

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
NOVEMBER 5, 2018**

CALL TO ORDER: 7:30 p.m.

President Corcoran called the Monday, November 5, 2018 Council meeting to order.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Dennis Boose, Martin DeVries, Michelle Hung, President Kevin Corcoran, President Pro-Tem Bruce Abens, Robert Chapek and Gregg Westover.

Also present was Mayor David Gillock, Law Director Brian Moriarty, Safety-Service Director Jeff Armbruster, Auditor Jeff Wilcheck, City Engineer Daniel Rodriguez and Clerk of Council Nancy Linden.

MINUTES - Corrections (if any) and approval:

President Corcoran asked for any corrections to the City Council meeting minutes of October 15, 2018. No discussion was offered. The minutes stand approved as submitted.

President Corcoran asked for any corrections to the Committee of the Whole meeting minutes of October 15, 2018. No discussion was offered. The minutes stand approved as submitted.

President Corcoran asked for any corrections to the Committee of the Whole meeting minutes of October 29, 2018. No discussion was offered. The minutes stand approved as submitted.

President Corcoran noted Council received the Board of Zoning and Building Appeals minutes of October 25, 2018, the Building and Lands Committee minutes of October 29, 2018, the Civil Service Commission minutes of October 16, 2018, the Parks and Recreation Commission minutes of September 26, 2018 and the Planning Commission minutes of October 18, 2018.

LOBBY:

President Corcoran opened the lobby session. He stated there will be one lobby session.

President Corcoran asked anyone that would like to speak to come to the podium and state their name and address for the record. He further added each person will be given three minutes to speak. He requested anyone that wished to speak to fill out a lobby sheet located in the back of the room.

Albert Krage, 37903 Sugar Ridge Road: stated the truck traffic on Sugar Ridge Road is still a major problem. Mr. Krage stated he knew someone that spoke to one of the truck drivers who stated they go down the road because they know they won't get caught.

John Pozzi, 5751 W. Breezeway: inquired about what businesses will do about snow plowing during the Center Ridge Road construction. He is unhappy with the decision that ODOT made in regard to making the drive aprons the responsibility of the business owner to plow.

Moved by Boose and seconded by Abens to give Mr. Pozzi up to an additional three minutes of time to speak.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Mr. Pozzi stated his tax dollars do not go down. He was repeatedly told that it would be a contractor/city issue. He asked if a meeting was ever requested.

Mayor Gillock stated they did request a meeting.

Councilman Boose asked if the Administration wanted to respond.

Mayor Gillock stated Mr. Pozzi is the only complaint he has received and the project is not done yet for this year. There will need to be some additional plowing by the businesses, but there is no way the City can turn trucks into every crossover. It will be up to the property owner. He empathized with the inconvenience this may cause.

Engineer Rodriguez stated all the accesses will be a hard surface and not stone so they are easier to maintain.

Safety-Service Director Armbruster stated the entrance is in the right-of-way and the City has never plowed that.

Councilman Boose stated the project is delayed because a utility company didn't remove their equipment. He asked at what point someone says enough is enough. He further asked if the timetable could be moved up.

Safety-Service Director Armbruster stated it is at the highest levels at ODOT and probably at the Governor's office. Windstream is working on it, but not very fast.

Councilman Boose stated at some point someone has to do something to get it done.

Mayor Gillock stated with utilities it is his understanding that isn't how it works. He was told that the completion date has not changed but they have changed phasing. If the job is not

completed on time and it can be proven it was delayed because of a utility, there may be an opportunity to claim damages. That point is not now.

ADMINISTRATORS REPORTS:

A. Mayor: Mayor Gillock stated he would like to add T 117-2018 to the agenda this evening. This is a Resolution to approve the expenditure of funds to Zashin & Rich Co., LPA for legal services rendered in connection with the FLSA overtime issue. Mayor Gillock asked the By-laws be suspended and it be adopted with the emergency this evening to pay the vendor for services already completed.

Moved by Mayor Gillock and seconded by President Corcoran to suspend the By-laws to add T 117-2018 to the agenda under first readings.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Mayor Gillock stated as required by Ordinance 5479-2017, the City Auditor has reviewed the financial position of the Solid Waste Management Fund as required annually. Mayor Gillock stated he approved a rate holiday for December 2018 due to the excess balance of funds needed for continued operations in the solid waste account. Residents won't have a monthly trash collection fee in December. Normal monthly trash charges will resume on the December 31, 2018 utility bill, which would be for the January 2019 trash collection period.

The Service Department will be paving Leslie and Westwood this week which both streets were delayed because of the rainy conditions and because all the asphalt went to Center Ridge Road. This concludes the paving projects for this calendar year.

As a reminder, tomorrow is Election Day. Polling locations will open at 6:30 a.m. and remain open until 7:30 p.m. Mayor Gillock reminded residents they will be voting on Issue 31 which is the Outdoor Family Aquatic Center and Issue 32 which is a Charter Amendment to repeal Section 9.7 Mandatory Referral of Rezoning to Electors of the City Charter. In addition, there are several county and state level issues as well as candidates for county, state and federal government offices. For a complete listing, visit the Board of Elections website at www.loraincountyelections.com.

City Hall offices will be closed next Monday, November 12 in observance of Veterans Day.

The next coffee and conversation will be Wednesday, November 14 from 8:00 a.m. to 9:00 a.m. in Council Chambers. Dr. Marcia Ballinger, President of Lorain County Community College, will be present as a special guest. Please stop by with any questions you may have or to hear about current and upcoming projects.

B. Safety-Service Director: None.

C. Engineer: Engineer Rodriguez stated the paving of the mainline center area will continue on U.S. 20. Once it is completed Sinta Run will be completed. They will be working on the Lear Nagle Road intersection. They will work around the fiber optic.

Engineer Rodriguez stated soil testing has started to install the pump station enclosure. There is an eight week wait time on supplies. This should not impact traffic.

D. Auditor: None.

E. Other Reports: President Corcoran noted Council received the October 2018 Parks and Recreation Director's report, the September 2018 Mayor's Court reports, the September 2018 Police Support Car report and the September 2018 Water Distribution reports.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Linden:

COMMITTEE OF THE WHOLE report dated October 29, 2018 which recommends City Council adopt T 103, T 104 and T 105 as all three were amended.

(Council action required)

Moved by President Corcoran and seconded by Boose to accept the Committee of the Whole report.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Clerk of Council Linden

Liquor Permit Stock Transfer Request

A request from the Ohio Division of Liquor Control for a stock transfer request for Ninos Italian Foods, Inc., 32652 Center Ridge Road.

Moved by Boose and seconded by DeVries to not request a hearing so that this permit can be sent to the state for final disposition by November 13, 2018.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Clerk of Council Linden:

Planning Commission action(s) taken at the October 18, 2018 rescheduled meeting:

APPLICANT: Paul Kowalsick, 4187 W. 222 Street, Fairview Park, OH 44126
OWNER: Paul Kowalsick, Canine Properties, LLC, Mills Road
REQUEST: Site plan approval to construct a commercial building to operate a landscaping business.
LOCATION: 34643 Mills Road in an I-2 District; Parcel No. 07-00-018-101-017
PC ACTION: **Approved by a vote of 4-0.**
(Council action required)

Moved by Abens and seconded by DeVries to accept the Planning Commission recommendation.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Clerk of Council Linden:

APPLICANT: William Belloma, Belloma Consulting LLC, 5322 Cornell Avenue
OWNER: Clarence Bornemann, Shepherd of the Ridge, 34555 Center Ridge
REQUEST: Approval to construct a 1,155.44 square foot addition on property.
LOCATION: 34555 Center Ridge Road in a B-3 District; Parcel No. 07-00-016-104-214
PC ACTION: **Approved by a vote of 4-0.**
(Council action required)

Moved by DeVries and seconded by Abens to accept the Planning Commission recommendation.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

APPLICANT: Jim W. Kilby, 35296 Chestnut Ridge Road
OWNER: Cathedral of Life Ministries, 5375 Jaycox Road
REQUEST: Approval to construct a 34x40 foot addition to existing building.
LOCATION: 5375 Jaycox Road in an R-1 District; Parcel No. 07-00-018-101-011
PC ACTION: **Approved by a vote of 4-0.**
(Council action required)

Moved by Abens and seconded by Westover to accept the Planning Commission recommendation.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

RECESS:

Moved by Boose and seconded by DeVries to dispense with the recess.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Linden:

T 113-2018 AN ORDINANCE AMENDING THE ORIGINAL DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO BY INCLUDING THE FULL-TIME POSITION OF LABORATORY MANAGER AND ESTABLISHING THE PAY RATE SCALE FOR THIS POSITION.

(Introduced by Finance Cmt – DeVries, Abens, Boose; Finance on 10/01/2018)

President Corcoran stated he would like to see T 113 and T 114 amended. Both positions are coming after the legislation that Council was working on for new hires. The new Ordinance is trying to sever connections to 2725-93. He stated he would like to see that connection severed. He asked the Law Department add additional language to reflect what is currently coming before Council.

Clerk of Council Linden:

T 114-2018 AN ORDINANCE AMENDING THE ORIGINAL DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO BY INCLUDING THE FULL-TIME POSITION OF CIVIL ENGINEER II (PE) AND ESTABLISHING THE PAY RATE RANGE FOR THIS POSITION.

(Introduced by Finance Cmt – DeVries, Abens, Boose; Finance on 10/01/2018)

Clerk of Council Linden:

T 115-2018 A RESOLUTION DECLARING IT NECESSARY TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR CURRENT EXPENSES OF THE LORAIN PUBLIC LIBRARY SYSTEM, INCLUDING THE OPERATION OF A BRANCH LIBRARY LOCATED IN THE CITY.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third reading for T 115-2018.

Councilman Boose asked what the deadline was to have it to the Board of Elections.

President Corcoran stated it needs to be to the Board of Elections by February 6. There is a certification and a Resolution that still will have to come before Council after the adoption of this Resolution.

Mayor Gillock stated this is a renewal that happens every five years.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by Hung to adopt T 115-2018.

A roll call vote was taken and the motion carried. T 115-2018 becomes **Resolution number 1436-2018.**

Yes – 7 No – 0

Clerk of Council Linden:

T 116-2018 AN ORDINANCE ESTABLISHING AN EMERGENCY MEDICAL SERVICE FINANCIAL ASSISTANCE ORDINANCE FOR NON-RESIDENTS.

(Introduced by Mayor Gillock)

Mayor Gillock stated the City does not bill residents for ambulance runs outside of insurance. With non-residents the City bills them, but on occasion some people just cannot pay it. The City is looking to have a waiver to clear those situations off the books with the collection agency the City uses. North Ridgeville is one of few cities that doesn't have this waiver.

Clerk of Council Linden:

T 117-2018 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ZASHIN & RICH CO., L.P.A. FOR LEGAL SERVICES RENDERED IN CONNECTION WITH THE FLSA OVERTIME ISSUE.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Westover to dispense with the second and third readings for T 117.

Councilman Boose stated the services were rendered and billed and the City should pay it.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by Westover to adopt T 117-2018.

Moved by Boose and seconded by Westover to add the emergency clause to T 117-2018 in order to pay the invoice timely since services have already been rendered and invoiced.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 7 No – 0

A roll call vote was taken on adoption with the emergency clause and the motion carried. T 117-2018 becomes **Resolution number 1437-2018.**

Yes – 7 No – 0

SECOND READINGS:

Clerk of Council Linden:

T 101-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BS&A SOFTWARE FOR NEW SOFTWARE FOR THE CITY BUILDING DEPARTMENT, NOT TO EXCEED \$90,105.00.

(Introduced by Mayor Gillock; First reading 09/17/2018; Referred to Admin on 09/17/2018; Admin on 10/01/2018; Report accepted on 10/15/2018)

THIRD READINGS: None.

MEETING ANNOUNCEMENTS:

The Finance Committee will be meeting on November 6 beginning at 9:00 a.m., each day, in Council Chambers and November 7 in the City Hall Conference Room to discuss the 2019 budget.

The next regular Council meeting will be on Monday, November 19, 2018 at 7:30 p.m. in Council Chambers.

ADJOURNMENT:

President Corcoran adjourned the meeting at 8:07 p.m.

Approval of minutes on November 19, 2018:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL