

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
AUGUST 19, 2019**

CALL TO ORDER: 7:30 p.m.

President Corcoran called the Monday, August 19, 2019 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, Gregg Westover, Michelle Hung, President Kevin Corcoran, President Pro-Tem Bruce Abens and Robert Chapek.

Also present was Mayor David Gillock, Law Director Brian Moriarty, Safety-Service Director Jeff Armbruster, Auditor Jeff Wilcheck, Assistant Engineer Christina Eavenson 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 August 5, 2019. No discussion was offered. The minutes stand approved as submitted.

President Corcoran noted that Council received the Planning Commission meeting minutes of August 13, 2019 and the Tax Abatement Review Board meeting minutes of August 5, 2019.

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.

Karen Toiche, 36765 Chestnut Ridge Road: stated she could not attend the last few council meetings due to work. She stated the roundabout legislation that was not on the agenda last meeting was adopted and it was not known to the residents. She also asked about the tax incentive application on the agenda and asked if the property taxes were taken away 100 percent from the schools and instead a donation of \$10,000 is made.

President Corcoran stated this was not a back and forth open forum and asked that Ms. Toiche ask all her questions before a response is given.

Ms. Toiche asked if it was \$10,000 total for five years or \$10,000 annually.

Mayor Gillock stated the schools aren't losing anything. He noted that the schools are not getting any taxes now for the property. He stated there is no guarantee that the business would come without the abatement. The abatement is 100% of the real estate taxes for first five years, year six is 80% and then it continues down. The City has an agreement with schools that they will get 47.5% of municipal income tax generated from the new jobs and they will receive \$10,000 each year for the first five years while they are getting 100% abatement. In year six it drops to \$5,000 and the following years they receive the real estate taxes. The City grants abatements to attract business. The schools aren't losing anything, but they are gaining.

Kim Stermole, 7872 Sugar Ridge Road: stated she looked at the agenda on Friday and then again on Monday last Council meeting. She stated she had business to address. She stated the roundabout action occurred without it being on the agenda. She felt the agenda is being manipulated. Mrs. Stermole stated the residents have a right ahead of time to know what is on the agenda in order to speak.

Alan Friedner, 37188 Shady Drive: he thought it was illegal per Ohio Revised Code to stop the three readings.

President Corcoran asked if he had other questions as this was not a back and forth forum.

Mr. Friedner stated that was his only question.

Law Director Moriarty stated O.R.C. may state that but North Ridgeville has a Charter and By-laws where they can have additional rules. The rules state the readings can be waived in the event of an emergency.

Mr. Friedner stated he had another question.

President Corcoran stated everyone needs a chance to speak first before he is permitted to come back up again.

Mr. Friedner asked a question but it was inaudible.

Holly Swenk, 36259 Center Ridge Road: stated Montessori is going to be located where two homes currently stand. She asked if those homes are currently contributing taxes to the schools.

President Corcoran stated Ms. Swenk knew the answer to the question and that it was a statement. He noted that the lobby session is not a back and forth forum. The Mayor has an open door policy where people can come in and ask questions. Council meetings are not the only opportunity to ask questions as sometimes it takes time to get the answers.

Councilman Boose asked that anyone who speaks to complete a lobby sheet in the back of the room so someone can get back to the resident with a response to their question.

ADMINISTRATORS REPORTS:

A. Mayor: Mayor Gillock requested T 95-2019 be adopted with the emergency in order to send the vehicles to auction.

Students will be returning to school on Wednesday which also means the school buses will be out in full force. Please be reminded that it is illegal to pass a stopped school bus in either direction in North Ridgeville. Drivers please pay close attention as students are also walking to/from school.

For drivers that use Ranger Way as a cut through from Center Ridge to Bainbridge, please note that the school district will be closing off access on Ranger Way from 7:30-8:00 a.m. and 2:30-3:00 p.m. each day to accommodate bus and parent drop-off and pick-up. Please use an alternate route. They will close the gates so no one can come through.

Mayor Gillock stated that City Hall will be closed on Monday, September 2 in observance of Labor Day. Because of the Monday holiday, Republic Services will delay trash collection by one day making trash collection on Wednesday, September 4.

Mayor Gillock stated in regard to Ms. Swenk's comment; existing taxes cannot be abated. If the parcel is paying \$1,000 and new taxes are assessed at \$10,000, only \$9,000 can be abated.

Moved by Mayor Gillock and seconded by Westover to adjourn into executive session at the recess portion of the meeting to discuss the buying/selling of property and litigation.

He wished his wife a happy 52nd wedding anniversary.

Clerk of Council Linden took a roll call vote and the motion carried.

Yes – 7

No – 0

B. Safety-Service Director: Safety-Service Director Armbruster stated that Ranger Way is not a change. It was closed off in the past. It was brought up this evening just as a reminder.

Safety-Service Director Armbruster stated he has received several phone calls about where is the work being done on Center Ridge Road. They are working on the bridge on Root Road. ODOT promises Root Road will have southern access. Sewers and waterlines needed addressed. They hit a lot of rock that needed broken up. It looks like southbound will be open for buses on Wednesday.

He stated the turning lanes will be in this winter and then the north side of Center Ridge will happen with curb and gutter. Traffic will stay on the south side of Center Ridge. Safety-Service

Director Armbruster stated Windstream is not moving as fast as the City and ODOT would like. Progress is being made, but it is slow. The City is working with dispute resolution and will continue to work on the issues.

C. Assistant Engineer: Assistant Engineer Eavenson stated the crack seal project has been awarded to Crossroads Asphalt. They finished the Ridgefield development and are currently working in Waterbury.

Fabrizi Trucking and Paving was awarded the contract for the Mildred Road extension. They have started construction on the utilities and the completion is estimated to be October of this year.

The City's contractor has begun installing the sanitary sewer along Sugar Ridge Road this month. They began at the Waterbury Boulevard intersection and have installed over 1,000 feet to the east. They are currently east of Line Drive and approaching the Ridgeway Ditch culvert which is about halfway. In the next few weeks they will be boring under Ridgeway Ditch and Cheeseman Ditch culvert. Once complete, they will go back and install the service laterals to the right-of-way line. The Sugar Ridge portion is expected to be completed October 2019.

D. Auditor: Auditor Wilcheck stated T 92 is a supplemental appropriation to pay the TIF dollars to Riddell. He asked that Council consider adoption this evening.

He stated that T 80 and T 88 are the engineering services for a French Creek project. T 80 needs adopted as the thirty day period will occur before the next Council meeting.

E. Other Reports: President Corcoran noted Council received the August 14, 2019 Tax Abatement Review Board Report, the July 2019 Mayor's Court Reports, the July 2019 Police Support Car Report and the July 2019 Water Distribution Reports.

COUNCIL COMMITTEE REPORT(S): None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Clerk of Council Linden:

Liquor permit transfer request(s):

A request for a liquor permit transfer from On the Go Convenience, Inc. 33600 Center Ridge Road to Snappy Center Ridge, LLC, DBA Snappy Gas and Convenience, 33600 Center Ridge Road.

Moved by Boose and seconded by Abens to not request a hearing so that this permit can be sent to the state for final disposition by September 9, 2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Clerk of Council Linden:

Planning Commission action(s) taken at the August 13, 2019 meeting:

APPLICANT: Elite K911, c/o Charles A. Stella, 31740 Cook Road
OWNER: Charles A. Stella, 31740 Cook Road
REQUEST: Parking lot expansion
LOCATION: 31740 Cook Road in a B-3 zoning district; Parcel No. 07-00-004-110-038
PC ACTION: **Approved by a vote of 5-0**

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

A voice vote was taken and the motion carried.

Yes – 7 No – 0

RECESS:

Adjourned into executive session at 7:56 p.m.
Reconvened into the City Council meeting at 8:08 p.m.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Linden:

T 92-2019 AN ORDINANCE AMENDING ORDINANCE NUMBER 5595-2018 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019.
(Introduced by Mayor Gillock)

Moved by DeVries and seconded by Boose to dispense with the second and third readings for T 92-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to adopt T 92-2019.

Moved by DeVries and seconded by Chapek to add the emergency clause to T 92-2019 in order to remit the TIF revenue timely to the Trustee for the Riddell debt.

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

Yes – 7 No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 92-2019 now becomes **Ordinance No. 5666-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 93-2019 AN ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF PERMITS AND ON THE SUBMISSION OF REQUESTS FOR PERMITS FOR BILLBOARDS OR SIGNS WHICH DO NOT SUBSTANTIALLY CONFORM TO THE BILLBOARDS OR SIGNS CURRENTLY ALLOWED UNDER N.R.C.O. CHAPTER 1286, SIGNS, FOR A PERIOD NOT TO EXCEED 180 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, IN ORDER TO ALLOW THE NORTH RIDGEVILLE CITY COUNCIL TO REVIEW APPLICABLE OHIO STATUTES, CASELAW, PLANNING AND ZONING CONCERNS, OTHER MUNICIPALITY ORDINANCES AND ADDITIONAL INPUT RELATIVE TO POSSIBLE CHANGES TO THE CURRENT ORDINANCE.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Chapek to dispense with the second and third readings for T 93-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by Hung to adopt T 93-2019.

Moved by Boose and seconded by Hung to add the emergency clause to T 93-2019 in order to address portions of City ordinances that may be unconstitutional.

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

Yes – 7 No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 92-2019 now becomes **Ordinance No. 5667-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 94-2019 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 THE CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94 AND SUBSEQUENT AMENDMENTS THERETO FOR YOUNG EXPLORERS MONTESSORI, LLC, A LIMITED LIABILITY COMPANY

ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.

(Approved by Tax Abatement Review Board on 08/05/2019; Introduced by Mayor Gillock)

Clerk of Council Linden:

T 95-2019 AN ORDINANCE AUTHORIZING THE DISPOSAL OF VEHICLES AND EQUIPMENT NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

(Introduced by Mayor Gillock)

Moved by DeVries and seconded by Westover to dispense with the second and third readings for T 95-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Westover to adopt T 95-2019.

Moved by President Corcoran and seconded by DeVries to add the emergency clause to T 95-2019 in order to get the vehicles sold at the highest value possible.

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

Yes – 7 No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 95-2019 now becomes **Ordinance No. 5668-2019**.

Yes – 7 No – 0

SECOND READINGS:

Clerk of Council Linden:

T 80-2019 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO BURGESS & NIPLE, INC.

(Introduced by Mayor Gillock; First reading 07/01/2019; Referred to Finance on 07/01/2019; Finance on 07/18/2019; Report accepted on 08/05/2019)

Moved by DeVries and seconded by Hung to dispense with the third reading for T 80-2019.

Mayor Gillock asked if T 80 had been amended yet.

President Corcoran stated no.

Moved by Mayor Gillock and seconded by Westover to amend T 80-2019 by substitution.

Mayor Gillock stated the amendment removes the reference to construction oversight costs.

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

Yes – 7 No – 0

Moved by DeVries and seconded by Westover to adopt T 80-2019 Amended.

Moved by President Corcoran and seconded by Westover to add the emergency clause to T 80-2019 Amended in order to pay the invoice within the thirty day period.

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

Yes – 7 No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 80-2019 Amended now becomes **Resolution No. 1459-2019**.

Yes – 7 No – 0

Clerk of Council Linden:

T 87-2019 A RESOLUTION APPROVING THE REPAYMENT OF FUND ADVANCES.
(Introduced by Mayor Gillock; First reading 08/05/2019)

Clerk of Council Linden:

T 88-2019 AN ORDINANCE AMENDING ORDINANCE NO. 5461-2017, WHICH AUTHORIZED THE MAYOR TO ENTER INTO A CONTRACT WITH BURGESS & NIPLE, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF THE EFFLUENT FILTRATION SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE “NOT TO EXCEED” AMOUNT FROM \$450,000.00 TO \$536,000.00.
(Introduced by Mayor Gillock; First reading 08/05/2019)

Mayor Gillock indicated T 88 needed adopted this evening in order to pay Burgess and Niple.

President Corcoran stated that T 88 is coupled with T 80. In order to pay T 80, T 88 needs adopted to expand the not to exceed amount.

Moved by President Corcoran and seconded by Westover to dispense with the third reading for T 88-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by President Corcoran and seconded by Chapek to adopt T 88-2019.

Councilwoman Hung commented but it was inaudible.

Auditor Wilcheck stated in order for him to pay T 80, he needed T 88 adopted.

Moved by Hung and seconded by Chapek to add the emergency clause to T 88-2019 in order to pay Burgess and Niple by increasing the not to exceed amount.

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

Yes – 7 No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T 88-2019 now becomes **Ordinance No. 5669-2019**.

Yes – 7 No – 0

THIRD READINGS:

Clerk of Council Linden:

T 82-2019 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 Mayor Gillock; First reading 07/15/2019; Second reading 08/05/2019)

Moved by Abens and seconded by DeVries to adopt T 82-2019.

A roll call vote was taken and the motion carried. T 82-2019 now becomes **Ordinance No. 5670-2019**.

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

The next City Council meeting will be Tuesday, September 3, 2019 at 7:30 p.m. in City Council Chambers.

ADJOURNMENT:

President Corcoran adjourned the meeting at 8:26 p.m.

Approval of minutes on September 3, 2019:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL