

**NORTH RIDGEVILLE CITY COUNCIL  
MEETING MINUTES  
DECEMBER 17, 2018**

**CALL TO ORDER:** 7:30 p.m.

President Corcoran called the Monday, December 17, 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 and Robert Chapek.

Councilman Gregg Westover was excused.

Also present was Mayor David Gillock, Law Director Brian Moriarty, Safety-Service Director Jeff Armbruster, Deputy Auditor April Wilkerson 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 December 3, 2018. No discussion was offered. The minutes stand approved as submitted.

President Corcoran noted that Council received the Building and Lands Committee meeting minutes of December 10, 2018, the Finance Committee meeting minutes of November 5-7 & 15, 2018 (2019 Budget), the Planning Commission meeting minutes of December 11, 2018, the Records Commission meeting minutes of December 10, 2018 and the Streets, Sidewalks and Bridges Committee meeting minutes of December 3, 2018.

**LOBBY:**

President Corcoran opened the lobby session and stated there would be one lobby session this evening.

He 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.

No discussion was offered.

**ADMINISTRATORS REPORTS:**

**A. Mayor:** Mayor Gillock congratulated North Ridgeville High School on being selected as last week's Fox 8 Cool School. They beat out South High School in Willoughby and Solon High School by a very large margin – walking away with over sixty-eight percent of the votes. North

Ridgeville High School will be featured on Fox 8 morning show on Thursday, January 10 between 6:30-6:50 a.m. and will re-air the same day during the 4:00 p.m. newscast.

Mayor Gillock stated that T 130-2018 is at Council's desk. The self-insurance fund amount has increased for the month and more money needed appropriated.

Moved by Mayor Gillock and seconded by Boose to suspend the By-laws and add T 130-2018 to the agenda under first readings.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

There have been several drivers illegally passing school buses as children are boarding or exiting the bus. The Police Department has written an overwhelming number of citations in recent months. In Mayor's Court last month, there were forty cases and thirty of them were citations for passing a school bus. The safety of the children is a top priority, not only for the schools, but the City as well. In an effort to heighten the awareness, there are signs available for residents and/or businesses to place on your property. There are a limited number of signs at City Hall. He invited residents to come to his office to pick up a sign.

Mayor Gillock stated a Facebook post that was posted by a North Ridgeville officer has gone viral. Officer Jim Larkin wrote a letter to a young man that was picked up for speeding at 100 mph. There have been 90,000 shares and 13,000 comments. He suggested parents read it and share it with their teenagers.

As a reminder, City Hall will be closed December 24<sup>th</sup> and 25<sup>th</sup> as well as January 1 in observance of the holidays.

**B. Safety-Service Director:** Safety-Service Director Armbruster stated on the agenda is T 125 and T 126 in regards to the stormwater utility. He asked that it be passed this evening to put in place on January 1, 2019.

He also noted that the portable speed limit signs have some concrete cracking from moving them. They will be working on a better way to move them.

**C. Engineer:** Engineer Rodriguez reported on Bolder Drive water main project and stated the work will continue until April 2019. Notification was sent to the residents of Boulder Drive. Water service interruption will be minimal.

The Luanne Drive Pump Station continues but they are waiting on materials.

He also noted the Ohio EPA mandates, per Ohio Revised Code, a program be in place by October 2019 for water system assets.

**D. Deputy Auditor:** Deputy Auditor Wilkerson stated the November Financial report will be issued by Friday, December 21.

**E. Other Reports:** President Corcoran noted Council received the November 2018 Fire Department report, the November 2018 Police Support Car report and the November 2018 Water Distribution report.

**COUNCIL COMMITTEE REPORT(S):**

Clerk of Council Linden:

BUILDING AND LANDS COMMITTEE report dated December 10, 2018 which recommends City Council adopt T 124-2018 as amended.

**(Council action required)**

Moved by Abens and seconded by Hung to accept the Building and Lands Committee report dated December 10, 2018.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by DeVries and seconded by Boose to place the Finance Committee report from December 17, 2018 on the agenda for this evening.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Clerk of Council Linden:

FINANCE COMMITTEE report dated December 17, 2018 which recommends City Council further consider T 103-2018 Amended as amended.

**(Council action required)**

Moved by Boose and seconded by DeVries to accept the Finance Committee report dated December 17, 2018.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by DeVries and seconded by Boose to add T 103-2018 Amended to the agenda under third readings this evening.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

**CORRESPONDENCE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Clerk of Council Linden:

**Planning Commission action(s) taken at the December 11, 2018 meeting:**

**APPLICANT:** Jill Allan, Jim Rumbaugh, The Meritage Group, 772 Pine Valley Drive, Pittsburgh, PA 15239

**OWNER:** Winfield Farms Development, LLC, 772 Pine Valley Drive, Pittsburgh, PA 15239

**REQUEST:** Final plat approval for The Reserve at Winfield Farm Subdivision No. 3

**LOCATION:** Continuation of Nash Lane and Winfield Lane in Winfield Farms subdivision in an R1 district; Parcel No. 07-00-036-000-482

**PC ACTION:** **Approved by a vote of 4-0.**

**(Council action required)**

Moved by Abens and seconded by Hung to accept the Planning Commission action.

A voice vote was taken and the motion carried.

Yes – 6

No – 0

Clerk of Council Linden:

**APPLICANT:** Chris Brown, K. Hovnanian Homes, 3296 Columbia Road, Richfield, OH 44286

**OWNER:** Same

**REQUEST:** Final plat approval for Meadow Lakes Phase No. 16 within Meadow Lakes PCD

**LOCATION:** A portion of Hunter Lake Drive, a portion of High Perch Drive, and a portion of Golden Eagle Drive within Meadow Lakes PCD; Parcel Nos. 07-00-033-114-022, 07-00-033-112-067 and 07-00-033-116-004

**PC ACTION:** **Approved by a vote of 4-0.**

**(Council action required)**

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

A voice vote was taken and the motion carried.

Yes – 6

No – 0

**RECESS:**

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

A voice vote was taken and the motion carried.

Yes – 6

No – 0

**FIRST READINGS:**

**Ordinance and Resolution submittal(s)**

Clerk of Council Linden:

**T 125-2018** AN ORDINANCE CREATING A NEW CHAPTER ENTITLED  
“STORMWATER UTILITY” AS PART OF THE STREETS, UTILITIES AND  
PUBLIC SERVICES CODE OF THE CITY OF NORTH RIDGEVILLE  
CODIFIED ORDINANCES.  
**(FKA T 90-2018 - Introduced by Utilities – Boose, DeVries, Westover; Utilities on 11.19.2018; Report  
accepted on 12.03.2018)**

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 125-2018.

Councilman Boose noted this was formally T 90-2018. The Utilities committee had to wait for information from the Administration. It took longer than it normally has and that is why it is being introduced as a new T number. The City has been working on this for years. He thanked the Administration on all of their work and details worked on this piece of legislation. Councilman Boose stated this will go a long way in helping the City manage flooding moving forward.

Mayor Gillock stated this program has been worked on for several years. They wanted to make certain this was done right. They spent close to \$1 million in trying to make sure the program was correct. They have widened the Westpoint detention pond, revitalized the Hershey Circle damn, added 1.6 million of retention off Jaycox Road and raised the weir from Waterbury from the flood prone Robinson Ditch. Using the revenues from the stormwater utility, the City plans to create a twenty million gallon retention pond off Boulder Park in a park like setting with walking paths and waterfalls. The City worked with Bramhall to develop a flood control program estimated at \$4 million. The utility will allow the City to continue to implement the plan. The rate of \$3.88 beginning in 2019 is comparable to other cities. Mayor Gillock cited other municipality’s fees. Mayor Gillock asked Council to give the City the tools to take further action regarding the flood plan by adopting the legislation this evening to be put into place by January 1, 2019.

Councilman Abens stated he understood the Administration’s requests, but it impacts residents and future generations to come. He stated he didn’t believe the legislation should be rushed. He felt more time should be given to allow residents to voice their concerns. Councilman Abens stated he could see positive and negatives to the legislation.

A roll call vote was taken and the motion carried.

Yes – 4                      No – 2 (Abens, Chapek)

Moved by Boose and seconded by DeVries to adopt T 125-2018.

Moved by Boose and seconded by DeVries to add the emergency clause to T 125-2018 for the health, safety and welfare of the residents of the City.

A roll call vote was taken on the emergency clause and the motion failed.

Yes - 4

No – 2 (Abens, Chapek)

President Corcoran asked the Clerk to call the roll on the adoption, without the emergency clause.

Councilman Abens stated he has grave concerns and he has made them known. He felt this was a tax rather than a user fee. He asked why no one is considering those residents who pay through their HOA fees. He felt it was possible to implement credits with minimal cost. Councilman Abens felt this would increase the cost to do business in North Ridgeville. He expressed his concern with the automatic increases and felt that four percent will be the norm and felt this was a bureaucracy. He felt this was a back door tax and to balance a stretched budget.

Councilman Chapek stated he agreed the City needs the stormwater utility but stated his issue is with the automatic increase.

Mayor Gillock stated Mr. Abens comments were considered. HOA's were looked at and the utility covers the entire City. All residents will be one ERU. In regard to the increases, they are tied to the Engineering News Record.

Engineer Rodriguez stated that Record takes into account the construction costs. The City uses that for water and sewer taps as well.

Councilman DeVries stated he began coming to Council a few years ago for his home flooding. It needs to be continuously attacked. Councilman DeVries felt passing this legislation helps solve the flooding issues. He asked that the vote be reconsidered as the legislation is a necessity.

Councilwoman Hung asked what the emergency vote failing does for the adoption of the Ordinance.

President Corcoran stated if it is adopted, it won't go into effect for thirty days.

President Corcoran stated flooding in North Ridgeville has been a conversation for decades. There have been accusations that nothing has been done to address flooding. He noted that during Mayor Gillock's Administration, he has done more than any other Mayor. They have spent hundreds of thousands of dollars to address flooding. The plan has been in place and the City has addressed some of the flooding issues little by little through grants. There has been an improvement because of all the work that continues to be done. President Corcoran stated he has concerns about that HOA's not receiving credits for the work they have done, but he further stated this legislation needed to happen.

Clerk of Council Linden took a roll call vote and the motion carried. T 125-2018 will now be known as **Ordinance number 5590-2018.**

Yes – 5

No – 1 (Abens)

Clerk of Council Linden:

**T 126-2018** AN ORDINANCE AUTHORIZING CITY COUNCIL TO ESTABLISH THE ANNUAL BASE RATE FOR THE STORMWATER UTILITY FOR 2019 WHICH WILL BE ADJUSTED ANNUALLY PER THE ENGINEERING NEWS RECORD 20 CITIES AVERAGE CONSTRUCTION COST INDEX.  
**(FKA T 107-2018 - Introduced by Utilities – Boose, DeVries, Westover; Utilities on 11.19.2018; Report accepted on 12.03.2018)**

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 126-2018.

A roll call vote was taken and the motion carried.

Yes – 5                      No – 1 (Abens)

Moved by Boose and seconded by DeVries to adopt T 126-2018.

Councilman Boose noted that this was the legislation that points out the cost index that establishes the increases and rate. He noted the rate is not determined by Council or the Administration.

Councilman Chapek stated if the index goes too high, Council should have the right to not agree to it.

President Corcoran stated he felt Council does have control over the process during appropriations.

Clerk of Council Linden took a roll call vote and the motion carried. T 126-2018 will now be known as **Ordinance number 5591-2018.**

Yes – 5                      No – 1 (Abens)

Clerk of Council Linden:

**T 127-2018** AN ORDINANCE CREATING THE PART-TIME, NON-UNION JOB POSITION OF BAILIFF FOR THE NORTH RIDGEVILLE MAYOR'S COURT.  
**(Introduced by Mayor Gillock)**

Mayor Gillock stated the Police Department did away with the auxiliary that was used in Mayor's Court. The City needs a bailiff to show people where to go and handle paperwork. The cost will be about \$2,500 a year. T 127 and T 128 provide that bailiff and wage.

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 127-2018.

Councilman Boose noted the issue was discussed during appropriations and budgeted for 2019.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by Boose and seconded by DeVries to adopt T 127-2018.

Clerk of Council Linden took a roll call vote and the motion carried. T 127-2018 will now be known as **Ordinance number 5592-2018.**

Yes – 6                      No – 0

Clerk of Council Linden:

**T 128-2018** AN ORDINANCE AMENDING ORDINANCE NO. 4571-2008, PROVIDING FOR PART-TIME, NON-UNION JOB POSITIONS, WAGE RATES AND BENEFITS, AND SUBSEQUENT AMENDMENTS THERETO, BY INCLUDING THE PART-TIME JOB POSITION OF BAILIFF AND ESTABLISHING A PAY RATE SCALE FOR THIS POSITION.

**(Introduced by Mayor Gillock)**

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 128-2018.

Councilman Boose noted the issue was discussed during appropriations and budgeted for 2019.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by Boose and seconded by DeVries to adopt T 128-2018.

Clerk of Council Linden took a roll call vote and the motion carried. T 128-2018 will now be known as **Ordinance number 5593-2018.**

Yes – 6                      No – 0

Clerk of Council Linden:

**T 129-2018** A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY.

**(Introduced by Mayor Gillock)**

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 129-2018.

Councilman Boose noted this was for the CDBG grant program. It is for a three year period and begins January 1, 2019. Because there is a timing issue he will recommend the emergency due to the timing issue.



Mayor Gillock stated the City had the program for several years. It was for housing in three areas for low to moderate income for house rehabilitation, emergency repair and first time buyers. The City always used the money up. The second part was for Community Development Block Grant which go to low and moderate income applicants. About four years ago the rules were changed and the program began to be implemented by County. The City would then have to apply to the County and received less money. This was also because the City had a population under 30,000 residents. The City is now over 30,000 in population.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by Boose and seconded by DeVries to adopt T 129-2018.

Moved by Boose and seconded by DeVries to add the emergency clause to T 129-2018 due to the timing issues of January 1, 2019.

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

Yes – 6                      No – 0

Clerk of Council Linden took a roll call vote on T 129-2018 with the emergency clause and the motion carried. T 129-2018 will now be known as **Resolution number 1441-2018**.

Yes – 6                      No – 0

**T 130-2018** AN ORDINANCE AMENDING ORDINANCE NUMBER 5497-2017 OF THE CITY OF NORTH RIDGEVILLE, OHIO PROVIDING APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018.

**(Introduced on the floor by Mayor Gillock on 12/17/2018)**

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 130-2018.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Moved by Boose and seconded by DeVries to adopt T 130-2018.

Moved by Boose and seconded by DeVries to add the emergency clause to T 130-2018 in order to have the funds in place by year-end.

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

Yes – 6                      No – 0

Clerk of Council Linden took a roll call vote on the adoption of T 130-2018, with the emergency clause, and the motion carried. T 130-2018 will now be known as **Ordinance number 5594-2018.**

Yes – 6                      No – 0

**SECOND READINGS:**      None.

**THIRD READINGS:**

Clerk of Council Linden:

**T 119-2018**      AN ORDINANCE PROVIDING APPROPRIATIONS FOR CURRENT  
**Amended**      EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH  
RIDGEVILLE, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2019  
AND ENDING DECEMBER 31, 2019.

**(Introduced on the floor by Mayor Gillock; First reading 11/19/2018 (without exhibit); Second reading 12/03/2018; Amended on the floor on 12/03/2018)**

Moved by DeVries and seconded by Abens to adopt T 119-2018 Amended.

Councilman Boose thanked the Finance Chairman, Mr. DeVries, for accommodating his work scheduled during meetings. He also thanked the Administration and the Auditor's office for all the work they put in. No budget is perfect. He noted there are some things in the budget he does not like. He added in the budget is an expenditure for studying the needs of all City streets that he has been pushing for. It will help plan for the future on how to repair roads.

Moved by Boose and seconded by DeVries to add the emergency clause to T 119-2018 Amended in order to have the funds in place by January 1, 2019.

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

Yes – 6                      No – 0

Clerk of Council Linden took a roll call vote on the adoption of T 119-2018 Amended with the emergency clause and the motion carried. T 119-2018 Amended will now be known as

**Ordinance number 5595-2018.**

Yes – 6                      No – 0

Clerk of Council Linden:

**T 103-2018**      AN ORDINANCE AMENDING ORDINANCE NO. 2725-93 AND  
**Amended**      SUBSEQUENT AMENDMENTS THERETO IN ORDER TO ESTABLISH  
COMPENSATION AND BENEFITS AFFORDED TO DEPARTMENT HEADS  
AND CERTAIN DISCRETIONARY EMPLOYEES.

**(Introduced by Finance Cmt – DeVries, Abens, Boose; Finance on 08/27/2018; Report accepted on 09/04/2018; First reading 10/01/2018; Referred to COW on 10/01/2018; COW on 10/15/2018; COW on 10/29/2018; Report accepted on 11/05/2018; Second reading 11/19/2018; Amended by substitution 11/19/2018; Referred to Finance on 11/19/2018; Finance on 12/17/2018; Report accepted on 12/17/2018)**

Moved by DeVries and seconded by Abens to adopt T 103-2018 Amended.

Moved by President Corcoran and seconded by Boose to amend T 103-2018 Amended to add the words “per year” in Section 10 after \$5,250.00.

President Corcoran stated there was some discussion on how many years an employee would need to stay with the City if they receive that benefit, but it will be discussed further in the future.

A voice vote was taken on the amendment and the motion carried.

Yes – 6                      No – 0

Moved by DeVries and seconded by Abens to adopt T 103-2018 Amended, for the second, time with the emergency clause.

Clerk of Council Linden took a roll call vote on the adoption of T 103-2018 Amended, with the emergency clause, and the motion carried. T 103-2018 Amended will now be known as **Ordinance number 5596-2018.**

Yes – 6                      No – 0

Councilman Boose stated the stormwater utility and T 103-2018 were the longest discussed Ordinances that he could remember.

Councilman Abens asked if it was possible to revisit the emergency clauses for T 125 and T 126 as he wished to change his vote.

Moved by Abens and seconded by DeVries to reconsider the votes of T 125 and T 126 in regard to the emergency clause.

A voice vote was taken and the motion carried.

Yes – 6                      No – 0

Councilman Abens stated since it did pass there was no reason to make it wait.

Moved by Boose and seconded by DeVries to add the emergency clause to T 125 (Ordinance 5590-2018)

A roll call vote was taken and the motion carried.

Yes – 6                      No – 0

President Corcoran stated **Ordinance number 5590-2018** now had the emergency clause added.

Moved by Boose and seconded by DeVries to add the emergency clause to T 126 (Ordinance 5591-2018).

A roll call vote was taken and the motion carried.

Yes – 6

No – 0

President Corcoran stated **Ordinance number 5591-2018** now had the emergency clause added.

**MEETING ANNOUNCEMENTS:**

The next regular Council meeting will be on Monday, January 7, 2019 at 7:30 p.m. in Council Chambers.

Merry Christmas and Happy New Year.

**ADJOURNMENT:**

President Corcoran adjourned the meeting at 8:36 p.m.

Approval of minutes on January 7, 2019:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL