

Clerk of Council Norris: Motion to amend carries by a vote of seven to zero.
President Gillock: We have a motion by Mrs. Pagel, seconded by Mr. Olesen to suspend By-Laws to give this a first reading this evening. Is there any further discussion on the suspension? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion carries by a vote of seven to zero.

Mayor Hill: Mr. President, under new business I'd like to make a motion for Executive Session to discuss the acquisition of property following the lobby.
President Gillock: We can certainly do that.

motion by Gillock to suspend By-Laws to address the letter received by Guy Fursdon, our Chief Building Official, in regards to the North Central Building Officials Association, 2nd by Johnson

President Gillock: Is there any discussion? If not, please call the roll on the suspension of By-Laws to address this letter.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

President Gillock: You should have received in your box, a letter from the Chief Building Official which did not meet cloture. He is asking for approval to attend a conference in Fort Worth Texas for himself and Mr. Blanchett. We have an ordinance that when City Officials are traveling more than 500 miles, we have to verbally give them approval, which is what this is for.

motion by Gillock to approve Mr. Fursdon and Mr. Blanchett, attending this conference, 2nd by Olesen

President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to approve by a vote seven to zero.

Council Member Pagel: Mr. President, under new business, I'd like to make a motion to suspend By-Laws to address the letter sent by Jim Spaulding requesting five thousand dollars from Council to go toward the fund that they're going to put up for improvement to the multi-purpose athletic field which is the Mini Rangers Football field.
President Gillock: We can do that. We have a motion to suspend By-Laws. This is going to have to go to Finance Committee. No way we can give verbal approval. Let's suspend By-Laws to allow discussion.
motion by Pagel, 2nd by Swindig to suspend By-Laws to discuss under new business the request from Parks and Rec in regards to the Mini Rangers field
President Gillock: Is there any discussion on the suspension? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.

Council Member Pagel: Mr. President, a number of months ago when we were discussing the issue of donating five thousand dollars for fireworks display, there was a necessity to fix the Mini Rangers football field and with discussions with the Parks and Recs Commission, I felt personally, that we could appropriate five thousand dollars to go towards this field that will be used throughout the year as a multi-purpose athletic field, not just as Mini Rangers football field. There was an issue of the children being endangered with water drainage on that field at this time and I think Parks and Rec have really looked at this issue intensely and have gotten out some contract bids as far as just finding out what it would cost and I feel that Council should support them and donate five thousand dollars.
President Gillock: Is there any other discussion?
Council Member Butkowski: Mr. Chairman, I'll defer to the Auditor.
Auditor Costin: I'm not sure what you mean by contribute. Is there a request to spend five thousand dollars out of the Park and Rec Improvement Fund?
President Gillock: No. What has happened, there's been an issue in regards to the Mini Rangers field. I'm the liaison of Parks and Recreation. This didn't meet cloture so, it was going to come up at the next meeting but, the procedures we follow we could just discuss it now. We received numerous bids in regards to providing drainage to the field, recrowning it, doing a lot of work to improve that field with an estimated cost of 14 thousand dollars. Parks and Recs is first asking for approval to spend their 14 thousand dollars of their own improvement funds. They are also asking, as a result of these earlier discussions that Mrs. Pagel has referred to, that Council appropriate five thousand dollars to them to replace part of that 14 thousand dollars so they don't, in the long run, only take nine thousand dollars out of their Improvement Fund and we would take five thousand out of our funds. So, for the total of 14 thousand dollars to repair or re-

renovate the Mini Rangers field, Parks and Rec would pay nine and we would pay five. That's what we're trying to accomplish here.
Auditor Costin: Is there any reason why we wouldn't just take the 14 out of the Park and Rec Improvement Fund and be done with it? In as much as it collects, for each new house it's collecting the builders fee of two hundred and 50 dollars, so it's constantly increasing.
President Gillock: I think it's just a matter of their trying to keep as much of their own money under their own use as they can plus, Council has strongly exhibited a desire to be involved in renovating that field or doing something for the Mini Rangers. I think that's where the original five thousand dollar figure came from. Mr. Johnson?
Council Member Johnson: The Parks and Rec Improvement Fund was, in my opinion, meant for expanding the parks and keeping them updated with our population as we move along as a City. In talking with members of the Park and Rec Commission and Members of Council, I believe it's Council duty to try and protect that fund a little bit more and stop it from being used for fences and the general up keep of the parks system and in doing that, we would take more money out of the general fund and help out the parks system. Thank you.
Council Member Olesen: Mr. President, how much money is in that fund?
President Gillock: I believe there's one hundred twenty thousand dollars, I believe is the figure. That's what they have right now but, keep in mind there's a lot of different things that they're doing, including a new concession stand and other things, that will . . .
Council Member Olesen: That will come out of that.
President Gillock: That's got a grant but, there may be some funds come out of that. We have other parks that need attention. I think that most of us felt that over a period of time, that perhaps, we haven't paid enough attention to our parks and we've dependent entirely upon that Improvement Fund and maybe we should try to supplement that somewhat if we can rather than relying totally upon that fund for the upkeep, maintenance and everything of all our parks.
Council Member Olesen: I don't have a problem with that but, this isn't the type of fund that just grows and grows and grows and it's never expended.
President Gillock: Oh yes it's expended. It's drawn down every year. Is there any other discussion? Is there a motion you would like to make, Mrs. Pagel?

motion by Pagel that Council donate five thousand dollars from the contingency line item within the General Fund for the expenditure of the Multi-Purpose Athletic Field renovations, 2nd by Johnson

President Gillock: Is there any further discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven, zero.

motion by Gillock to approve Parks and Rec spending nine thousand dollars from the Parks and Recreation Improvement Fund on improving the Mini Ranger field, 2nd by Johnson

President Gillock: Is there any further discussion? Mr. Costin?

Auditor Costin: Just for clarification, you're calling it the Mini Ranger Field but, that is City of North Ridgeville Park property, that's not entering into any private organization, for the record.
President Gillock: For the record, this is the field on the south end at Shady Drive Complex behind the four T ball fields and it is City property. Any other discussion?

Yes, 7 No, 0

Clerk of Council Norris: Motion to approve carries by a vote of seven, zero.

**CORRESPONDENCE:**

Clerk of Council Norris: Council has ten items of correspondence before them this evening.

1) Received a letter from Rae Ann Estep, Superintendent of the Ohio Department of Commerce, Division of Liquor Control notifying that all permits to sell alcoholic beverages will expire on October 1, 2002 and in order for permit holders to maintain permit privileges, every permit holder must file a renewal application. Ohio Revised Code provides that the legislative authority has the right to object to the renewal of a permit and to request a hearing.

2) Received a letter from Jim Petro, Auditor of State in regard to their audit of the financial statements of the City and have issued their report which is on file in the office of the Clerk of Council.

3) Received the Comprehensive Annual Financial Report for the Year Ended December 31, 2001 prepared by Auditor Chris S. Costin, CPA,CGFM.

4) Received a letter from Rosemary Berg submitting a letter sent to the North Ridgeville Press and Light in regard to easements for the Center Ridge Road sanitary sewer.

5) Received a letter from Parks Director Jim Spaulding, CPRP announcing the Parks and Recreation Commission's approval to expend $4,000.00 from the Parks and Recreation Improvement Fund for the purchase of baseball diamond dirt, turf conditioner, grass seed, fertilizer and straw to be installed at the Shady Drive Complex, diamond #5, and requesting verbal approval.

motion by Pagel, 2nd by Butkowski to approve the Parks and Rec spending four thousand dollars on improving diamond five

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to approve carries by a vote of seven to zero.

6) Received a letter from State Representative Jeffrey Manning explaining the process, in which the current procedure for funding the Local Government Fund was established in order to clarify any confusion that seems to be arising out of the county Auditor's office.

7) Received a notice from Judge Kosma Glavas, Court of Common Pleas that Case Number 01CV130118, caption Antush VS North Ridgeville has been assigned for pre-trial on October 16, 2002 at 10:00 A.M.

8) Received a letter from Thomas Bennett, Board of Trustees Chairman and William Estabrook, Executive Director of the Ohio Police and Fire Pension Fund explaining the new Deferred Retirement Option Plan to eligible OP&F members beginning in January 2003.

9) Received an announcement from Mayor Dan DiLeberto, City of Eastlake, Chairman of NOPEC announcing the selection of Green Mountain Energy electricity to meet the electricity supply needs of community buildings and small businesses in the NOPEC territory and explaining the enrollment and billing process.

Auditor Costin: I would like to just point out, under item two, the Clerk read, we received a letter from Jim Petro, Auditor of State in regard to their audit of the financials. That was the formal release and acceptance of the audit. That letter was positive in nature.

Clerk of Council Norris:
10) Received a letter from me, Clerk of Council Charles Norris announcing, in accordance with my responsibilities under Section 13.1 of the North Ridgeville City Charter, that I certify that the Initiative Petition proposing an ordinance to provide for the regulation of mobile frozen desserts sales and to amend the Codified Ordinances to permit mobile frozen desserts sales is legally sufficient and that Council shall take final action on the proposed ordinance within 40 days after August 22, 2002.
President Gillock: To stay within our deadline, I would like to request a motion to suspend By-Laws to place this on the agenda at the next meeting under new business.

motion by Pagel, 2nd by Johnson to place this on the agenda at the next meeting under new business

President Gillock: Is there any discussion?
Council Member Olesen: Mr. President, it's my understanding, no matter what we do at this point, it will not be on the November ballot.
President Gillock: That is correct.
Council Member Olesen: If it goes through, it'll happen in May?
President Gillock: The petitions were not certified in time for us to do what we need to do to meet the deadline at the Board of Elections to put it on the November election if that had been the out come. What will happen now is this will come up at the next meeting and Council has the option to either adopt their ordinance, amend their ordinance or reject their ordinance in its entirety. If we reject or amend it, the petitioners have the right, in writing, to request Council to place it on the ballot at the next regular election which will be in May and we will be obligated to do so. That's the procedure. But, in order to get this done in 40 days, we have to, at either the

next meeting put it on new business, suspend By-Laws, take it to the third reading for action or you could hold a series of special meetings to accomplish the same thing. It has to be done before October 1, a final decision. Any other discussion on suspending By-Laws and putting this on the agenda under new business at the September 16, 2002 meeting. Please, call for the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend By-Laws carries by a vote of seven to zero.

**LOBBY:**

President Gillock: We now come to the lobby portion of our meeting. Anyone is certainly permitted to address Council. You are given three minutes and we ask that you use the sign-in sheets in the back giving us your name and address for our record. Anyone wishing to speak, please approach the podium.

1) Richard Kennedy of 31615 Cook Road noted that Council should have received correspondence a day late and that's why it wasn't read. Spoke about road classifications of an expressway, major thoroughfare and minor arterial. Spoke about traffic volume on Cook Road. Questioned the designation of Cook Road.

2) Joe Antush of 38500 Otten Road spoke about the last election and multi-family housing and the description of what is multi-family housing. Spoke of actions of Council Members and the ones they replaced. Spoke about the Buildings and Lands meeting and the developers explanation of taxes coming in and not speaking to money that goes out for City services.

3) Betty VanMeter of 36896 Chestnut Ridge Road spoke about development in areas that have been sold by farmers. Spoke of her opposition to the Waterbury development. Complained of a building that is not an R-1, 35 feet from the back edge of her property line. Stated that she supports clusters and multi-family dwellings being put in the centers of the PCD's. Noted the Mayor's comments that Council should not cater to just one and noted that the taxpayers on Chestnut Ridge Road are not just one but, can cooperate as one. Noted her complaints to the Building Department on debris from some of the building sites during the first phase. Noted her objection to a two or three family dwelling erected within 35 feet of her property line, and feels that one family should be enough to say, no more. Stated that Chestnut Ridge Road was appalling until redone about four or five years ago. Noted a sign at the intersection of Route 83 and Chestnut of no through trucks.

President Gillock: Your three minutes are up. Is there anyone else who wishes to address Council? Okay, we have to let him go and we'll come back to you.

4) Larry Overby of 5230 Manchester Circle, Chairman of Parks and Recreation Commission, thanked Council.

President Gillock: Mrs. VanMeter, you're allowed a second time at the podium. May we allow her to continue on the same subject?

motion by Pagel to allow Mrs. Van Meter to speak on the same subject, 2nd by Butkowski

Yes, 7 No, 0

Clerk of Council Norris: Motion carries by a vote of seven to zero.

President Gillock: You have an additional three minutes.

5) Mrs. VanMeter spoke about a sign at the intersection of Route 83 and Chestnut Ridge Road stating no through trucks. Stated that, last week, there were 20 to 30 cement trucks from Medina Supply that came down Chestnut Ridge to enter the Waterbury development which has its entrance off Chestnut Ridge Road in Eaton Township. Stated that she phones the Police Department and was told Medina Supply had received permission from North Ridgeville's Engineer to use Chestnut Ridge to deliver concrete. Spoke of a conversation with Tony of the Engineering Department. Asked who will redo Chestnut Ridge Road once all the construction vehicles for Waterbury have destroyed it. Questioned why they don't travel another route and was told that Sugar Ridge was a new road. Asked how much more the residents of Chestnut Ridge will have to endure before they have some justice to benefit them.

President Gillock: That concludes the lobby portion of our meeting. I would like to have a motion to adjourn into Executive Session to discuss property acquisition.

motion by Mayor Hill, 2nd by Swindig to adjourn into Executive Session to discuss property acquisition

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion is approved by a vote of seven to zero.

Council adjourned into Executive Session at 9:10 P.M.
Council resumed from Executive Session at 9:30 P.M.

President Gillock: I'd like to call the Council meeting back to order. Next item on the agenda is the recess which I'd like to skip. Do we have a motion to recess from the agenda?

motion by Butkowski, 2nd by Buescher to dispense with the recess.

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion carries by a vote of seven to zero.

**RECESS:** dispensed with.

**FIRST READINGS:**

Clerk of Council Norris: First readings tonight.

T 108-2002 AN ORDINANCE RETAINING THE SERVICES OF A CITY PLANNER, NOT TO EXCEED $1,500.00.
First Reading

T 97-2002 AN ORDINANCE PROVIDING FOR THE PUBLICATION FOR POSTING OF
3834-2002 ORDINANCES.
First Reading
motion by Swindig to dispense with second and third readings, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Council Member Buescher: Mr. President, can we suspend on a zoning issue?

President Gillock: This is not a zoning issue. This is Section 220.01 of the Codified Ordinances. It's not a zoning order.

Council Member Olesen: Is it the bulletin boards that you talked about earlier? (Inaudible)

Yes, 6 No, 1 (Buescher)

Clerk of Council Norris: Motion carries by a vote of six to one.
motion by Swindig to adopt, 2nd by Pagel

President Gillock: Is there any discussion? If not, please call the roll.

Council Member Pagel: Mr. President, I just want to thank Don Mould's Plantation for agreeing to post the notices there for ward three.

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven to zero and becomes permanent ordinance assigned 3834-2002.
Permanent Ordinance No. 3834-2002

T 98-2002 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
3835-2002 RIDGEVILLE, OHIO, TO PURCHASE A PASSENGER VAN 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 $31,600.00.
First Reading
motion by Butkowski to dispense with second and third reading, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.
motion by Swindig to adopt, 2nd by Butkowski
motion by Swindig to add the emergency for the end of the year, for the best price

on the Senior Citizens van and the safety of the seniors, 2nd by Butkowski
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion carries by a vote of seven to zero.
President Gillock: Is there any further discussion on the adoption? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: T 98 passes by a vote seven to zero and is assigned permanent ordinance 3835-2002 with the emergency.
Permanent Ordinance No. 3835-2002

T 99-2002 A RESOLUTION OF SUPPORT FOR ISSUE TWO PROJECT PRIORITIES.
957-2002 First Reading
motion by Swindig to dispense second and third reading, 2nd by Pagel
President Gillock: Is there any discussion on dispensing with second and third? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to suspend carries by a vote of seven to zero.
motion by Pagel to adopt, 2nd by Swindig
President Gillock: Is there any discussion?
motion by Pagel to add the emergency, 2nd by Swindig for the reason of the September 6 deadline that it is due
President Gillock: Is there any discussion on the emergency? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to add the emergency passes by a vote of seven to zero.
President Gillock: Is there any further discussion on the adoption?
Council Member Johnson: Mr. Chairman, I would like to ask if we could get together on Lear Nagle Road. We've got several different projects going on. Some overlapping. I don't intent to stand in the way of the projects that are up for funding but, we need to all understand and get on the same page as to where that road is going, three lanes, four lanes, what intersections are going to be done. I think the bridges were scheduled for four lanes, the road for three. I'd like to find out where we stand on Lear Nagle Road. Like I said, I'm not going to stand in the way here but, I'd like to get a good picture of what the plan is for that road in the very near future.
President Gillock: Mr. Beutler, could you provide Council some kine of idea of a long range plan for that?
Engineer Beutler: Yes, I can.
President Gillock: Thank you. I'd appreciate it. Any other discussion on the adoption? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to adopt T 99 carries by a vote of seven to zero and becomes permanent resolution 957-2002.

Permanent Resolution No. 957-2002

T 101-2002 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO VARIOUS AGREEMENTS WITH THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT.
First Reading

T 102-2002 AN ORDINANCE AMENDING ORDINANCE 3587-2000, AUTHORIZING
3836-2002 THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF ELYRIA, CITY OF LORAIN, AND REPUBLIC TECHNOLOGIES INTERNATIONAL FOR THE PREPARATION AND COST SHARING OF A LOWER BLACK RIVER QUALITY DISSOLVED OXYGEN MODEL, BY INCREASING THE AMOUNT FROM $100,000.00 TO $150,000.00.
First Reading
motion by Gillock to dispense with second and third readings, 2nd by Pagel

President Gillock: Is there any discussion on the suspension? If not, please call the roll.
Yes, 6 No, 1 (Johnson)

Clerk of Council Norris: Motion carries by a vote of six to one.
motion by Swindig to adopt, 2nd by Olesen

President Gillock: Is there any discussion on the adoption? If not, please call the roll.
Yes, 6 No, 1 (Johnson)

Clerk of Council Norris: T 102 is adopted by a vote of six to one and is assigned permanent ordinance 3836-2002.
Permanent Ordinance No. 3836-2002

T 105-2002 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
3837-2002 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURPOSE OF CONSTRUCTING A SIDEWALK ON ROOT ROAD FROM BAINBRIDGE ROAD TO CENTER RIDGE ROAD, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED $120,000.00.
First Reading
motion by Mayor Hill to dispense with second and third readings, 2nd by Swindig

President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0

Clerk of Council Norris: Motion to dispense with second and third carries by a vote of seven, zero.

motion by Mayor Hill, 2nd by Swindig to adopt
President Gillock: Is there any discussion on the adoption? If not, please call the roll.
Council Member Pagel: Mr. President, I just want to ask the question and possibly Mr. Costin can answer this, is it an absolute that the Fire Department will not be using the money that was appropriated for a rescue vehicle this year, did something come up? Because, I believe that's where we're taking the money from for this, correct?
Auditor Costin: I can't tell you that it's absolute. But, the last discussion that he and I had, he was going to come to a future Finance Committee with an alternate plan that would include leasing a vehicle so we would have the lease terms over more than one year and if that's changed, I'm not aware of it. He may have had discussions with Council Person Butkowski as well, on that issue.
Council Member Butkowski: Yes, he and I discussed it also and this money would be available.
Auditor Costin: Or the better part of the money would be available.
Mayor Hill: Mr. President, Chief Miller and I had the same discussion.
President Gillock: Is there any other discussion on the adoption?
motion by Mayor Hill to add the emergency, 2nd by Swindig as this does have to do with the safety of people walking on Root Road.
President Gillock: Is there any discussion on the emergency? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Adding the emergency passes by a vote of seven to zero.
President Gillock: Any further discussion of the adoption? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion is approved by a vote of seven to zero and is assigned permanent ordinance 3837-2002.
Permanent Ordinance No. 3837-2002

T 106-2002 AN ORDINANCE AMENDING ORDINANCE 3777-2002 BY INCREASING
3838-2002 THE AMOUNT FROM $10,000.00 TO $25,000.00 FOR PREPARATION OF PLANS AND SPECIFICATIONS FOR THE GLORIA STREET PETITION.
First Reading
motion by Mayor Hill to dispense with second and third readings, 2nd by Swindig
President Gillock: Is there any discussion? If not, please call the roll.
Yes, 7 No, 0
Clerk of Council Norris: Motion to dispense second and third carries by a vote of seven to zero.
motion to adopt by Mayor Hill, 2nd by Swindig
President Gillock: Is there any discussion on the adoption?
Council Member Butkowski: Mr. Chairman, are the petitioners aware that the cost has increased and this is a self assessment?
Safety-Service Director Johnson: I don't believe the petitioners know what the actual cost would be. There's an estimate of 500 dollars a foot. Each side of the street would be 250 dollars a foot.

This wouldn't affect that in anyway, that much.
Engineer Beutler: On the assessed project, basically, the step that we're in right now is to prepare the plans and the specs and the cost estimates. Whenever those are done, then the people are notified, who live along the street, what their actual assessment cost would be from the preliminary estimates. At that point then, it goes further. But, the people will know at that time, whenever they're notified of those preliminary assessments.
President Gillock: Aren't there only two property owners involved in this?
Engineer Beutler: There are basically two property owners who signed the petition and the majority property owners but, there are other property owners out there other than just the two.
President Gillock: Any other discussion on the adoption? Please call the roll.

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt carries by a vote of seven to zero and is assigned permanent ordinance 3838-2002.

Permanent Ordinance No. 3838-2002

T 107-2002 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND
3839-2002 ENTER INTO A CONTRACT WITH A CONSULTING ARCHITECTURAL FIRM TO PROVIDE A COST STUDY FOR THE DESIGN, PLACEMENT, CONSTRUCTION AND FURNISHING OF A PUBLIC SAFETY BUILDING TO HOUSE POLICE, FIRE AND DISPATCH SERVICES, AND FOR THE RENOVATION OF A PORTION OF CITY HALL, NOT TO EXCEED $17,500.00.

First Reading

motion by Pagel to dispense with second and third readings, 2nd by Olesen
President Gillock: Is there any discussion on the suspension? Mayor Hill?
Mayor Hill: Yes, Mr. President. I believe Council will remember that this amount was appropriated during the budget hearing. So it's not new funds that are being asked for.
President Gillock: Any other discussion? If not, please call the roll of the suspension.

Yes, 7 No, 0

Clerk of Council Norris: Motion to suspend carries by a vote of seven, zero.

motion by Pagel, 2nd by Johnson to adopt

Yes, 7 No, 0

Clerk of Council Norris: Motion to adopt is approved by a vote of seven to zero and is assigned permanent ordinance 3839-2002.

Permanent Ordinance No. 3839-2002.

**SECOND READINGS:**
Clerk of Council Norris:
T 92-2002 AN ORDINANCE ACCEPTING THE FINAL PLAT OF ANDOVER AT WATERBURY FOR APPROVAL AND FOR RECORDING PURPOSES.

Second Reading

T 93-2002 AN ORDINANCE ACCEPTING THE FINAL PLAT OF CHADDWYCK AT WATERBURY FOR APPROVAL AND FOR RECORDING PURPOSES. Second Reading

**THIRD READINGS:**

President Gillock: Before we do the reading on T 89-2002, it came to my attention that we do not have a recommendation from Planning so, I'm REFERRING T 89-2002 TO PLANNING COMMISSION prior to third reading.

Law Director Zagrans: Mr. President, since it's likely that I will not be at the Council meeting where this is brought back again from Planning Commission, may I speak very briefly, I know the hour is late, on one legal point pertaining to both T 89-2002 and T 90-2002.

President Gillock: Yes.

Law Director Zagrans: Members of Council, both of these are proposed ordinances, deal with changing the definition of what is not a multi-family dwelling within North Ridgeville for purposes of our ordinance, to include triplexes. The definition already does not include single-family and two-family dwellings. This would extend that definition exclusion to three-family dwellings. I was originally skeptical, frankly, that that was appropriate and would pass muster and was prepared to so indicate to you when I became aware of the Ohio Building Code which North Ridgeville adopted as it's own building code back in, well, we've adopted the Ohio Building Officials Association quote, One, Two and Three Family Dwelling Code and what I came to understand is that the Ohio Building Code has the same definition that we are now proposing to conform our ordinances to. So, if Council, once it comes back from Planning Commission with a favorable recommendation, if that's what happens, Council will be asked to change our code to conform with the way that the state code reads and let me just read it to you. It says, multi-family dwelling is a building containing more than three dwelling units. So, in other words, a multiple family dwelling under state law is anything that has four units or more. One, two and three unit buildings are not considered to be multiple family units under state law and that is exactly what this ordinance would propose to do. So, whereas I was originally prepared to tell you from the Law Department's perspective, this was of skeptical utility, I now advise you that if you approve this, you would simply be conforming the North Ridgeville ordinances to the State Building Code. By the way, that building code was amended effective the year 2002 this year but, the amendment while it simplified the definition I just gave you, doesn't change it, it says now dwelling, a structure consisting exclusively of three or fewer dwelling units so, again, something with four or more units is no longer considered a dwelling, it is considered multi-family. Thank you Mr. President.

President Gillock: Is there any other discussion? I would just like to point out, since we opened discussion up, two points, there's been discussion about triplexes possibly being extended into R-1, just want to make it clear that our ordinances say in R-1, you are allowed a single-family

dwelling. You can petition to the zoning board for a conditional use for a duplex. It doesn't say anything about triplexes in the R-1 ordinance and also, references made to the Charter, Charter amendments, the Charter only speaks to multi-family voting when you're talking about rezoning of property and we're not in either case discussing rezoning. At any rate, this will go back to Planning and be discussed at Planning Commission. Any other comments on T 89?
Council Member Olesen: Just one question, if it goes back to Planning and assuming that they do approve that, it comes back to Council, does it start all over again.
President Gillock: No, it comes back for third reading. It's had its first two readings and I'm making it clear that we are referring these prior to the third reading so, that is where they will come back for a third reading. Any other discussion on T 89?

President Gillock: And T 90-2002, same problem. It did not receive a recommendation from Planning so prior to third reading, I'm REFERRING T 90 TO PLANNING COMMISSION. That's all the third readings. Is there any unfinished business?

**UNFINISHED BUSINESS:**
Council Member Swindig: Yes, Mr. Chairman. I would like to bring up the position of Fire Dispatcher, Secretary position and the Case Manager position for more steps on the wage scale. Those are the two positions that only has three steps in the wage scale and I would them brought up to the other ones. I would like that referred to finance.
President Gillock: Case Manager and Fire Dispatcher Secretary. I will REFER IT TO FINANCE COMMITTEE FOR REVIEW. Any other unfinished business. Committee meeting announcements.

**COMMITTEE MEETING ANNOUNCEMENTS:**
Council Member Butkowski: Mr. Chairman, I want to add one to what is on our agenda here. Our Finance Committee is having a meeting on Thursday, September 12 at 7:30 P.M.

Council Member Swindig: I would like to add the Streets, Sidewalks and Bridges at the same meeting too, to discuss the item that was referred this evening.
President Gillock: So, we're going to have a combined meeting of Finance and Streets, Sidewalks and Bridges?
Council Member Butkowski: I'm not sure at 7:30 in the evening we'll have time for all that because I have, the Auditor's going to go over the state of the City that evening. I think we're going to have another meeting some other time. There's quite a bit of stuff on the agenda for that night and we'll be there until ten o'clock.
Council Member Johnson: Mr. Chairman, I'm on both committees. Can't make both of them.
President Gillock: You can combine them but, you both would have to be in agreement and Mrs. Butkowski wants to keep it separate.

Clerk of Council Norris:
Next Council Work Session, Monday, September 16, 2002 at 7:30 P.M.

Next Regular Council meeting, Monday, September 16, 2002 at 8:00 P.M.

Utilities Committee to meet Thursday, September 5, 2002 at 7:30 P.M.

**ADJOURNMENT:**
motion to adjourn by Swindig
President Gillock: Meeting adjourned.

Meeting adjourned at 9:55 P.M.

MOTION Buescher 2ND Johnson DATE September 16, 2002

YES 6 NO 0 ABSTAIN 0

Bernadine Butkowski
PRESIDENT OF COUNCIL PRO-TEM

CLERK OF COUNCIL