

**NORTH RIDGEVILLE CITY COUNCIL  
MEETING MINUTES  
JULY 17, 2017**

**CALL TO ORDER:** 7:30 P.M.

President Corcoran: Calling to order the Monday, July 17, 2017 Council meeting.

**INVOCATION:**

Led by President Corcoran.

**PLEDGE OF ALLEGIANCE:**

Led by President Corcoran.

**ROLL CALL:**

Present were Council members Dennis Boose, Bruce Abens, Bernadine Butkowski, Roseanne Johnson, Robert Chapek, Gregg Westover and President Kevin Corcoran.

Also present was Mayor G. David Gillock, Safety-Service Director Jeff Armbruster, Law Director Andrew Crites, Auditor Jeffrey Wilcheck, Assistant City Engineer Cathy Becker and Clerk of Council Tara L. Peet.

**MINUTES - Corrections (if any) and approval:**

President Corcoran: You have before you the public hearing minutes from July 5, 2017. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved. You also have before you the City Council minutes of July 5, 2017. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received the Board of Drainage and Flood Control minutes of April 25, 2017, the Planning Commission meeting minutes of July 11, 2017 and the Special Civil Service Commission minutes of July 6, 2017.

**LOBBY:**

President Corcoran: We are only going to have one lobby session this evening. For the audiences information, I know a lot of you are here about one particular issue and that issue has been withdrawn and is no longer on the agenda for this evening. That would mean also that the Ordinance that would go along with that issue has been withdrawn as well. The issue I was referring to is the rezoning of the property at the corner of Bender and Sugar Ridge Road. It is off the table and no longer up for discussion by Council. You are more than welcome to speak to us on that issue, but we are not considering that at all tonight.

We are opening up lobby session right now. If you would like to speak, please step up to the podium. Make certain you complete a lobby sheet in the back of the room if you choose to speak. You will be given three minutes to speak. Would anybody like to speak?

Ann McGrath, 38806 Sugar Ridge Road: stated she owns horses and enjoys the rural feel. She further stated she understands it is withdrawn, but she will be opposed if it comes back again.

Carolyn Greene, 38693 Sugar Ridge Road: stated she was concerned about the type of business that could go in if the parcel was rezoned. She enjoys the current rural feel.

Michael Babet, 38601 Sugar Ridge Road: stated there are other places that are zoned I-2 that are available. He noted that Beckett left a parcel zoned R-1 and left a buffer in place. He felt rezoning the parcel would be spot zoning.

Albert Krage, 37903 Sugar Ridge Road: felt that commercial businesses should not be incorporated into residential districts.

President Corcoran: Is there anybody else? Moving on to the Administrator's reports. Mayor, you are up first.

#### **ADMINISTRATORS REPORTS:**

**A. Mayor:** Thank you Mr. President. First you will find at your desk this evening T 71-2017. This is an Ordinance that allows us to amend the rate charged for solid waste, yard waste, recyclable materials. The Auditor, Safety-Service Director and I have finally come to a conclusion on this. What we would like to do; what this Ordinance does is allow us to ultimately maintain a balance equal to two months collections and return the funds that we have above that by declaring a rate holiday in November and December. No user charge would be billed to the residents and give a mechanism where we can annually review that to see where we are at and make adjustments in the future as we watch that and if it builds up again we can then make a decision and make an additional rate holiday at that time.

Moved by Mayor Gillock and seconded by Boose to suspend the By-laws to add T 71-2017 to the agenda under first readings.

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

Yes – 7

No – 0

President Corcoran: T 71-2017 has been added to the agenda under first readings.

Mayor Gillock: The Service Department is currently prepping and milling Pitts Blvd and Wil-Lou. Depending on weather conditions, paving will occur next week, the week of July 24. Despite the large amount of rain, they have paved twenty-two streets on this year's list. They continue to do an outstanding job.

I know I mentioned this at our last Council meeting, but I do want to remind the community that the intersection of Route 83 and Mills Road will close approximately August 1<sup>st</sup> to construct a roundabout. It will remain closed for approximately sixty days. This is a joint project with the City of Avon and they have installed at Mills and Lear Nagle a temporary traffic signal to help with the flow of traffic during the construction phase. A detour map has been posted on the City's website at [www.nridgeville.org](http://www.nridgeville.org).

Join me on Tuesday, July 25 from 5:00 p.m. to 6:00 p.m. at City Hall in the conference room for coffee and conversation. Feel free to ask any questions you may have or just listen in to get the latest updates on City projects.

The Parks and Recreation Department successfully showed their first movie this past Friday at South Central Park. There was a great turnout and everyone seemed to enjoy “Moana.” There will be two additional movies shown before our next City Council meeting. On Friday, July 28 “Finding Dory” will be featured; and, then on Friday, August 4 will be “Space Jam.” Pack up the family, chairs and a picnic dinner and head on over to South Central Park to enjoy the free entertainment!

For movie updates or for cancellations due to weather, please visit the Parks and Recreation Department’s website and click on the rainout line tab or you can call the rainout line at 440.210.6226, or download the free rainout line app. That concludes my report.

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

**B. Safety-Service Director:** As the Mayor reported on the street paving, our contractor that is doing the concrete pad replacement continues to move forward. He is moving from street to street. We are not actually fixing all of the street that we are on. We want to share that wealth in different wards. When he finishes that in the next several weeks, he will move to catch basins in which we are hopeful that we can get fifty catch basins that are in bad need of repair in the City fixed by the same contractor. That concludes my report.

President Corcoran: Ms. Assistant Engineer.

**C. Assistant Engineer:** Thank you. Many residents live in developments that include storm water quality storage basins. The Northeast Ohio Training Council has created a manual for guidance for routine maintenance of these basins for private owners and operators. This manual is available for residents to view on the City’s website under the Engineering Department, Phase 2 Storm water Quality Program link. The manual explains how these basins function and includes tips to lessen maintenance cost of these basins. Routine maintenance includes things such as removing any blockages of the outlet, removal of trash, sediment and excess vegetation. That concludes my report.

President Corcoran: Thank you. Mr. Auditor.

**D. Auditor:** Thank you. I have one item on the agenda tonight which is T 68, a request to amend the appropriations within the General Fund to transfer funds to a few other departments that are in need of some budget adjustments and actually increase appropriations in a number of special funds. The reason for that are the County Auditor deductions for collecting property taxes and special assessments. That completes my report for this evening.

**E. Other Reports:** President Corcoran: We have the June 2017 Fire Department report and the June 2017 Water Distribution reports.

**COUNCIL COMMITTEE REPORT(S):** None.

**CORRESPONDENCE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Clerk of Council Peet:

**Planning Commission action(s) taken at the July 11, 2017 Planning Commission meeting:**

**APPLICANT:** Richard Costin, Lemmon and Lemmon, Inc., 1201 S. Main Street, North Canton, OH 44720

**OWNER:** Bagley Lorain Properties, 9095 Gatestone

**REQUEST:** Site plan approval for Assisted Living and Independent Living facility in a Special Development District.

**LOCATION:** Northeast corner of Bagley and Lorain Road; Parcel nos. 07-00-011-102-149 and 07-00-011-102-150

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

**(Council action required)**

Moved by Butkowski and seconded by Johnson to approve the Planning Commission action.

Councilwoman Butkowski: Are there any questions on the motion. I can give the report from the Planning Commission meeting. He presented the plan and there would be two separate buildings – one was for the nursing home and one was for assisted living. They are all on the same plot, but they would be separated. There was some discussion of how the Fire Department could go around because the buildings were separated, but it is all in the plan for safety. There was a recommendation from the Fire Department but he said he would adhere to the recommendation. It looks like it will work out all right.

Councilman Abens: I have a question for you. I have one resident in that area concerned about vision sight as far as property is concerned, has that been taken into account?

Councilwoman Butkowski: The exits seem wide and everything and it is not right out by Lorain Road. It is kind of in the middle of the property. There shouldn't be any real problem with it. They are not allowed to plant bushes and trees right up by the road. That is all taken into consideration as it is being built and inspected. There shouldn't be any problem.

Mayor Gillock: Madame President, when they were zoning, they came to zoning for two variances. The setback required is one hundred feet. They requested two variances – one is on

the north end to go to fifty feet which would be along Lorain Road which is near that drop off which doesn't affect anybody. The other is at the south end; one corner comes around. The corner would be less than one hundred feet – about fifty feet, but still off the road, but way at the southern end. There won't be any vision problems with either one of the buildings.

Councilwoman Butkowski: Clerk, please call the roll.

Clerk of Council Peet: The motion carries and the report has been accepted.

Yes – 6                      No – 0                      Abstain – 1 (Corcoran)

**RECESS:**

President Corcoran: Would anyone like a recess?

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

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

Yes – 7                      No – 0

President Corcoran: Moving on to first readings, we have T 68.

**FIRST READINGS:**

**Ordinance and Resolution submittal(s)**

Clerk of Council Peet:

**T 68-2017**      AN ORDINANCE AMENDING ORDINANCE NUMBER 5427-2017 OF  
THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING  
APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2017  
AND ENDING DECEMBER 31, 2017.

**(Introduced by Councilwoman Johnson)**

Moved by Johnson and seconded by Boose to dispense with the second and third readings for T 68.

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

Yes – 7                      No – 0

Moved by Johnson and seconded by Boose to adopt T 68.

Moved by Johnson and seconded by Boose to add the emergency clause to T 68 in order to pay obligations in a timely matter.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption now, with the emergency, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Peet: The motion carries and becomes **Ordinance number 5471-2017.**

Yes – 7

No – 0

President Corcoran: T 69.

Clerk of Council Peet:

**T 69-2017** AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

**(Introduced by President Corcoran)**

President Corcoran: T 70.

Clerk of Council Peet:

**T 70-2017** A RESOLUTION OF SUPPORT FOR THE OHIO PUBLIC WORKS COMMISSION PRIORITIES.

**(Introduced by Mayor Gillock)**

President Corcoran: T 71.

Clerk of Council Peet:

**T 71-2017** AN ORDINANCE AMENDING THE RATE CHARGED FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, YARD WASTE, AND RECYCLABLE MATERIALS, AUTHORIZING THE PERIODIC ADJUSTMENT OF THE RATE CHARGED FOR THE SERVICE, THE DECLARATION OF A RATE HOLIDAY, AND THE PROCESS BY WHICH SUCH IS DETERMINED.

**(Introduced by Mayor Gillock)**

Councilman Boose: Mr. President, first I want to thank the Administration for getting this legislation to us. As anyone who has been here for some time, I have been asking for this since appropriations earlier this year. I am glad we finally got this taken into consideration. I also want to publically thank Sandy Williams. Sandy has kept our feet to the fire to make sure the residents get their money back on the over payment of the Solid Waste Fund. I do have a couple of questions in regards... I want to get this passed as quickly as possible so that the Utilities Department or whoever has to manage the computer system can get this out on time so there are no further delays. I have a couple questions, in Section 3, it says annually, after September 30<sup>th</sup>, the City Auditor shall evaluate the financial position of the Solid Waste Fund and recommend whether or not a rate increase is necessary or if a rate holiday shall be declared. Again, for the

audience and those at home, this did not meet cloture so we did not have a lot of time to review this. I apologize for not getting with you sooner. I didn't get a chance to go over this until this afternoon. I would recommend that instead of saying whether or not a rate increase is necessary that we say whether or not a rate adjustment is necessary because there just may come a time that we might lower the rate and I don't want to preclude us from having that ability. That would be one recommendation. The other recommendation is I have two more – one in Section 5. It says if the City Auditor determines that the cash balance as of September 30, each year, is sufficient to maintain the desired carryover cash balance, supported by a five-year forecast, a rate holiday of no less than fifty percent may be recommended...I'm recommending that we say a rate adjustment or holiday and I would like to have that no less than twenty-five percent. The reason being is that fifty percent of the carryover is a couple hundred thousand dollars. A couple hundred thousand dollars may not seem like a lot to the City, it certainly is a lot to our residents and I would hate to have a quarter of a million dollars sitting there and saying well fifty percent of that carryover needs to be two hundred and sixty and we are only at two hundred and fifty and perhaps a holiday type of refund would be inappropriate. I still would like the opportunity to give the residents there money back in some sort of adjustment. Then the third and final item is in the second whereas, on page one, it says monthly rate charged by the City, per residential unit, is increased periodically by the same percentage of increase as the monthly fee paid by the City. I believe that is incorrectly worded. I believe what we want to say is...by the same dollar amount or just actually by the same increase. Take out the word percentage of. For example, in the rate increase or the charge increase from Republic from August of 2014 to September 2016 was sixty-five cents. That was a 3.98% increase. Correspondingly, we decreased the rate 8.39%. Another example – the rate from September of 2016 to March 2017 increased sixty-five percent by both Republic's charge and our charge to the City. Though the City sixty-five cents is the same, the percentage was different. The percentage of the Republic charge was 3.74%. The increase to the residents was 3.2%. So again, it is just verbiage. I think we take out percentage of and that corrects that. Those would be my recommendations. Thank you.

President Corcoran: Mr. Auditor if you could take a look at those and get back to us for our next meeting.

Auditor Wilcheck: Will do.

President Corcoran: That is the end of first readings. Moving on to second readings, we have T 62.

## **SECOND READINGS:**

Clerk of Council Peet:

**T 62-2017** AN ORDINANCE APPROVING THE FINAL PLAT OF MEADOW LAKES, SUBDIVISION 13, IN THE MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY.

**(Introduced by Mayor Gillock; Public hearing 08/07/2017; First reading 07/05/2017)**

President Corcoran: T 63.

Clerk of Council Peet:

**T 63-2017** AN ORDINANCE APPROVING THE FINAL PLAT OF LIFESTYLES OF MEADOW LAKES, PHASE 1, IN THE MEADOW LAKES PCD FOR RECORDING PURPOSES ONLY.

**(Introduced by Mayor Gillock; Public hearing 08/07/2017; First reading 07/05/2017)**

President Corcoran: T 67.

Clerk of Council Peet:

**T 67-2017** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE AN ASPHALT TRAILER RECYCLER FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR 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 \$75,000.00.

**(Introduced by Mayor Gillock; First reading 07/05/2017)**

Moved by Mayor Gillock and seconded by Johnson to dispense with the third reading for T 67.

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

Yes – 7

No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 67.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Peet: The motion carries and becomes **Ordinance number 5472-2017**.

Yes – 7

No – 0

President Corcoran: There are no third readings.

**THIRD READINGS:** None.

**MEETING ANNOUNCEMENTS:**

President Corcoran: We have a public hearing on T 62-2017 Monday, August 7, 2017 at 7:20 p.m. We have a public hearing on T 63-2017 on Monday, August 7, 2017 at 7:25 p.m.

Lastly, our next City Council meeting will be Monday, August 7, 2017 at 7:30 p.m.

I would like to thank all of you for coming this evening and sharing your opinions and thoughts with us even though the information has been withdrawn. It was good to hear from you. I appreciate your time. Have a good night.



**ADJOURNMENT:**

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:01 p.m.

Approval of minutes on August 7, 2017:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL