

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
MAY 20, 2019**

CALL TO ORDER: 7:30 p.m.

President Corcoran called the Monday, May 20, 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, Engineer Dan 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 May 6, 2019. No discussion was offered. The minutes stand approved as submitted.

President Corcoran noted that Council received the Employee Safety Committee meeting minutes of April 25, 2019, the Parks and Recreation Commission meeting minutes of April 24, 2019 and the Planning Commission meeting minutes of May 14, 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.

Constance Prok, 4961 Somerset: stated she is speaking on behalf of the HOA for Avalon, specifically those on Avalon Drive. She stated there is tremendous traffic and speed is an ongoing issue. She stated there are trucks coming through as well. She is concerned for pedestrian safety. Mr. Prok stated the residents need more help to control the traffic. She felt the digital speed signs helped calm the traffic.

Moved by Boose and seconded by DeVries to allow Ms. Prok up to an additional three minutes of time.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Mr. Prok thanked the Council for their time.

ADMINISTRATORS REPORTS:

A. Mayor: Mayor Gillock asked that Council consider passing T 50-2019 this evening with the emergency clause in order to meet the ODOT deadline of June 4.

He also thanked the voters for passing Issue #11 for the renewal levy for the Fire Department.

He also noted that City Hall offices will be closed on May 27 in observance of Memorial Day. He added that the Memorial Day Parade will be Monday, May 27, 2019 at 9:45 a.m. at the Senior Center and will proceed down Bainbridge to conclude at Ranger Stadium.

Mayor Gillock stated on June 1, 2019, the Parks and Recreation Department will be sponsoring Touch-a truck from 10:00 a.m. to noon.

Moved by Mayor Gillock and seconded by Boose to adjourn into executive session at the recess portion of the meeting to discuss the purchase/sale of property.

A roll call vote was taken and the motion carried.

Yes – 7 No – 0

B. Safety-Service Director: Safety-Service Director Armbruster stated the digital speed signs move from neighborhood to neighborhood. The City only has two. Next year's budget will probably have more in it. He acknowledged that the digital signs slow people down. He stated they will take a look at it.

Safety-Service Director Armbruster reminded residents to park on the non-hydrant side of the roadway. He stated cars are not permitted to park in their front yard.

C. Engineer: Engineer Rodriguez stated the Westfield project will have bid openings this week on Wednesday. The catch basin project did not receive any bids. The completion date and the estimate seemed to be the issue. The Mills Street reconstruction bid will happen next week.

D. Auditor: Auditor Wilcheck stated T 62-2019 is a supplemental appropriation request to catch up. He noted the transfer of money from the General Fund to the fire truck fund for purchase of two new trucks; the Street Levy Fund has the funds for the Mills Road Bridge Project; ODNR Flood Control Grant received for phase two in the amount of \$400,000. Also is the repayment of the advance from last year for the purchase of property for the \$1 million grant received. The Fire Truck and Equipment Fund is to appropriate the note proceeds and the transfer in order to purchase the fire trucks. Also amended was an additional \$50,000 in the Payroll Reserve Fund for the retirement of an employee – the Assistant Deputy Auditor. She

will be leaving at the end of June. He noted T 63-2019 is the authorization to actually make the transfer to the Fire Truck and Equipment Fund. He asked that Council pass T 62-2019 this evening. He asked that Council suspend the rules for T 63-2019. He also stated the City retained its Aa1 bond rating.

E. Other Reports: President Corcoran noted Council received the April 2019 Fire Department report, the April 2019 Police Support Car report, the April 2019 Water Distribution reports and the May 2019 Parks and Recreation Director's report.

COUNCIL COMMITTEE REPORT(S): None.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS:

Liquor permit transfer request(s):

A request for a liquor permit transfer from 7 Eleven, Inc., DBA, 7 Eleven 36727, 32393 Lorain Road to 1 Mart Stores, LLC, DBA 1 Mart Stores, 32393 Lorain Road.

(Council action required - move to not request a hearing so that this permit can be sent to the state for final disposition by June 3, 2019)

Moved by Boose and seconded by Abens to not request a hearing so that the permit can be sent to the state for final disposition by June 3, 2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Planning Commission action(s) taken at the May 14, 2019 meeting:

APPLICANT: Edward Block, agent for AT&T Mobility; GPD Group
520 South Main St, Ste 2531, Akron, OH 44311

OWNER: North Ridgeville CSD Board of Education
34620 Bainbridge Rd, North Ridgeville, OH 44039

REQUEST: Cellular telephone co-location on existing tower.

LOCATION: 7323 Avon Belden Road; north of Bainbridge Road and east of Avon Belden Road, in an R-1 zoning district; Parcel no. 07-00-021-117-015

PC ACTION: **Approved by a vote of 5-0.**

(Council action required)

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

A voice vote was taken and the motion carried.

Yes – 7 No – 0

APPLICANT: John Reyes; Star Builders
46405 Telegraph Rd, Amherst, OH 44001

OWNER: Patton's Five Star Towing
P.O. Box 450784, Westlake, OH 44145

REQUEST: New construction of 6,000-square-foot building for towing and impound company.

LOCATION: 31684 Cook Road, west of the Cuyahoga-Lorain County, in a B-3 zoning district; Parcel no. 07-00-004-110-037

PC ACTION: **Approved by a vote of 4-0-1.**
(Council action required)

Councilman Abens stated he was the abstention vote. He didn't feel this business was appropriate for the location.

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

A roll call vote was taken and the motion carried.

Yes – 4

No – 3 (Abens, Hung, DeVries)

APPLICANT: Gavril Budai; G & S Property Investments, LLC.
1960 Radcliffe Dr, Westlake, OH 44145

OWNER: Gavril Budai; G & S Property Investments, LLC.
1960 Radcliffe Dr, Westlake, OH 44145

REQUEST: Preliminary approval for commercial storage units.

LOCATION: 34515 Mills Road and 34555 Mills Road; east of Jaycox Road and west of Mills Industrial Parkway, in an I-2 zoning district; Parcel nos. 07-00-018-101-280, 07-00-018-101-020

PC ACTION: **Postponed to a future Planning Commission meeting.**

Councilman Abens stated there were several concerns by the Planning Commission and the applicant will be resubmitting in the future.

RECESS:

Adjourned into executive session at 7:51 p.m.

City Council meeting reconvened at 8:02 p.m.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Linden:

T 57-2019 AN ORDINANCE AMENDING N.R.C.O. §1024.06, USE OF UNCLAIMED SIDEWALK DEPOSITS; REFUNDS; AND N.R.C.O. §1024.05(S), SIDEWALK REQUIRED PRIOR TO OCCUPANCY; SECURITY DEPOSIT.
(Introduced by Streets, Sidewalks and Bridges Committee - SS&B on 12/03/2018; 02/21/2019; 04/15/2019; SS&B report accepted on 05/06/2019)

Clerk of Council Linden:

T 58-2019 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 440, COMMERCIAL AND HEAVY DUTY VEHICLES.
(Introduced by Streets, Sidewalks and Bridges Committee - SS&B on 12/03/2018; 02/21/2019; 04/15/2019; SS&B report accepted on 05/06/2019)

Clerk of Council Linden:

T 59-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY LOCATED AT 7440 DYKE AVENUE.
(Introduced by Mayor Gillock)

Moved by Westover and seconded by DeVries to dispense with the second and third readings for T 59-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Westover and seconded by Chapek to adopt T 59-2019.

Councilman Boose stated the sale of the property has been in play some time. The City owns it and it is not a buildable lot.

A roll call vote was taken and the motion carried. T 59-2019 now becomes **Ordinance number 5639-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 60-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY LOCATED ON THE CORNER OF HARDING BOULEVARD AND JEFFERSON AVENUE.
(Introduced by Mayor Gillock)

Moved by President Corcoran and seconded by Chapek to dispense with the second and third readings for T 60-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by President Corcoran and seconded by Westover to adopt T 60-2019.

A roll call vote was taken and the motion carried. T 60-2019 now becomes **Ordinance number 5640-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 61-2019 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 CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94 AND SUBSEQUENT AMENDMENTS THERETO, PROGRESSIVE NORTH RIDGEVILLE REAL ESTATE, A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.

(Introduced by Mayor Gillock)

Clerk of Council Linden:

T 62-2019 AN ORDINANCE AMENDING ORDINANCE NUMBER 5595-2018 OF THE CITY OF NORTH RIDGEVILLE, OHIO PROVIDING 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 62-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to adopt T 62-2019.

Moved by DeVries and seconded by Boose to add the emergency clause to T 62-2019 in order to take care of the funds in a proper manner.

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 62-2019 now becomes **Ordinance number 5641-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 63-2019 A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF FUNDS.

(Introduced by Mayor Gillock)

Moved by DeVries and seconded by Boose to dispense with the second and third readings for T 63-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Boose to adopt T 63-2019.

A roll call vote was taken and the motion carried. T 63-2019 now becomes **Resolution number 1453-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 64-2019 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ERIE MATERIALS FOR LIMESTONE.
(Introduced by Mayor Gillock)

Councilman Boose stated the service was provided and the money was appropriated. He asked if there was a time period to have this paid.

Auditor Wilcheck stated there was.

Moved by Boose and seconded by DeVries to dispense with the second and third readings for T 64-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by DeVries to adopt T 64-2019.

Moved by Boose and seconded by DeVries to add the emergency clause to T 64-2019 in order to pay the invoice in a timely manner.

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 64-2019 now becomes **Resolution number 1454-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 65-2019 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 PURCHASE OF A DISK FILTER SYSTEM AND ANCILLARY EQUIPMENT FOR UPGRADING THE TERTIARY FILTER

SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT,
NOT TO EXCEED \$5,000,000.

(Introduced by Mayor Gillock)

Clerk of Council Linden:

T 66-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH MICHAEL AND SANDRA VROOMAN IN THE AMOUNT OF \$75,000.00, TOGETHER WITH ANY COSTS AND EXPENSES INCURRED BY THE CITY IN CONNECTION WITH THIS ACQUISITION, INCLUDING TAXES, IF ANY.

(Introduced by Mayor Gillock)

Moved by DeVries and seconded by Chapek to dispense with the second and third readings for T 66-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

President Corcoran stated by way of explanation – this is the property that is necessary for the project that is going out for bid next week.

Engineer Rodriguez stated this is for property that the new waterline and sanitary sewer line for the decommissioning of the Westfield Treatment Plant will be running through. The City will be purchasing additional property through the agreement that will just be vacant land.

Moved by DeVries and seconded by Westover to adopt T 66-2019.

Moved by DeVries and seconded by Westover to add the emergency clause to T 66-2019 because the project will be bid next week.

Councilman Boose stated the amount originally budgeted is less than the amount being requested this evening. He noted the total project that has been appropriated will cover the sale. He noted also that additional funds may need appropriated after the bid.

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 66-2019 now becomes **Ordinance number 5642-2019.**

Yes – 7 No – 0

SECOND READINGS:

Clerk of Council Linden:

T 50-2019 A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM PLANING AND RESURFACING LORAIN ROAD BETWEEN SLM 0.20 AND SLM 0.37.
(Introduced by Mayor Gillock; First reading 05/06/2019)

Moved by Boose and seconded by DeVries to dispense with the third reading for T 50-2019.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Boose and seconded by DeVries to adopt T 50-2019.

Moved by Boose and seconded by DeVries to add the emergency clause to T 50-2019 in order to meet ODOT's deadline of June 4, 2019.

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 66-2019 now becomes **Resolution number 1455-2019.**

Yes – 7 No – 0

Clerk of Council Linden:

T 55-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT WITH THE NORTH RIDGEVILLE CITY SCHOOL DISTRICT RELATING TO THE TAX REVENUE EFFECTED BY TAX ABATEMENT AGREEMENTS WHICH PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT.
(Introduced by Mayor Gillock; First reading 05/06/2019)

THIRD READINGS:

Clerk of Council Linden:

T 33-2019 AN ORDINANCE ASSIGNING SPECIFIC EMPLOYEE BENEFITS TO THE ASSISTANT ENGINEER.
(Introduced by Mayor Gillock; First reading 03/18/2019; Referred to Admin on 03/18/2019; Admin on 04/01/2019; Report accepted on 04/15/2019; Second reading 05/06/2019)

Moved by Hung and seconded by Boose to amend T 33-2019 by substitution.

President Corcoran stated the amendments are listed in red.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

Moved by Hung and seconded by Boose to adopt T 33-2019 Amended.

Councilwoman Hung stated it was heard in Administrative Committee. She stated the offer letter was given to Council after the Committee had met on this issue. She noted it could have gone back to Committee again or review the language with the parties involved to come to a reasonable solution. What is being adopted is a clarification in language allowing the three weeks' vacation at the one year anniversary.

A roll call vote was taken and the motion carried. T 33-2019 Amended now becomes

Ordinance number 5643-2019.

Yes – 7 No – 0

Clerk of Council Linden:

T 47-2019 AN ORDINANCE PROVIDING FOR THE ADDENDUM OF A LEASE OF VACANT LAND WITH THE RIDGEFIELD HOMEOWNERS ASSOCIATION, INC. TO INCLUDE AN ASPHALT PAVED PARKING LOT.
(Introduced by Mayor Gillock; First reading 04/15/2019; Second reading 05/06/2019)

Moved by Boose and seconded by Hung to adopt T 47-2019.

Councilman Boose thanked the City and the Ridgefield HOA for coming together on this. A paved parking lot has been needed for a long time.

A roll call vote was taken and the motion carried. T 47-2019 now becomes **Ordinance number 5644-2019.**

Yes – 6 No – 0 Abstain – 1 (Corcoran)

MEETING ANNOUNCEMENTS:

The next regular Council meeting will be on Monday, June 3, 2019 at 7:30 p.m. in Council Chambers.

ADJOURNMENT:

President Corcoran adjourned the meeting at 8:24 p.m.

Approval of minutes on June 3, 2019:



PRESIDENT OF COUNCIL

CLERK OF COUNCIL