

**NORTH RIDGEVILLE MUNICIPAL COUNCIL  
MINUTES OF  
REGULAR MEETING      OCTOBER 20, 2008**

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

President Butkowski: I call to order the North Ridgeville City Council Meeting of Monday, October 20 to order. Please stand for the invocation and pledge of allegiance.

**INVOCATION:** lead by President Butkowski.

**PLEDGE OF ALLEGIANCE:** by all.

**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, Safety-Service Director Denny Johnson, Engineer Larry Griffith, Law Director Andrew Crites, Auditor Chris Costin and Clerk of Council Warren Blakely.

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

President Butkowski:

Council Minutes of regular meeting held October 6, 2008

moved by Olesen, seconded by Corcoran to approve

President Butkowski: Are there any changes or corrections? Please call the roll.

Yes, 6            No, 0            Abstain, 1 (Jaenke)

Clerk of Council Blakely: Minutes are approved by a vote of six, zero with one abstention.

President Butkowski: Please note:

Planning Commission Minutes of regular meeting October 14, 2008.

**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. We will have no interaction tonight. All questions will be answered after the meeting or you will be contacted later. You will have three minutes to address Council. The first one that comes up to the mic., please turn it on. Who would like to speak tonight?

1) Keith Jenkins of 8852 Harris Drive spoke about building a planned community development, without PCD legislation, in a residential area. Spoke about the creation of the PCD legislation in order to bring sewers to the west end of the City. Stated that the PCD legislation is not relevant any more and suggested getting rid of it.

moved by Boose, 2<sup>nd</sup> by Buescher to allow this gentlemen up to an additional three minutes only

President Butkowski: Is there any discussion?

Yes, 7              No, 0

Clerk of Council: Motion passes by a vote of seven, zero.

Mr. Jenkins continued by speaking to the repeal of the planned community development legislation. He stated that developers can still build planned community developments with existing legislation.

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

2) John R. Sanderson of 32975 Bagley Road spoke about the complaints of the Lobby session being moved and Council's lack of attention to this issue.

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

3) Ron Johnson of 6384 Wallace Blvd. gave tribute to the paramedics of North Ridgeville noting the amount of runs he views.

President Butkowski: Thank you and I would agree with you and one just left. Is there anyone else who would like to speak tonight? We will be moving on to our Administrators Reports. First is Mayor Gillock?

**ADMINISTRATORS REPORTS:**

**A. Mayor:**

Mayor Gillock: Thank you, Madame President. First, I would like to report that the City received a check from the Worker's Compensation Safety Counsel Discount Program for 5,406 dollars. This represents a two percent savings on our premiums by meeting the program participation requirements.

Secondly, the Westcom Central Dispatch communities, which we belong to and share our dispatching service with, are issuing a request for qualifications for fire, EMS and related service

operation consolidations with an aim to study combination of those functions. In practice, we already cooperate via mutual aide, central dispatch, EMS protocols and so fourth, and those collaborations would be part of any consolidations. Consolidations have many levels, administrative, functional or operational, up to and through the establishment of a regional fire district. This effort is being made to enhance and expand services to meet the growing needs in all communities for safety services and evaluations are ongoing including cost assessments and equipment inventory which has recently been conducted. Possibilities for collaborations include purchasing, vehicle maintenance, fire inspections and prevention and training. Challenges include funding issues, staffing and individual municipal collective bargaining agreements. We have issued a request for qualifications to 20 different companies. Eleven have responded. We will develop a matrix before we proceed with the study.

Next, we have mentioned the Columbia Gas Riser Safety Program before but, they will begin starting this replacement program a week from today, October 27, in North Ridgeville. I would like to, again, briefly go over what that is so the residents and Council will be aware. First, this is at no direct cost to the consumer. In 2007 Columbia Gas conducted a study to identify risers that were prone to failure. When they did that, they also checked for leaks on the risers and service lines. Any that were leaking were immediately replaced. All others that were prone to failure were scheduled to be replaced during this Riser Safety Program. Every customer with a prone to fail riser will be notified and was notified by mail. Where do you find your riser? It's the pipe from the bottom of the meter that goes into the ground. It rises out of the ground and connects to the gas meter. Most customers have a riser. Some customers, if you happen to have an indoor gas meter, you would not. What can you expect? Their crews will come to your house and they will shut the gas off to replace the riser. When their work is complete, they will need to go into your home to check for leaks and the safe operation of your appliances and relight pilots. This is required by law before restoring the service. If you're not at home, they'll leave a phone number for you to call and have your service restored. A few days before the work is scheduled, you'll receive an information card on your door or other prominent location to let you know when they'll be coming. The day your riser is replaced, the crews will again, arrive at your place, shut off the gas while the work is in progress and arrange to turn it back on. Again, this is required by law that they come in and do that. Restoration, again as I said, this is at no cost to the homeowner. They will dig as little as possible. If you have bushes, for example, planted around your gas meter, they may have to be removed. If they do so, they'll try and ball those and take them out and replace them. It is their objective to restore your property to its previous condition. The last thing I want to mention in regards to this program is that all the crews will carry photo ID badges identifying them as contractors for Columbia Gas and they will be glad to show you that badge before entering your home, if you request it. Be aware, this program will begin next Monday. It's a safety program by Columbia Gas.

The last think I want to mention to Council, is that I passed out, at your desks, first the report from Moody's which they issued reaffirming our rating of A1. You can read through that. It is very favorable to the City but, it does mention a couple concerns they have which really don't necessarily relate directly to the City. It relates more to the economy as a whole in northeast Ohio. They did state that our A1 is above average for cities. They're down grading cities across the nation and the average is A2. Auditor Costin asked that I give you a copy of the community connection, the front page of that is where I spoke to this issue. He felt that was an adequate summation of our trip and our rating. I'll leave any details to Mr. Costin if you have any questions. Thank you and that concludes my report.

President Butkowski: Does anyone have any questions of the Mayor? I have one question. You forgot to tell us when Trick-Or-Treat is.

Mayor Gillock: That's a good question. I haven't received that from the County but, I'm sure it will be October 31. I usually get a form from the county. I'm pretty sure it is October 31. I know another city is doing it October 25 and we will not be doing it on the 31.

President Butkowski: Same day as the Senior Citizens Spaghetti Dinner, same time.

Mayor Gillock: Come to the Senior Citizens Spaghetti Dinner in costume.

President Butkowski: Are there any other questions. We'll move on to Safety-Service Director Johnson.

**B.      Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Madam President. Patching and paving season is quickly coming to an end. We will be doing major repairs to the westbound lane of Chestnut Ridge between the Route 10 overpass and the western City limits and we will continue hot patching as long as necessary and the asphalt plants are open.

Now that Fall has arrived and leaves are falling, I ask that property owners insure leaves do not block ditches, culverts and catch basins. Leaves can be mulched on site or bagged for our trash hauler to recycle. If we don't make sure that they stay out of the ditches and culverts, it will lead to flooding for you and neighbors. That concludes my report.

President Butkowski: Thank you. Our engineer, Mr. Griffith.

**C.      Engineer:**

Engineer Griffith: Thank you, Madam President. I'm going to deviate from my usual discussion on storm water management tonight to discuss the Engineering Departments new Standard Construction Details, a copy of which I currently have here in my hands. These drawings, consisting of 86 drawings, have been adopted by the Engineering Department to better

standardize construction throughout the City. For example, to reduce the number of sanitary sewer manhole covers the Service Department must stock, only two types are acceptable and both are called out on the Standard Drawing number SAN-1. These drawings are now available on the City website at [www.nridgeville.org](http://www.nridgeville.org). After logging onto the site, click on Departments, then Engineering and then Standard Construction Drawings. This will give you an index page similar to the one I am showing you right now. All you have to do is click on whatever drawing interests you and you can print it out on your own printer.

We also plan to make printed copies available if there is a demand for it, but first we will need to determine what to charge for them. In most cases, it will be easier and less expensive for someone to just print out what they need using their own computer and printer. Thank you, that concludes my report this evening.

President Butkowski: Thank you. Are there any questions of the Engineer? Moving on to the Auditor, Mr. Costin.

**D. Auditor:**

Auditor Costin: Thank you, Madam President. I have a couple of matters to discuss with Council tonight, the first of which is the September financial report.

Auditor's Written Financial Report for September 2008

move by Boose, seconded by Buescher by to approve the Auditor's Written Financial Report for September 2008

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

Yes, 7                  No, 0

Auditor Costin: Thank you. Second item is that there are two potential ordinances that were presented for Council's consideration. Both are dealing with our 2008 bond issue. The first is a reconfiguration of our water meter debt service and the second is actually an amended appropriation ordinance that appropriates the bond proceeds to be used to pay off our BAN's for the additional construction proceeds related to ordinances that have been passed by Council. I would request that those two ordinances be accepted by Council tonight. One is introduced by the Mayor and the amended appropriation ordinance, the Mayor has indicated he would be pleased to introduce as well. Incidentally, that amended appropriation ordinance concerns nothing but the bond issue. No other appropriations are in there at all. All changes are related to the bond issue. I would request that those be passed to night with the emergency.

moved by Mayor Gillock, seconded by Buescher to suspend By-Laws to add them to the agenda under first readings

President Butkowski: Clerk, may we have the T numbers, please.

Clerk of Council Blakely: The ordinance with respect to 3,520,000 dollars is assigned T number 146-2008. The proposed ordinance to amend the appropriations is assigned T 147-2008.

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

Yes, 7                  No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

Auditor Costin: Finally, just a brief update on where we're at with the bond issue. Under the guidance of our bond advisers, we are watching the volatile financial markets on a daily basis waiting for the most advantageous time to sell our bonds. That may happen in the next week, it may happen in the next two weeks but, we want to try and catch a time when the interest rates are the most favorable to the City and its taxpayers. As a result, there is an issue under third readings, T 124-2008, again, I would remind and request that not be passed tonight since the bonds have not been issued and the money is still not available for us to proceed with that change. That concludes my report and my comments. I will be glad to answer any detailed questions. The Mayor already eluded to the Moody's rating and under the circumstances, it was really an outstanding rating for the City of North Ridgeville and you've received both the detail rating and as the Mayor indicated, a nice concise, brief summary explanation of the process and the results in his letter to the community which you have a copy of page one. That concludes my reports and my comments and once again, I'll be glad to answer any questions as they occur during the passage of this legislation.

Council Member Buescher: Madame President, I would just like to congratulate our Auditor, Chris Costin and his office for the wonderful work they do for our City to achieve another spectacular rating. Thank you.

Council Member Olesen: I would just like to know how much time Mr. Costin feels we need to postpone T 124-2008.

Auditor Costin: The Charter says we have to have the money available. While it appears to only be 100,000 dollars net difference, in reality, there was a 511,000 dollars increase in, I believe, it was roads or sanitary sewers and the other was to come down by that amount of money. The Charter requires that the money be in place before the Auditor allows Council to pass financial issues of that magnitude. I suspect that before our next Council meeting, unless something really, again, negatively distorts the market, that we will have issued our bonds and we're expecting that we would be able to pass that T 124 at the next meeting. I really just have to have a commitment that our bonds are sold. I don't have to have the money in the bank but, under Ohio Revised Code, I have to have a commitment and we can't get that commitment until we go to market and we don't want to go to market until we have the most favorable rates. To make a long story short, or vice a versa, hopefully by the next meeting, no later than the meeting after that.

President Butkowski: As a caution, we'll just postpone it until the next meeting and if need be, we can continually postpone it. Are there any other questions of the Auditor? Moving on to other reports.

**E. Other Reports:**

President Butkowski: Please note:

Mayor's Court Report for September 2008;  
OM Public Sector Solutions for September 2008;  
Building Department Report for September 2008;  
Public Water System Operation Report for September 2008;  
Fire Department Report for September 2008; and  
Police Department Support Car Report for September 2008.

Clerk, please read the Planning Commission Report:

**OWNER:** Valore Properties, Inc. 23550 Center Ridge Road, Westlake, Ohio 44145; NVR, Inc., 31388 Industrial Park, North Olmsted, Ohio 44070; Richard Mucha, 5875 Stoney Ridge Road; Thomas E. Miller, Trustee, 35015 Chestnut Ridge Road; Daniel R. and Jennifer Stopper, 6479 Stoney Ridge Road; Della Dorow, Trustee, 6305 Stoney Ridge Road; Irene Berlovan 6082 Avon Belden Road; and Heather Foldi (fka Houser), 6327 Stoney Ridge Road

**REQUEST:** Preliminary plan approval for a Planned Community Development to be known as Hampton Place

**LOCATION:** Approximately 218 acres situated between Avon Belden Road and Stoney Ridge Road in an R-1 District  
Permanent Parcel Numbers 07-00-029-000-073, 07-00-029-000-072, 07-00-029-000-003, 07-00-029-000-004, 07-00-029-000-006, 07-00-029-000-068, 07-00-029-000-150, 07-00-029-000-111, 07-00-029-000-015, 07-00-029-000-085, 07-00-029-000-057, 07-00-028-102-092, and S/L 2 through 34 and Blocks A through F in Hampton Place Subdivision No. 1 and part of Permanent Parcel Numbers 07-00-029-000-016, 07-00-029-000-017, 07-00-029-000-018, 07-00-029-000-066 and No. 07-00-029-000-005

**PC ACTION:** Approved by a vote of 4-1  
move by Jaenke, seconded by Olesen to approve

President Butkowski: Is there any discussion?

Council Member McLaughlin: According to our Zoning Code, the approval process of this project can only take place after a public hearing and I think what we should be doing, right here,

is accepting the report as given from the Planning Commission and not take action on it until after the public hearing.

Law Director Crites: I agree with Council Member McLaughlin and for the sake of eliminating any confusion let me state that the applicable code section 1279.06 allows Council to approve, disapprove or modify the preliminary plan on a PCD application after Planning Commission has submitted their report and after the public hearing. The public hearing has not yet taken place. That is a separate hearing that's actually scheduled, if you look toward the end of your agenda, for December 1. It is of note as well that Council's action to actually approve of Council, if Council so votes to, so the preliminary application will be done by a separate piece of legislation as it was with Waterbury in October of 2000. I have a copy of that right here. So, if I am making myself clear, what Council is doing tonight is simply what they are required to do under the Charter whenever Planning Commission submits a report and that is accepting it to make it an official report of Planning Commission. It would be proper, because of the provisions of 1279.06, all Council can do tonight is to vote, as it states, move to approve and if it's passed by a majority of Council, you simply accepted the report of Planning Commission. For the sake of clarification, to eliminate confusion, if someone wanted to amend the motion to accept Planning Commission's report, you can do that. In essence, that's all, legally, what you're capable of doing at this point because the public hearing has not yet taken place.

President Butkowski: My question is, if you would not approve the Planning Commission report, what would happen.

Law Director Crites: In essence, you would be telling your Planning Commission, the way I would interrupt our ordinances, to do another report. Your Planning Commission is an advisory body. They can't do anything that you, as Council, don't affirm. They can't make law. All they can do is, in fact, give you the report. The actual legal import of you disapproving the report is questionable because, ultimately, you're still going to have a public hearing on the matter pursuant to the provision of the ordinance that applies. You're also, going to have before you, which comes up next on our agenda tonight, is the application to rezone. Again, I want to speak to you at this moment is what the vote tonight, by Council, is simply to approve or accept Planning Commission's recommendation on that piece of legislation. Council can't accept and, in fact, rezone, if you will, this parcel or these parcels until it has a piece of legislation in front of it.

Council Member Buescher: Madame President, my concern is, if this is brought before Council and you want it to go forward, where you're just setting a date of a public hearing, I don't believe we should be voting on this at all. We either let this go through the process and to the public hearing or, we have a yes or no vote. I don't think that it is fair to anyone who disapproves of this project to be forced to vote yes to have this go through any further. Do you understand what I'm saying? I think that it should just go through to the public hearing.

Council Member McLaughlin: Madame President, I think my thing here is, the way that I would interpret this is and break it down from non lawyer words is, that Planning Commission has given us their report. In order for us to do part of the process we must accept their report whether

or not those agree or disagree to it. We still have to say okay, we're taking the report from you, it is now in our hands, now we go to the next process which is having the public hearing. The main thing that I want to make sure didn't happen here is that we went ahead and approved these projects or disapproved them and then have a public hearing which would be absolutely useless because the Planning Commission, the only individuals that, unless this goes into the newspaper, the only people that know about this are the adjacent property owners and I believe that the public hearing is for all of the City that may have an issue with this. In my opinion, and correct me if I'm wrong when I say this, accepting the Planning Commission report is, no way that we are agreeing or disagreeing with the project. It is just that we are taking the report.

Law Director Crites: I agree.

President Butkowski: The motion that was made by Mr. Jaenke was to approve this report.

Should the motion be changed to accept the report?

Law Director Crites: In my opinion, that really has no true legal import. If anything, it's more of a grammatical comfort move. In my opinion, you can't approve the project, yet. The legislation isn't before you approving the project and the public hearing hasn't taken place. The only reason we'd be doing it is for the sake of clarification and eliminate confusion as we move forward.

Council Member Buescher: Madame President, I would rather see the word accept.

Law Director Crites: Then, someone would need to put forth a motion to amend the motion to approve to accept.

          moved by Buescher and seconded by Corcoran to amend the motion from approve to accept the report of the Planning Commission

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

          Yes, 5           No, 2 (Boose, Butkowski)

President Butkowski: We have voted on the motion to amend. Mrs. Butkowski?

Council Member Buescher: Madame President, you brought something up early this evening, is what we're doing here, is accepting the plan and then after the public hearing all we're doing is accepting the rezoning.

Law Director Crites: No. The only thing you're doing here is accepting just the report from your advisory body, the Planning Commission. You're just making it official. It's now an official report, and you could disagree with it.

Council Member Buescher: And that's for both issues?

Law Director Crites: No, they are not exactly parallel but they are similar. When you get to the rezoning, there, you would simply, but, the parallel is, you'd be simply accepting the report of the Planning Commission as to their recommendation, you wouldn't be adopting it. There's going to be a separate piece of legislation in front of you to rezone this parcel that I believe, also has to go through the notice and public hearing process.

Council Member McLaughlin: According to 1279.07 that deals with the rezoning of the land, you cannot do the rezoning until you accept the report from the Planning Commission, you had the public hearing and you also approve the application, then you can rezone.

Law Director Crites: Right.

President Butkowski: We are voting on the motion to accept the action of the Planning Commission.

Council Member Corcoran: Madame President, that was, move to accept the report of the Planning Commission.

President Butkowski: Okay, is there any discussion on that? Clerk, please call the roll.

Yes, 4              No, 3 (Buescher, Boose, Butkowski)

Clerk of Council Blakely: Motion passes by a vote of four to three with no abstentions.

T 108-2008      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 218 ACRES SITUATED BETWEEN AVON BELDEN ROAD AND STONEY RIDGE ROAD AND SHOWN BY LEGAL DESCRIPTION BELOW; FROM R-1 RESIDENCE DISTRICT TO PCD PLANNED COMMUNITY DEVELOPMENT AS PETITIONED BY ANTHONY M. VALORE, VALORE PROPERTIES, INC.

PC ACTION: Recommend Council approve T 108-2008 by a vote of 4-1.  
moved by Jaenke and seconded by Corcoran to accept

Council Member McLaughlin: Point of order. I could of swore that, just a second ago, we accepted the Planning Commission's report which has both of these in there and we cannot take action on this tonight.

Law Director Crites: Only on Planning Commission's report on the actual preliminary application for the plan. Now, we have Planning Commission's report on, to adopt or not adopt. Whether they are recommending that Council adopt the rezoning legislation. They are actually parallel but different. Because, even though the agenda reads motion to approve, because Council Member Jaenke made a motion to accept, it doesn't need to be amended. It can go forward as a motion to accept. You're not bound by the. . . (tape one, side one ends; tape one side two begins) Again, I will reiterate what Council is doing here, is accepting, as official, the recommendation of your advisory committee, the Planning Commission, as to what they have voted to recommend to you, and that's all. You are not bound by it. Eventually, the rezoning legislation, after it is published and has a public hearing, will come before you and that's when your official action will take place.

President Butkowski: Thank you. Is there any other discussion on T 108-2008? Clerk, please call the roll.

Yes, 4              No, 3 (Buescher, Boose, Butkowski)

Clerk of Council Blakely: Motion passes by a vote of four to three with no abstentions.

**COUNCIL COMMITTEE REPORTS:**

**CORRESPONDENCE:**

**OLD BUSINESS:**

President Butkowski: We have no Council Committee Reports. We have no Correspondence. We have no Old Business. We have new Business. Please read our new business tonight, please.

**NEW BUSINESS:**

Clerk of Council Blakely:

T 144-2008    A RESOLUTION IN SUPPORT OF STATE ISSUE 5 TO PRESERVE OHIO'S  
                  NATIONALLY ACCLAIMED PAYDAY REFORM LAW.

                  moved by Butkowski and seconded by Olesen to suspend By-Laws to give this a first  
                  reading, tonight

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

                  Yes, 7            No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

T 145-2008    AN ORDINANCE EXTENDING THE MANDATORY AGE FOR  
                  RETIREMENT FOR PATROLMAN DONALD E. MOORE.

                  moved by Buescher and seconded by Jaenke to suspend By-Laws to give this a first  
                  reading

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

                  Yes, 7            No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

**RECESS:**

                  moved by Jaenke, seconded by Corcoran to dispense with recess.

President Butkowski: Any discussion? Clerk, please call the roll.

                  Yes, 7            No, 0

Clerk of Council Blakely: Motion was approved by a vote of seven to zero.

President Butkowski: We'll dispense with recess for tonight. Moving on to First Readings.

**FIRST READINGS:**

Clerk of Council Blakely:

T 110-2008      AN ORDINANCE REPEALING CHAPTER 868 ADULT CABARETS  
REVISED      AND REPLACING IT WITH THE BELOW LEGISLATION GOVERNING  
SEXUALLY ORIENTED BUSINESSES.

First Reading

T 146-2008      AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF  
4598-2008      BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF  
\$3,520,000 TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE  
CITY'S WATERWORKS SYSTEM BY ACQUIRING AND INSTALLING  
WATER METERS AND RELATED METER READING EQUIPMENT,  
WATER MAINS AND FIRE HYDRANTS, IN EACH CASE TOGETHER  
WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL  
THERETO, REPEALING ORDINANCE NO. 4591-2008.

First Reading

moved by Boose and seconded by Jaenke to dispense with second and third  
readings, this evening

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

Yes, 7              No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

moved by Boose and seconded by Jaenke to adopt

moved by Boose and seconded by Jaenke to add the emergency in order to meet  
the funding deadlines

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

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

President Butkowski: Motion was made by Mr. Boose and seconded by Mr. Jaenke to adopt  
with the emergency? Is there any discussion? Please, call the roll.

Yes, 7              No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes Ordinance No.  
4598-2008.

Permanent Ordinance No. 4598-2008

T 147-2008      AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4513-  
4599-2008      2008, 4521-2008, 4543-2008, AND 4585-2008 FOR THE CITY OF NORTH  
RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2008  
AND ENDING DECEMBER 31, 2008.

First Reading

moved by Boose and seconded by Jaenke to dispense with second and third readings, this evening

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

Yes, 7                  No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

moved by Boose and seconded by Jaenke to adopt

moved by Boose and seconded by Jaenke to add the emergency in order to meet the funding deadlines

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

Yes, 7                  No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

President Butkowski: Motion was made by Mr. Boose and seconded by Mr. Jaenke to adopt with the emergency? Is there any discussion? Please, call the roll.

Clerk of Council Blakely: Motion passes by a vote of seven to zero and T 147 becomes Ordinance No. 4599-2008.

Permanent Ordinance No. 4599-2008

T 144-2008      A RESOLUTION IN SUPPORT OF STATE ISSUE 5 TO PRESERVE OHIO'S  
1146-2008      NATIONALLY ACCLAIMED PAYDAY REFORM LAW.

First Reading

moved by Butkowski and seconded by Olesen to dispense with second and third readings, this evening

President Butkowski: Is there any discussion? This is a very important item, I think. This resolution has been passed in the City of Columbus and the City of Cleveland. I think it will help. Hopefully, this information can get out to the public about this resolution. It's a referendum for issue number five that's on the ballot for the State issue and we would like you to vote Yes on this issue.

Council Member Olesen: Madame President, I think we should say that the Governor is behind this bill. Payday loans, the estimate is that it costs Ohio families more than 318,000,000 dollars annually.

President Butkowski: Yes, this puts a cap of the payday lending. Is there any other discussion? Clerk, please call the roll on the suspension of the second and third reading.

Yes, 7                  No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

moved by Olesen and seconded by Jaenke to adopt

President Butkowski: Is there any other discussion?

Council Member Boose: Madame President, although, in my capacity in banking, I would not personally gain from the passage or failure of issue five. My employer could conceivably attract additional loans for the, again, passage or failure of State issue five so, in order to keep far away from any kind of impropriety, I will be abstaining to avoid any potential conflict of interest.

President Butkowski: Thank you, Mr. Boose. Is there any other discussion? Clerk, please call the roll of the resolution to adopt.

Yes, 6            No, 0            Abstain, 1 (Boose)

President Butkowski: We need a resolution number for this.

Clerk of Council Blakely: Motion passes by a vote of six, zero with one abstention and becomes Resolution No. 1146-2008.

President Butkowski: Thank you and hopefully the media will pick up on this and make it known to the public, of this resolution, that we passed here tonight. Moving on to T 145.

Permanent Resolution No. 1146-2008

Clerk of Council Blakely:

T 145-2008    AN ORDINANCE EXTENDING THE MANDATORY AGE FOR  
4600-2008    RETIREMENT FOR PATROLMAN DONALD E. MOORE.

First Reading

moved by Buescher and seconded by Corcoran to dispense with second and third readings, this evening

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

Yes, 7            No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

moved by Buescher and seconded by McLaughlin to adopt

moved by Buescher and seconded by Corcoran to add the emergency due to the time restraints involving the currently scheduled retirement date of Patrolman Moore which is in November

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

Yes, 7            No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.

President Butkowski: Motion was made by Buescher and seconded by Corcoran to adopt with the emergency? Is there any discussion? Please, call the roll.

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes Ordinance No. 4600-2008.

Permanent Ordinance No. 4600-2008

**SECOND READINGS:**

**THIRD READINGS:**

moved by Mayor Gillock and seconded by Boose to postpone deliberations on T 124-2008 to the next meeting November 3

President Butkowski: Is there any discussion? Clerk, please call the roll on postponing T 124-2008.

Yes, 7                  No, 0

Clerk of Council: Motion passes by a vote of seven to zero.

**COMMITTEE MEETING ANNOUNCEMENTS:**

President Butkowski:

Next Regular Council Meeting Monday, November 3, 2008 at 7:30 P.M. in Council Chambers.

Public Hearing to be held Monday, December 1, 2008 regarding the preliminary plan for a PCD (Planned Community Development) located on approximately 218 acres situated between Avon Belden Road and Stoney Ridge Road and known as Hampton Place

**ADJOURNMENT:**

moved by Corcoran to adjourn

Meeting adjourned at 8:32 P.M.

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Approval of Minutes:

MOTION Jaenke 2ND Olesen DATE November 3, 2008

YES 7 NO 0 ABSTAIN 0