

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JUNE 2, 2008**

CALL TO ORDER: 7:30 P.M.

President Butkowski: I'd like to call the regular meeting, Monday, June 2, to order. Will everyone please stand for the invocation followed by the pledge of allegiance?

INVOCATION: lead by President Butkowski.

PLEDGE OF ALLEGIANCE: by all.

President Butkowski: Clerk, please call the roll.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Kevin Corcoran, Ray McLaughlin and President Bernadine Butkowski.

Also, present were Mayor David Gillock, Law Director Andy Crites, Engineer Larry Griffith, Deputy Auditor Teresa Mike and Clerk of Council Vince Farrell.

Absent was Safety-Service Director Denny Johnson.

MINUTES - Corrections (if any) and Approval:

Council Minutes of regular meeting held May 19, 2008

moved by Jaenke, seconded by Olesen to approve

President Butkowski: Do we have any corrections? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

President Butkowski: Please note the:

Civil Service Commission Minutes of regular meeting May 20, 2008;

Parks & Recreation Commission Minutes of regular meeting April 23, 2008;

Planning Commission Minutes of special meeting May 20, 2008; and

Board of Zoning & Building Appeals Minutes of regular meeting May 22, 2008.

President Butkowski: We'll move on to our lobby.

LOBBY:

President Butkowski: I'm asking anyone, who would like to address Council tonight, to fill out the form that you can find in the back of the room and place it on the desk next to Mrs. Buescher. That will allow us to get back to you, if necessary. Please give your name and address. You will have three minutes to address your Council

1) Keith Jenkins of 8852 Harris Drive spoke his concerns regarding specific business types being able to come to Planning Commission and be immediately acted upon and approved during that same meeting. He believes that there are no checks and balances within Planning Commission or as it works its way through the legislative process. He felt that the process should work in the same manner as a business. He indicated that Planning Commission is advocating their responsibility for thorough review for sake of expedience. He explained that as the City continues to grow, their work load will continue to grow and old ways, business as usual, is not sufficient. He urged Council and Administration to think out of the box about the entire business application and approval process. He stated, as a Business Executive over the last 23 years, he has never seen a long term strategic project, that would impact a company, be approved the same day that it was pitched. He provided an example of what has happened in the past.

President Butkowski: Mr. Jenkins, your three minutes are up.

 moved by Boose, seconded by Buescher to allow this gentleman up to an additional three minutes

President Butkowski: Is there any discussion? Clerk, please call the roll.

 Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

Keith Jenkins: We can and should argue the validity of Goodyear and/or type of businesses locating within what the Master Plan calls a historic district. But, there is a pink elephant in this room that nobody wants to face. If the Master Plan sets forth guidelines for historic development, why is property not zoned properly? It doesn't matter what happened way back when and who said what. What is Council going to do to fix it, so that we don't continue to perpetuate the zoning problems we seem to be having? What is wrong with proactively rezoning land in the historic district according to the Master Plan recommendations? Yes, there is definitely going to be political fallout on all sides, but it makes City sense to move forward with the process and not doing so, is advocating your responsibility for control of growth. As Ray had said, if you aren't going to follow the Master Plan recommendations, spend the 50,000 dollars elsewhere. Buy a police car or something else. This is what I determine as best for long term prosperity, again for this City. Kevin's editorial had an interesting line, which illustrates the point I think I'm trying to make and that is, if legislators wanted to create a historical district that mirrored the Master Plan, than they should have done so through legislation. They never did. Kevin and everyone else sitting here now on Council is part of the process and the solution. This

isn't a Republican or Democratic issue. It is a City issue. So my two questions are, do you want to rezone to create the historic district? If yes, then does Council, the Administration; including Republicans and Democrats, have the political will to do so? Again, don't advocate the responsibility through enactment. As a side note, take a look at your B-5 zoning. Even if you zone for historic purposes, there are a lot of businesses that B-5 zoning allows in. You might want to check that whole process to see if you need to create a new classification. To clarify, I am not bringing a strip club in that was just an example.

President Butkowski: Is there anyone else that would like to speak tonight?

2) Larry Kamenec of 35154 Greenwich spoke his concerns regarding Planning Commission doing away with the provision requiring a waiting and review period for projects to be approved. He noted that the City's safety forces have needs, City Hall has needs, and the schools have needs in terms of buildings and cars. However, more housing developments pop up daily. He urged Council fighting for responsibility to keep up the fight and hope they will soon be joined by all members of our City leadership and on Council.

3) Helen Landers of 5550 Avon Belden Road provided pictures of animal bones in her back yard and noted that no one here tonight would want to live with that in their back yard. She asked that they look at those pictures to then, know why she wants this place cleaned up. She noted that she has brought this to people's attention and nothing works.

Council Member Boose: Madam President, can I ask, did you bring this to the attention of our Building Department so they could inspect the property?

Helen Landers: Engineers have been down there time after time. It gets worse. This is bones. This is just a little part of the land that is between Stoney Ridge, right on North Ridgeville property. This right here is next door. There are logs from one end to the other. The whole two acres of land was taken up by all this wood that was brought in there. I moved next door to this. I have kids in the back yard. The land is piled higher than mine and I was told that you can not raise your property above anyone else's property, because it is against the law. My yard (inaudible). I can't even mow the grass anymore. The grass is sitting this high. There is no where to go except into my property.

Council Member Boose: Madam President, could I, through you, ask the Administration if anyone has checked out this lady's property and if not, could they, to see what violations may or may not be happening there and try to get some sort of answers for these people.

President Butkowski: Yes, Mr. Boose I have talked to the Building Department before as I have talked to Mrs. Landers quite a bit. She has worked through the Building Department. I've talked to the Building Department. She still has the problem and it is not getting any better.

Mayor Gillock: I know the Building Department is aware of it and I know they have been out there and continue to work on it.

Helen Landers: Blanchette and Randy have been out there.

President Butkowski: The problem is still there and it hasn't been taken care of. It is all residential property. Is there any one else?

4) Andy Young of 35290 Elder Street spoke regarding the website and the wonderful slide show of all the esthetically pleasing aspects of the City. He spoke of the importance of maintaining the esthetic aspects of the City in order that it is esthetically pleasing to invite businesses into our City. He spoke of the vacant properties in the City and how he would hate to see a Goodyear Tire Center across from the symbol, on the head of our City, which is the Old Town Hall. He noted that this area has been labeled as our historic district by our Master Plan. He explained that the Master Plan is a legislative document and shows the intent behind all the ordinances that have been passed by Council. He also noted that the Master Plan should not be reviewed by an outside economic group; that it should be reviewed by the citizens and the elected officials of the City. He felt that Goodyear would be better served at the North Ridgeville Town Center, or on the northeast corner of Route 83, or where the Tops area is as there are plenty other areas in our City. He felt that as responsible members, Council should ask Goodyear to find a better fit in this community.

President Butkowski: Thank you.

5) Helen Hill of 5805 Avon Belden Road asked what the City has done with the water tower as she thought that was supposed to be for City offices.

President Butkowski: Yes, that was plan and is still the plan.

Helen Hill: Is there any process? Are we coming ahead on it or is it just sitting there?

President Butkowski: It is being used.

Council Member Boose: Madam President, perhaps the Administration could respond.

Mayor Gillock: When the water tower was built, a structure was put in so that two additional floors could be added in the future. They are not there. It is not office-ready or any where close and the cost to do that would now be substantial. You would have to add an elevator along with everything else. We're using the water tower. We have put it to use and frankly, I don't see that happening in the near future.

Helen Hill: I thought that was the intent.

Mayor Gillock: Fifteen years ago, it was a possibility. I think that when they did the water tower, it was something that was offered and they didn't want to pass it up and eliminate that possibility forever. The steel girders that they used to build the water tower would support that, but the structure was never finished to do that. You would have to go back and spend a lot of money, which would include adding elevators and so forth, to do that. It was never completed or done that way. It was made possible, if they ever wanted to do it, but it was never completed.

Helen Hill: If they need more space and everything, why won't that suffice?

Mayor Gillock: We bought that building for less than it cost us to redo that water tower by a lot.

Helen Hill: Okay. One other thing. What is being done for the City with PCD legislation? They want to raise the fee with this. I want to see what kind of results they're having.

President Butkowski: I'm not sure what you are talking about. You will have to be more specific.

Helen Hill: The special Planning Commission and they want to raise their fees.

President Butkowski: That is just their application fees for new people coming in with new plans.

The fee was raised because it cost more to administrate those applications. That won't affect the PCD. Your three minutes has run out.

moved by Boose, seconded by Buescher to allow this lady up to an additional three minutes to speak

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

Helen Hill: I just have another question. I want to know why the City, on Route 83, made that huge bypass. Was there some reason that, that had to be in the works or couldn't they just make a regular bypass instead of all that (inaudible) they have out there?

President Butkowski: Mr. Gillock, I'll just let you do that one.

Helen Hill: I get mad every time we go down there.

Mayor Gillock: You should just come to my office and we could talk about these things. The rail road overpass project was the Ohio Department of Transportation project. The City was asked to contribute five percent of the cost. We only have five percent in it. We didn't really get a vote on it. When ODOT started looking at the plan, they looked at twenty-one different options of where to put this overpass. They looked at going over where they are at, going under where they are at, going 100 feet east, going 100 feet west, 500 feet east, 500 feet west and looked at the cost. Norfolk and Southern put in, I believe, 600,000 dollars, Sherrod Brown got an earmark for 600,000 dollars, we put in 200,000 and ODOT put in the rest. They also looked at how many people would have to be relocated and items such as that. The most economical plan, when all the analysis was done, was the one to go 500 feet west. That was a four million-dollar project and only one family had to be relocated, which is why that one was chosen.

Helen Hill: Why wasn't the overpass just over the overpass, like the other one is?

Mayor Gillock: Because it would have cost more, it would have cost interruption to the rail road, it would have cost in the relocation of many, many more people. It was decided that, that was not the best solution.

Helen Hill: It is just the same on 83. It is the same thing. They just put an over pass on it. I don't understand why you had to go all the way around instead of straight down.

Mayor Gillock: Because, it would have cost a lot more. If you would have relocated it right where it was at, you would have had to temporarily relocate the rail road track. You would have displaced many more people that live on 83 and that is the main reason they didn't put it right on 83. They didn't want to displace all those people that live there.

Helen Hill: What about the Lumber Company that is probably going out of business?

Mayor Gillock: I think they are doing okay. They aren't going out of business, as far as I know.

President Butkowski: Okay, our three minutes are up. We will have to move on to someone else. Is there anyone else?

6) Lois Sullivan of 5880 Jaycox Road spoke regarding the historic district and noted that she felt it was a bad piece of legislation when it was passed as it allowed too many businesses to

go in there, that would have destroyed the historic district. She also spoke regarding the lobby session of these meetings. She explained that if it was placed on the agenda where it used to be, she would have been able to speak at that time. She stated that all these years that Council has been up here, Lobby was before Recess and it is her concern that it is cutting up people's rights because it eliminates their possibility of getting up to speak on something that came up. She noted that she felt it was a bad decision, as far as the agenda is concerned and she would like to see it go back.

President Butkowski: Is there anyone else that would like to speak?

7) Andy Young of 35290 Elder Street applauded the four members who did vote down the Goodyear. He expressed that he would like to see the Planning Commission take on more of a measured review of all of the projects and plans that come before them. He stated that if there is question on an application, there is an option to table these issues. He stated that if the issue does get passed, he would like to see the matter reviewed by the Building and Lands Committee and any zoning ordinances enacted regarding the original intent of the legislation involving the original Master Plan. He asked again to have the Master Plan taken out of the hands of the Economic Development company. He mentioned that the passed Council members including Ron Arndt had talked about having a visionary breakout session where Council meet; not on the ordinary time, that is open to the public, in order to really lay out some of the ideas that people have and it was crushed by some of the Administration and others. He challenged Council to come together and do that.

President Butkowski: Thank you. Is there anyone else that would like to speak. Okay, we'll move on to the Administrative Reports. Mr. Gillock?

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Madam President and good evening everyone. First, you will notice that Safety-Service Director Johnson is not in attendance this evening. I may be wrong, but I think this is the first meeting he has missed as Safety-Service Director. He is enjoying some well deserved time off. Denny if you are watching; which I doubt, congratulations to you and Roseanne on your 35th Wedding Anniversary this evening and we'll see you back next week.

I have submitted a number of ordinances this evening under new business. All were approved during appropriations. None are urgent as far as I know, except, I would like to give the new ambulance ordinance at least a first reading this evening, to get it started. It is something we really need and not only does it take several weeks, if not months, to get a new unit; each day we wait, the price goes up. There is one other one, T 84, which the Engineer would like to get

passed this evening, which is not a new money issue. It is a correction in the way one of our ordinances was written.

For those that can see it on our Smart Board, our new City website is up and running. You can go to www.nridgeville.org to see this site. It is our intent to make this site easier to use and to provide more information that is easier to access for our residents and businesses. You can find ordinances, forms, meeting dates, and so forth. Please take a look at the site and let us know what you think. Just go to Contact Us and you can fill out a form to give us your opinion. You can also inform us of pot holes or other issues that you would like to bring to our attention.

I was asked to mention that we seem to have a rise in solicitors knocking on doors in the City. I assure you that we have not had a run on permits, because I have to sign them. If someone is knocking on your door, there are a few things that you can do. One, simply ask to see their permit. If they do not have a permit, please let our Police Department know. In fact, we have had cases where residents have asked the solicitor to wait a minute and then went and called the Police while the solicitor was waiting. I'm not suggesting you do that unless you feel strongly about the intrusion, but please let us know if you ask for a permit and they don't show you one. I have one on my desk right now from the Plain Dealer. I don't recall yet, signing any for ice cream trucks. Be aware, that there are solicitors out there. They have to have their permit on them. If you ask for it, they have to show it to you. If they don't, then they are in violation of the law and you should let our Police Department know.

I want to advise Council and residents as to Ohio Edison's new tree trimming policy. You may have seen something about this in the Plain Dealer. I have been advised by Ohio Edison that it is now their policy, that any tree growing over and above a distribution line will be trimmed straight up. Previously, they would cut around the line at about a 15-foot radius, which was not very esthetically pleasing. However, I don't believe cutting straight up on an 80-foot high tree is going to be any more attractive either. To repeat, now everything above the line will be removed. In addition, they advised me that any tree that they have determined to be dead and threatening their lines, will be removed; whether it is within the easement or not. If they feel a dead tree threatens their lines, they have informed me that they will be removing that tree. They have advised me that their legal department has told them that they have the authority to do this. I have written a letter to Representative Lundy and Senator Morano asking that a watch dog agency be created to regulate tree trimming by electrical companies. I would suggest that anyone in agreement with me, that Ohio Edison's essentially scorched earth policy needs review, to also write to our representatives and ask them to take steps to better control the tree trimming. That concludes my report.

President Butkowski: Thank you, Mr. Gillock. We'll move on to the Engineer, Mr. Griffith.

C. Engineer:

Engineer Larry Griffith: Thank you, Madam President. National headlines recently reported finding trace amounts of pharmaceutical residue in water from 24 of the large metropolitan areas across the county. This was not news to scientists, as these substances have been present in our environment in concentrations of parts per trillion, for years. Some residue remains, as medicines pass through the body, plus people flush dated or left over medicines down the drain. Standardized tests for pharmaceuticals in such tiny amounts are currently available and no water system, be they bottled or tap, test for these substances. Is there a concern? At this point, no one really knows.

What you can do, however, is don't flush unwanted over-the-counter and prescription medications down the drain. The safest current method available for disposing of unwanted medicine is to securely wrap the medication and place it in your trash for pickup. That concludes my report this evening.

President Butkowski: Thank you, Mr. Griffith. Tonight, we have our Assistant Auditor, Mrs. Mike with us. Do you have your report?

D. Auditor:

Deputy Auditor Mike: I have no report this evening, Madam President.

President Butkowski: Thank you. We'll move on to other reports.

E. Other Reports:

President Butkowski: Please note:

Police Department Support Car Report for April 2008;
Police Department Report from January to March 2008; and

Clerk of Council Farrell:

Planning Commission Report to Council of regular meeting May 20, 2008.

APPLICANT: Chris Teater, FJD Properties, LLC, 37000 Center Ridge Road
OWNER: FJD Properties, LLC, 37000 Center Ridge Road
REQUEST: Final approval of Subdivision No. 11 in Phase 4 of Meadow Lakes PCD
LOCATION: North of Schaeffer Drive and West of Stoney Ridge Road in a PCD

District

Permanent Parcel Nos. 07-00-028-101-100, 07-00-032-000-602, and 07-00-033-112-016

PC ACTION: Approved by a vote of 5-0

moved by McLaughlin, seconded by Jaenke to approve

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

President Butkowski: Now, we have the Council Committee Reports.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Farrell:

1) BUILDING AND LANDS COMMITTEE REPORT #5703 Members of Council: We have considered the matter of T 73-2008, an ordinance amending Chapters 1468 and 1423 regarding down spouts and ABC/PVC pipes and recommend that this request be approved and proper legislation be adopted.

Signed: Member McLaughlin and Chairperson Buescher.

moved by Buescher, seconded by McLaughlin to approve

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

2) BUILDING AND LANDS COMMITTEE REPORT #5712 Members of Council: We have considered the matter of T 51-2008, an ordinance repealing NRCO Chapter 1464 Flood Damage and replacing it with new Chapter 1464 Flood Damage Reduction and recommend that this request be approved and proper legislation be adopted.

Signed: Member McLaughlin and Chairperson Buescher.

moved by Buescher, seconded by McLaughlin to approve

President Butkowski: Is there any discussion? Clerk, please call the roll on the Committee Report.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

moved by Buescher, seconded by Olesen to suspend the By-Laws to give T 51 its first reading due to time restraints, which are required to submit the legislation and to protect the flood insurance for City residents.

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

President Butkowski: T 51 is not being considered on the agenda here. I thought it was, but the Law Director said that it isn't. We have to make a motion to put this on the agenda and then we have to vote to suspend the By-laws. We will need a motion to put it on the agenda. Let's wait until new business and then put it on there, because this was just a Committee Report. We'll move on to correspondence. So, just bring that up at the end of new business.

CORRESPONDENCE:

President Butkowski:

1) Received a memo from Mayor Gillock notifying Council that he has waived the Planning Commission fee for Goodyear Tire facility in the interest of promoting business and to give the applicant an opportunity to better describe the facility, answer questions and to allow Council Members to request conditions that are important.

President Butkowski: That is all the correspondence we have tonight. We have no old business. We'll move on to new business. Clerk, could you please read the first T number.

NEW BUSINESS:

Clerk of Council Farrell:

T 76-2008 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 SECOND CENTRIFUGE INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$800,000.00.

T 77-2008 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 CONTINUATION OF CAMERA WORK ON THE FRENCH CREEK INTERCEPTOR THAT RUNS THROUGH NORTH RIDGEVILLE, AVON AND SHEFFIELD TO THE WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$100,000.00.

- T 78-2008 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 NEW VARIABLE FREQUENCY DRIVES INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$100,000.00.
- T 79-2008 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 NEW SEPTIC UNIT INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$175,000.00.
- T 80-2008 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 NEW GRIT UNIT INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$250,000.00.
- T 81-2008 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 FIBER OPTIC LINES AND ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$130,000.00.
- T 82-2008 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 REPLACEMENT OF SAND AND REPAIR OF COMPONENTS FOR THE SLUDGE DRYING BEDS INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$130,000.00.
- T 83-2008 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 REPLACEMENT OF THE FISHER PORTER DIFFUSER WITH NEW PINCH VALVES INCLUDING ALL ASSOCIATED WORK AND APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$28,000.00.

T 84-2008 AN ORDINANCE AMENDING ORDINANCE NO. 4482-2007 REGARDING SANITARY SEWER MAIN LINE GROUTING AND RE-LINING BY CLARIFYING THAT ENGINEERING SERVICES AND APPURTENANCES ARE INCLUDED.

moved by Boose, seconded by Olesen to suspend the By-Laws to give T 84 its first reading

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

T 85-2008 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A NEW AMBULANCE FOR THE FIRE DEPARTMENT FROM THE 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 \$180,000.00.

moved by Boose, seconded by Olesen to suspend the By-Laws to give T 85 its first reading

President Butkowski: Is there any discussion?

Council Member Boose: Yes, Madam President. This new purchase was approved in appropriations earlier this year and I verified with the Deputy Auditor that the funds are available. These arise from the soft billing that our company does to insurance companies for services provided by the Fire and Ambulance Department and so, there is money there. There is no reason to hold off any longer on this.

Council Member Olesen: Madam President, I think we should add to that, that if you are an individual in the City and you don't have insurance, it pays for that. The service to residents is still free.

President Butkowski: Thank you, Mr. Olesen. Yes, do not drive yourself to the hospital. You have a free ambulance, please call. There are many people that don't. Thank you. Is there any other discussion?

Mayor Gillock: Madam President, (tape one, side A ends)

Yes, 7 No, 0

T 86-2008 AN ORDINANCE AMENDING NRCO SECTION 650.01 PUBLIC NUISANCE DEFINED.

President Butkowski: T 86-2008 is REFERRED TO THE BUILDINGS & LANDS COMMITTEE.

T 87-2008 AN ORDINANCE DESIGNATING RESPONSIBILITY OF OWNERS FOR COLLECTION AND REMOVAL OF FECES DEPOSITED BY THE DEFECATION OF ANY ANIMAL UPON ANY PUBLIC OR PRIVATE PROPERTY; EXEMPTING GUIDE DOGS UNDER CONTROL OF BLIND PERSONS.

RECESS:

Council recessed at 8:21 P.M.
Council reconvened at 8:31 P.M.

FIRST READINGS:

Clerk of Council Farrell:

T 67-2008 AN ORDINANCE AMENDING ORDINANCE NO. 2325-89 ESTABLISHING AN APPLICATION FEE TO BE PAID BY PERSONS APPEARING BEFORE THE PLANNING COMMISSION OF THE CITY OF NORTH RIDGEVILLE, OHIO.
First Reading

T 68-2008 AN ORDINANCE AMENDING ORDINANCE NO. 3445-99, PROVIDING FOR AN ADDITIONAL "PUBLICATION NOTIFICATION" FEE FOR MATTERS FILED BEFORE PLANNING COMMISSION.
First Reading

T 69-2008 AN ORDINANCE AMENDING ORDINANCE NO. 2369-89 BY INCREASING THE SPECIAL PLANNING COMMISSION FEE.
First Reading

T 70-2008 AN ORDINANCE AMENDING ORDINANCE NO. 2828-94 RELATING TO FEES FOR APPEALS FROM DECISIONS OF THE BUILDING INSPECTOR.
First Reading

T 71-2008 AN ORDINANCE AMENDING ORDINANCE NO. 3106-95, PROVIDING FOR AN ADDITIONAL FEES FOR MATTERS FILED BEFORE THE BOARD OF ZONING AND BUILDING APPEALS.
First Reading

T 72-2008 AN ORDINANCE AMENDING ORDINANCE NO. 3663-2001
ESTABLISHING A BOARD OF ZONING AND BUILDING APPEALS
SPECIAL MEETING FEE.
First Reading

T 74-2008 AN ORDINANCE ACCEPTING CERTAIN PROPERTY AND DEDICATING
IT TO PUBLIC USE.
First Reading

T 84-2008 AN ORDINANCE AMENDING ORDINANCE NO. 4482-2007 REGARDING
4538-2008 SANITARY SEWER MAIN LINE GROUTING AND RE-LINING BY
CLARIFYING THAT ENGINEERING SERVICES AND APPURTENANCES
ARE INCLUDED.

First Reading

moved by Boose, seconded by Olesen to dispense with the second and third
readings tonight

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

moved by Boose, seconded by Olesen to adopt

President Butkowski: Is there any discussion? Clerk, please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President and that will be permanent
ordinance number 4538-2008.

Permanent Ordinance No. 4538-2008

T 85-2008 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4539-2008 RIDGEVILLE, OHIO, TO PURCHASE A NEW AMBULANCE FOR THE FIRE
DEPARTMENT FROM THE 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 \$180,000.00.

First Reading

moved by Boose, seconded by Corcoran to dispense with the second and third
readings tonight

President Butkowski: Is there any discussion? Clerk, please call the roll for the suspension of the
second and third reading.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

moved by Boose, seconded by Corcoran to adopt
moved by Boose, seconded by Corcoran to add the emergency, so that we can
have this vehicle ordered due to the lengthy time it will be to receive it; so that,
we can finally get this vehicle in service

President Butkowski: Is there any discussion? Clerk, please call the roll on the emergency.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

President Butkowski: A motion was made by Boose and seconded by Corcoran to adopt tonight
with the emergency. Is there any discussion?

Council Member Corcoran: Madam President, there have been two instances in the last couple of
weeks where both ambulance units have gone down. One of the units was stranded at Elyria
Memorial two nights in a row and the other ambulance was stuck in first gear, where it couldn't
go more than 15 miles per hour. This is definitely the classic use of the emergency clause,
because it is for the safety of the residents that is at stake and we need to do this tonight.

President Butkowski: Is there any other discussion? Please call the roll.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President and that will be permanent
ordinance number 4539-2008.

Permanent Ordinance No. 4539-2008

T 51-2008 AN ORDINANCE REPEALING NRCO CHAPTER 1464 FLOOD DAMAGE
4540-2008 PREVENTION AND REPLACING IT WITH NEW CHAPTER 1464 FLOOD
DAMAGE REDUCTION.

First Reading

Council Member Buescher: I move to suspend the By-Laws, to give this its first reading.

President Butkowski: You will need to dispense with the second and third reading.

Council Member Buescher: That isn't necessary, but if the Engineer would prefer that we would
do it that way, that would be fine too. I think we have enough time to have this go through to the
next two meetings.

Engineer Griffith: I don't really know what the deadline is because Guy is handling that.

Council Member Buescher: It is August, but they wanted it by July. So, we do have the next two
meetings, where we can do the reading and then it would have to be passed on emergency at that
time, but we could take care of it tonight also, since it has a time limit.

Mayor Gillock: Madam President, the FEMA deadline for this is July 19. So, if you do not pass
it with the emergency, it has to be adopted before June 19.

President Butkowski: Let's just get it over with tonight.

moved by Buescher, seconded by Boose to dispense with the second and third
readings

President Butkowski: Is there any discussion on that? Please call the roll on the dispensing.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President.

moved by Boose, seconded by Buescher to adopt

President Butkowski: Is there any discussion? Please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President and that will be permanent ordinance number 4540-2008.

Permanent Ordinance No. 4540-2008

President Butkowski: Thank you and we'll move on to the second readings beginning with T 30.

SECOND READINGS

Clerk of Council Farrell:

T 30-2008 AN ORDINANCE AMENDING NRCO SECTION 1056.07(E) OF CHAPTER 1056 CONSTRUCTION SITE SOIL EROSION, SEDIMENT, STORM WATER RUNOFF AND STORM WATER QUALITY CONTROLS AND REGULATIONS BY SETTING LOT AREA PARAMETERS WHICH TRIGGER THE REQUIREMENT THAT STORM WATER DETENTION BE PROVIDED FOR NEW CONSTRUCTION, BUILDING ADDITIONS OR RE-DEVELOPMENT.

Second Reading

T 38-2008 AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF PCD'S IN THE CITY OF NORTH RIDGEVILLE.

Second Reading

T 41-2008 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO KNOWN AS THE ZONING CODE ORDINANCE, TO RE-ZONE THE FOLLOWING LAND: APPROXIMATELY 2.5 ACRES LOCATED ON THE NORTHWEST CORNER OF BUTTERNUT RIDGE ROAD AND ROOT ROAD, PERMANENT PARCEL NUMBERS 07-00-014-103-031; 07-00-014-103-032; 07-00-014-103-338 AND 07-00-014-103-030 (AS SHOWN BY LEGAL DESCRIPTION BELOW); FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT AND OWNED BY DAVID J. FOX AND MANG HUNG WONG.

Second Reading

President Butkowski: Moving on to the third readings.

THIRD READINGS

T 46-2008 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4541-2008 CONTRACT WITH JOHNSON CONTROLS, INC. IN THE APPROXIMATE
AMOUNT OF \$448,000.00 FOR THE DESIGN, DEVELOPMENT, AND
IMPLEMENTATION OF THE WATER METER PROJECT.

Third Reading

moved by Olesen, seconded by Boose to adopt

President Butkowski: Is there any discussion?

Council Member Boose: Madam President, just as a reminder, this legislation was approved at appropriations to be funded through BANs and we approved the BAN legislation of T 60-2008 to pay it. Thank you.

President Butkowski: Thank you. Is there any other discussion? Clerk, please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Farrell: Vote is seven, zero, Madam President and that will be permanent ordinance number 4541-2008.

Permanent Ordinance No. 4541-2008

COMMITTEE MEETING ANNOUNCEMENTS:

President Butkowski: Moving on to upcoming meeting announcements.

Next Regular Council Meeting Monday, June 16, 2008 at 7:30 P.M. in Council Chambers.

Public Hearing June 16, 2008 at 7:20 P.M. re: T 38-2008, moratorium on the establishment of PCD'S.

Public Hearing July 7, 2008 at 7:15 P.M. re T 41-2008, rezone from R-1 to B-3 northwest corner of Root and Butternut Ridge Roads.

Public Hearing July 7, 2008 beginning at 7:20 P.M. on the following in the order which they appear.

- 1) Cluster site plan for Waterside Place in Waterbury Subdivision #4, Waterside Place Phase 1
- 2) Final approval of Subdivision No. 11 in Phase 4 of Meadow Lakes PCD

President Butkowski: That is all of the upcoming meeting announcements. Do I have a motion?

ADJOURNMENT:

moved by Jaenke to adjourn

Meeting adjourned at 8:43 P.M.

MOTION _____ Jaenke _____ 2ND _____ Olesen _____ DATE _____ June 16, 2008 _____

YES _____ 7 _____ NO _____ 0 _____ ABSTAIN _____ 0 _____