

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING AUGUST 1, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, August 1, 2016 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Bruce Abens, Dennis Boose, President Pro-Tem Bernadine Butkowski, Roseanne Johnson, Bob Chapek and President Kevin Corcoran.

Also present was Mayor G. David Gillock, Safety-Service Director Jeff Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Deputy Auditor Teresa Machovina and Clerk of Council George Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the public hearing meeting minutes of July 18, 2016 regarding the 2017 tax budget. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

You also have before you the City Council meeting minutes of July 18, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received the Parks and Recreation Commission meeting minutes of May 25, 2016.

LOBBY (REGARDING AGENDA ITEMS ONLY):

Moved by President Corcoran and seconded by Boose to bifurcate the lobby session.

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

Yes -6

No – 0

President Corcoran: The first lobby session is open. If you have a comment about an agenda item, please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody who would like to speak this evening? Ok then, moving on to the Administrator's reports. First, we have Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. First I want to mention that the Service Department is finishing up paving on Bagley Road. In fact, it is finished. The next street on the list is Island Road and that will not begin until after the Corn Festival. All of this is subject to change based on weather. I will mention that there are several areas that have been paved that aren't technically finished because we have to do some crack sealing and in some cases, edging. We have received some calls where streets were paved and people were concerned they weren't finished. We have to revisit some of those to finish them up. They are doing a great job and doing a lot of streets this year.

Secondly, I want to mention that tomorrow, August 2nd is the Heart & Sole Healthy Strides which will be at South Central Park at 6:00 p.m.. Scott Wangler, our City Engineer, will be the guest speaker. If you have some free time, stop up and enjoy a casual 30-minute walk, preceded by a brief informative talk. All members of the community are welcome to attend. In the event of inclement weather, the walk will be cancelled for the evening.

Third, last meeting I mentioned that we had seven teams that went to state from the Hot Stove Association. I followed up to see how they did and we are proud to announce that they brought home three state championships. In the Ohio Girls Softball Association are girls Class B which is eleven and twelve year olds beat Vermilion 7-5. Hot Stove - we had two champs in Class 1 which is seven and eight year olds; Finishing Touch Concrete defeated Alliance Bakers 10-9 and in Class HH, nine and under. Our Aut-O-Rama Twins won their second straight state title over Amherst 14-6. Congratulations to all those teams and their coaches for a great job. We are proud of them.

Next weekend will be the 42nd annual Corn Festival which kicks off Friday, August 12 through Sunday, August 14. You can stop by City Hall to pick up a schedule or visit the Corn Festival Committee's website at nrcornfest.org.

Finally, we have received frequent calls from residents regarding cable service and not having a choice in service. Currently Time Warner is the only cable service available in North Ridgeville. Well, that's going to change soon. WOW! has announced plans to begin construction of their network in North Ridgeville. You'll be seeing WOW! trucks and personnel in the coming weeks as they move forward with identifying public easements and right-of-ways. Their network is brought through existing utility easements such as gas, electric, water and sewer lines or through the right-of-way. Once the construction is finished, WOW! will notify residents of what services are available. We anticipate that late third quarter, maybe earlier fourth quarter, some residents will be able to begin connecting and service will more than likely start in the southeast quadrant of the City as they bring the lines from their shop in Berea. Thank you and that concludes my report.

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

B. Safety-Service Director: Based on the information that you received this afternoon with regards to Sugar Ridge, I'd like to revisit that tonight in my report. I've done a little bit of

history on the Beckett family and what the Beckett's have done in the City of North Ridgeville. The Beckett family owns 235 plus acres from Center Ridge Road to Sugar Ridge Road and Bender Road to Race Road. This land is zoned industrial and abuts up against residential homes in the area. Mr. Beckett purchased this acreage years ago with the intent to develop and expand his businesses. The Beckett family businesses have flourished from the first pioneers in the oil heating business in 1937 to three prospering businesses in the City of North Ridgeville that include; R.W. Beckett, Beckett Air and Beckett Gas. The City of North Ridgeville and this Administration fully recognizes and supports the positive impact of business growth and developing our industrial parks while maintaining a balance among the residents as they too play a role in our City's growth and expansion. With this growth and expansion, an obvious increase in traffic over the years, to include delivery trucks has become not only a necessity to the businesses, but a nuisance to the residents. The companies along Sugar Ridge and Race Roads absolutely depend on their products being delivered via trucks. We have box trucks, 18 wheel trucks and cement trucks coming and going. We understand the homeowner's concerns and dismay with the truck traffic as well. It is important that the City continue to grow, not only in industry but in housing as well. In order to do that we need to keep our industry flourishing, this could mean our homeowners will have the inconvenience of truck traffic passing by their homes. The Administration's intent is to see a compromise between the industrial plants and the residents to not eliminate the truck traffic but make every attempt to reduce and control it. Over the course of the past week I have met with Beckett Gas and Medina Supply. My conversations with Medina Supply were with Hal Lane, Area Manager. Hal has assured me that he will notify all of his drivers to avoid Sugar Ridge Road by all measures coming off of St. Rt. 57 and St. Rt. 83 at Sugar Ridge Road. I also met with Morrison Carter of Beckett Gas. While delivery trucks to Beckett Gas and Air are not as heavy as the cement trucks, Mr. Carter has agreed to ask his deliveries be made utilizing the most effective truck route. Fabrizi Trucking & Paving has also assured me they will instruct their drivers to avoid hauling construction recycling materials on Sugar Ridge Road. In closing, both the Administration and Council hear our resident's concerns about truck traffic and are trying every reasonable measure to maintain truck traffic and the integrity of our roads as well as work with our businesses and hopefully have arrived at a plan that works in the best interest of everyone. Thank concludes my report.

President Corcoran: (Shouting from the audience) Excuse me sir, now is not the time to speak. You can speak at the lobby session. This is not the time.

President Corcoran: Thank you sir. Mr. Engineer.

C. Engineer: Thank you Mr. President. The proof roll on the second part of Jaycox passed last week and they are scheduled to do the intermediate course on Thursday, August 4th. It will be a similar operation as the first phase. Traffic will be maintained both ways with flaggers. There will be a top course following that at a later date. That concludes my report.

President Corcoran: Thank you sir. Ms. Auditor.

D. Deputy Auditor: Good evening Council. I just would like to mention we have a couple things on the agenda and depending on when these intend to be adopted; we will be anticipating an amended appropriation Ordinance in order to adopt these things. That would be – T 94 and the final one which is T 97. That concludes my report for this evening.

E. Other Reports:

President Corcoran: We have the June 2016 Mayor's Court reports, the July 2016 Parks and Recreation Director's report and the June 2016 Police Department report.

COUNCIL COMMITTEE REPORT(S): None.

President Corcoran: There is a piece of correspondence.

CORRESPONDENCE:

Clerk of Council Smith:

A letter dated July 14, 2016 from the Ohio Department of Commerce, Division of Liquor Control, notifying City Council that all permits to sell alcoholic beverages will expire on October 1, 2016.

President Corcoran: Andy, on this, I don't know why it is showing up on here. The old business, if you remember last time, we postponed it until September. Even though it is on here, it shouldn't be. It has been postponed until September.

Law Director Crites: It is just a typographical error. It should not be on there.

OLD BUSINESS:

Clerk of Council Smith:

T 82-2016 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY RESOLUTION NO. 768-94, BY ARC TERRA, LLC, AN OHIO LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.

(Introduced by Mayor Gillock; First reading 06/20/2016; Second reading 07/05/2016; Third reading 07/18/2016; Postponed for vote 07/18/2016 to the 09/19/2016 City Council meeting)

NEW BUSINESS: None.

RECESS:

President Corcoran: This is the recess portion of the meeting. Would anyone like a recess?

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

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

Yes – 6

No – 0

President Corcoran: Moving on to first readings, we have T 94.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 94-2016 AN ORDINANCE AUTHORIZING A ROAD CONSTRUCTION AGREEMENT NECESSARY FOR THE CONSTRUCTION OF PUBLIC ROAD IMPROVEMENTS.

(Introduced by Mayor Gillock)

President Corcoran: T 95.

Clerk of Council Smith:

T 95-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1224.05(B)(5), DEDICATION OF LAND FOR PUBLIC USE; EASEMENTS; ACCEPTANCE OF STREETS AND UTILITIES.

(Introduced by Mayor Gillock)

Mayor Gillock: Just a comment going back to T 94 for the road construction – we don't have the engineering yet from R.E. Warner, so we can't do anything anyway until we get that engineering and take a look at it. When we get it that will be a different story. We need to move forward, but until we get that, there is no reason to rush this through. Thank you.

President Corcoran: Thank you. T 96.

Clerk of Council Smith:

T 96-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 432.43, VENDING FROM VEHICLE PROHIBITED, AND N.R.C.O. SECTION 854.02, SOLICITATION ON PUBLIC STREETS OR SIDEWALKS PROHIBITED, IN ORDER TO CONFORM WITH NEW N.R.C.O. CHAPTER MOBILE FOOD VENDORS.

(Introduced by Mayor Gillock)

Mayor Gillock: Mr. President, can you refer this to appropriate committee. There have been additional items that have come up that really need some discussion. Streets and Sidewalks?

President Corcoran: I will refer that to the Safety Committee. T 97.

Clerk of Council Smith:

T 97-2016 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 THE CONSTRUCTION OF THE PERFORMANCE LANE ROADWAY PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,750,000.00.

(Introduced by Mayor Gillock)

President Corcoran: That is the end of first readings. Moving on to second readings we now have T 80.

SECOND READINGS:

Clerk of Council Smith:

T 80-2016 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN AS THE ZONING CODE ORDINANCE, TO REZONE THE FOLLOWING LAND: LOCATED AT BAGLEY ROAD; PERMANENT PARCEL NUMBERS 07-00-011-103-084 OWNED BY MOULD DEVELOPMENT, LLC AND 07-00-011-103-085 OWNED BY WALTER E. MARTENS & SONS FUNERAL HOME, INC.; BOTH PARCELS FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT.

(Introduced by petition of Donald Mould 06/06/2016; First reading 06/06/2016; Referred to B&L and PC 06/06/2016; B&L 06/20/2016; PC 07/12/2016; PC report accepted 07/18/2016)

President Corcoran: T 90.

Clerk of Council Smith:

T 90-2016 A RESOLUTION OF SUPPORT FOR OHIO PUBLIC WORKS COMMISSION PRIORITIES.

(Introduced by Mayor Gillock; First reading on 07/18/2016)

President Corcoran: That is the end of second readings.

THIRD READINGS: None.

MEETING ANNOUNCEMENTS:

President Corcoran: There will be a public hearing regarding T 80-2016 on Monday, August 15, 2016 at 7:20 P.M. right here in Council Chambers. Our next regular Council meeting will be held Monday, August 15, 2016 at 7:30 p.m. in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): This is the second lobby session that is open to the public to bring up items of concern that are going on in the City. If you would like to ask a question, make a comment; please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody that would like to address Council?

William Klostermeyer, 37720 Sugar Ridge Rd.: thanked Mr. Armbruster for meeting with Fabrizi. He also noted there is still a problem but has noticed a reduction. He felt the Administration's efforts are incomplete.

Sue Wilhelmy, 37939 Sugar Ridge Rd.: stated thank you for the efforts but further stated the efforts aren't complete. She suggested adding back the removed signs and asked for the Police Department to enforce the signs.

Len Vatore, 135 Tulane Court, Elyria, OH: stated his son put his vehicle into a ditch and asked why the ditch isn't covered.

Engineer Wangler: Mr. President, just some clarification on the process of culverting in ditches – the process has to be initiated through a resident and the arrangement that we typically extend is that the resident pays the cost of the pipe and the City installs it. As far as what ditches are culverted or not, it is more or less a property owner that hasn't requested it.

President Corcoran: (From the audience) Sir, this is not an open back and forth. For your information, we do have a lot of open ditches throughout the City. It is not just in one spot. If you would like to talk further afterwards, they would be more than happy to. Is there anybody else? Thank you all for coming this evening.

Councilman Boose: Mr. President, one of the reasons for the second lobby is after the normal business is done by Council is so that you can get answers to your questions that we can't provide during the first part. I was wondering if the Administration had any responses they wanted to give to the three residents' that spoke.

Safety-Service Director Armbruster: Well, the statement is pretty clear from the standpoint that our discussions with Medina Cement are that they would not go that direction. With Fabrizi, we are dealing not just with Fabrizi trucks; we are dealing with trucks that are independent. I've talked to them independently as well as with Monica Detore that is down there and was down at both theirs and Medina Cement was here at the office. I did notice one of the concrete trucks the other day that came down Sugar Ridge. I called them and they said that driver was off and they hadn't informed him yet. We had some discussions with regards to putting the no truck sign out. That no truck sign would mean all the trucks would be able to come to all businesses down there as well as the Beckett companies. Those trucks themselves are very light. The materials they are shipping out of there and those 235 acres that is industrial has been industrial for a long time. The Beckett companies own all that up to the residential piece. We certainly want to be able to try to work through the deliveries of those trucks to the Beckett companies as well as keeping the concrete trucks and the construction vehicles off Sugar Ridge Road to enhance the growth of that industrial area which is what it is zoned. All next to the railroad tracks, all the way up and down 83 is zoned I-2. Sooner or later, that property is also going to be involved in industrial growth. There is the absolute answer and I am hopeful we don't have to put the truck sign back up and we probably will to keep them off. The Beckett companies will be allowed to drive on that road if necessary to bring from Sugar Ridge to 83, not from 57 down Sugar Ridge.

President Corcoran: Mr. Klostermeyer, did you have...sure?

Mr. Klostermeyer stated he isn't against business but is against the Administration ignoring Code section 440.14. He further stated he understands Beckett needs to come through that area.

Janet Solinger, 7914 Race Rd.: asked why Mr. Armbruster is against putting the no truck sign up if he is in fact trying to control the truck traffic.

Mayor Gillock: Mr. President, what we are trying to work out and obviously we still have more work to do, we want to eliminate the trucks on Sugar Ridge Road. We don't want the through trucks going through. We are trying to accommodate Beckett. It is not a matter of the railroad track being too small, but it is a matter of seventy to eighty trains going through there and he is on the south side of the tracks. When he has to go to Center Ridge Road, he gets held up all the time. We are just trying to figure out a way to accommodate him so he can go south on Race and east to 83 and keep everyone else off of there. If we can't accomplish that, then we have to change things, but we want to try and give it a try to see if we can get the concrete trucks and the crushed rock trucks stopped. Of course, we don't want traffic cutting through from 83 to 57 under any circumstances. So that is what we are trying to do.

Mrs. Solinger stated she appreciates that fact, but she lives right next to the tracks. She asked why the trucks don't have to wait like residents have to wait. She stated she saw forty-eight trucks between 12:30 p.m. to 4:00 p.m.

Mrs. Wilhelmy asked why the signs were removed as there was no issue before this. She further asked that the signs be put back up.

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

Moved by Butkowski and seconded Johnson to appoint Gregg Westover to the unexpired Ward 1 term.

President Corcoran: As you know, we have a an empty seat for Ward 1 and Mrs. Butkowski just made the motion to appoint Gregg Westover to that empty seat for the unexpired term. Are there any comments or questions?

Councilman Boose: Mr. President, I've had the opportunity to discuss the position with both our final two candidates – Mr. Westover and Mr. Leonard – I will certainly welcome Mr. Westover to the Council and look forward to working with him. I wanted to add that Mr. Leonard, I believe, could do the job as well. I think he has excellent qualifications and unfortunately there is just one position and two people. With the majority of Council the way it is, this is how it will turn out. I wanted to thank him for putting his name on the plate and I believe that he is more than able to do the job and look forward to him continuing his quest for that.

President Corcoran: Thank you Mr. Boose. Anybody else?

Councilman Chapek: Dennis and I talked and Jim Leonard and I are old friends and we sat on the Democratic Committee for a decade or more. He is fully qualified and knows the politics of the City and it was good that he did put his resume in. I just wanted to congratulate him on being a good civil citizen.

President Corcoran: Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously.

Yes – 6

No – 0

President Corcoran: Congratulations Mr. Westover. Please come up as we are going to take the Oath of Office now and get that out of the way.

Mayor Gillock administered the Oath of Office to Mr. Gregg Westover.

Moved by President Corcoran and seconded by Johnson to go into executive session to consider the appointment and employment of a public employee.

President Corcoran: Are there any questions about that? Just so that everyone in the audience knows, we are going to vote on going into executive session. Executive session will take us out of this room. When we come back up, the only thing we are going to do is adjourn the meeting. If you would like to stay, you are more than welcome to. There is nothing else on the agenda for this evening, but that will be the end of the meeting essentially. So, if you would like to stay, great, if you don't, that is okay too. On the motion to adjourn into executive session, Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously.

Yes – 7

No – 0

President Corcoran: We are going to limit this executive session to just Council and the Law Director. Everyone else is free to go.

(Council adjourned into executive session at 8:11 p.m.)

(Council reconvened into the Council meeting at 9:11 p.m.)

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 9:12 p.m.

Approval of minutes on August 15, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL