

**NORTH RIDGEVILLE MUNICIPAL COUNCIL  
MINUTES OF  
REGULAR MEETING    NOVEMBER 17, 2008**

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

President Pro-Tem Nancy Buescher: The North Ridgeville City Council Meeting of November 17 will come to order with Council Members Butkowski and Jaenke absent this evening. Please stand for the invocation and pledge of allegiance.

**INVOCATION:** lead by President Pro-Tem Buescher.

**PLEDGE OF ALLEGIANCE:** by all.

**ROLL CALL:**

Present were Council Members Dennis Boose, Bob Olesen, Kevin Corcoran, Ray McLaughlin and President Pro-Tem Nancy Buescher. Absent were Council Member Richard Jaenke 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 Pro-Tem Buescher:

Council Minutes of regular meeting held November 3, 2008  
moved by Olesen, seconded by Corcoran

President Pro-Tem Buescher: Are there any corrections? Hearing none, will the Clerk please take the vote.

Yes, 5            No, 0

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

President Pro-Tem Buescher: We will now move on to reports. Will the Clerk please read the reports?

Clerk of Council Blakely:

Board of Zoning & Building Appeals Minutes of regular meeting October 23, 2008;  
Civil Service Commission Minutes of regular meeting October 21, 2008; and  
Planning Commission Minutes of regular meeting November 10, 2008.

President Pro-Tem Buescher: We will now move on to the Lobby portion of our meeting. Before we can begin, regular attendees at our City Council meetings have made repeated requests to position the lobby session to a place on the agenda which they consider more appropriate to add their input to the meeting. I am referring this issue to the Administrative Committee and request that the Committee report back to us for the first meeting in December. At the first meeting in December, when the full Council is in session, we will address the issue and if Council votes in favor of an amendment to the By-Laws, the change should be in place at the beginning of the new year.

**LOBBY:**

President Pro-Tem Buescher: We will now go into the Lobby session, where anyone wishing to speak may do so by filling out a form available in the back of the room with your name and address and the subject matter and by coming to the podium where you will be permitted three minutes to state your issue. There will be no interaction during lobby between the speaker at the podium and the members of City Council or the Administration. However, all issues can be addressed with City Officials at a convenient time outside the meeting itself. Will the first speaker, please turn on the microphone when you get to the podium? Is there anyone who wishes to speak this evening?

1) Rocky Wells of 7464 Avon Belden Road spoke regarding the matter of the Antique Mall that is adjacent to his home. He explained that this property has not been properly maintained as it contains junk and garbage in the front yard, which is starting to cause safety issues. He explained that this has been an issue for the last seven, eight years.

President Pro-Tem Buescher: Thank you, Mr. Wells.

Council Member Boose: Madam President.

President Pro-Tem Buescher: Yes, Mr. Boose?

Council Member Boose: In reaction to this gentleman's comments, I will be contacting the Building Department tomorrow to ask them to do an inspection on the property.

Rocky Wells: They were out there quite a few times and nothing is being done. He is doing a little bit of painting here and there, but he is doing more knick-knacks and more garbage than what he is cleaning up.

Council Member Boose: We direct this to the Building Department because, that is who can do the inspection and force the issue.

Rocky Wells: The City doesn't need that kind of garbage.

President Pro-Tem Buescher: Thank you, Mr. Wells. Is there anyone else wishing to speak this evening? Having no one else wishing to speak, we will now move to the Administrators Reports and Mayor Gillock.

**ADMINISTRATORS REPORTS:**

**A.     **Mayor:****

Mayor Gillock: Thank you, Madam President and good evening everyone. I would like to ask you to keep the family of Tim Berg in your prayers. Tim was an employee of our Service Department who suddenly passed last week after complications from knee surgery.

Construction has begun on the Case Road/Dyke Road sewer project. Unfortunately, Case will be closed to through traffic from December 1 until approximately May 1. The sewer itself will be in the road and the equipment to dig the trench is over 14 feet wide. In addition, it needs a turn radius of about 25 feet. Traffic will be maintained for residents who live on Case, as well as, school buses, emergency vehicles and mail trucks, but residents should expect some delays. Notices have been sent out suggesting alternate routes.

Our traffic signal project at Stoney Ridge and Center Ridge Road is also underway. A word to the wise, please be advised, if you cut through the Veterinarian Clinic as a short cut, you may be ticketed, as several have been already. That is a violation of the law. We have ticketed several, but we are still getting complaints. Police are watching if you are cutting through.

As we do each year, City Hall is collecting nonperishable food items and new unwrapped toys to be given to Community Care. There are collection boxes located in the main City Hall lobby during regular business hours. Donations will be delivered to North Ridgeville Community Care and distributed to local families.

You will find on your desk this evening, three new pieces of legislation. I would like to make a motion that the By-Laws be suspended, so that all three are added to our agenda tonight under first readings and that T numbers be assigned. After the Clerk does that, I will explain what each of them are. Will the Clerk please give us the T numbers for these; with the first one being the resolution for the Attorney's fees.

Clerk of Council Blakely: The resolution to approve the expenditure of funds to Andrew J. Crites for Attorney Fees in the amount of \$4,971.50 will be T number 159-2008. The ordinance authorizing the donation of certain personal property will be T number 160-2008 and the ordinance authorizing the donation of a 1995 ambulance will be T number 161-2008.

          moved by Mayor Gillock, seconded by Olesen to suspend the By-laws to allow T 159, T 160, and T 161 to be placed on the agenda under First Readings

President Pro-Tem Buescher: Is there any discussion?

Mayor Gillock: Did you want to do these separately? T 159 is simply a housekeeping matter to

pay our Law Director for his services, for which he has earned. Normally, we issue a purchase order and all the legal fees are taken out of the General Fund. These monies rightfully are allocated to the French Creek Wastewater Treatment Plant, who rarely has legal fees. We didn't do a purchase order for French Creek. This just gives us the ability to charge French Creek rather than take it out of the General Fund. We could pay it today out of the General Fund with no legislation, but it would be much better if it was taken out of French Creek.

President Pro-Tem Buescher: We have a motion on the floor by Mayor Gillock and a second by Mr. Olesen to suspend the By-Laws to give T 159 its first reading this evening. Clerk, please take the vote.

Yes, 5            No, 0

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

President Pro-Tem Buescher: We have a motion on the floor by Mayor Gillock and a second by Mr. Olesen to suspend the By-Laws to give T 160 and T 161 their first readings this evening. Is there any discussion?

Mayor Gillock: Yes, these two go together. T 160 needs to be passed before T 161. In this case, we have an old ambulance, a 1995 Navistar, which is absolutely no use to the City anymore. It was the first ambulance the City bought when we started the paramedic service about 14 years ago. It has no use to the City. Under our current code; since it has a value of more than 1,000 dollars, we would have to put it out for bid. What we would like to do with it, since it does have value as an ambulance to certain Cities in Nicaragua, is to donate this ambulance to a City in Nicaragua through the North Ridgeville Rotary International Club. The Rotary Club has done this with a Fire Engine from Solon, as well as, an ambulance from Streetsboro. They approached us when they found out we had this ambulance available. Basically, T 160 gives us the ability, through Council, that when we have a piece of property with a fair market value of less than 5,000 dollars and with a two-thirds vote of Council, then we can donate that through a legitimate nonprofit organization. The second ordinance is the actual donation of the ambulance to the Rotary Club for the sum of one dollar. They would arrange to equip the ambulance and get it transferred to Nicaragua where it will continue a useful life.

President Pro-Tem Buescher: Thank you. We have a motion on the floor by Mayor Gillock and a second by Mr. Olesen to suspend our By-Laws to give T 160 and T 161 their first readings this evening. Will the Clerk, please take the vote?

Yes, 5            No, 0

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

Next, I would like to recognize some young gentlemen that are with us this evening. We have in attendance, several members from Cub Scout Pack Number 140. If you guys all want to stand up and face that camera, we can get all of you on tv. We thank you guys for attending this evening. I am sure this is toward one of your projects. We're glad to have you.

And finally, I would like to wish everyone Happy Thanksgiving next week. Let the shopping begin. That concludes my report.

President Pro-Tem Buescher: Thank you, Mayor Gillock. We'll move on to Safety-Service Director, Denny Johnson.

**B.     Safety-Service Director:**

Safety-Service Director Johnson: Thank you, Madam President. Today is the first day of the season we've had to plow and salt our roads. While we hope for an uneventful winter, we're better prepared than we've been in years; thanks to the aggressive vehicle replacement program approved by Council.

While on the subject of snow, I want to remind residents that the law requires the clearing of sidewalks of snow and ice. This is especially important along walking routes to schools. Many snowblower owners help neighbors by taking a long walk with the snowblower, helping both the neighbors, school children and other pedestrians. We certainly encourage this kind of community assistance.

Those of you, that use a plowing service, need to know that it is illegal to plow across the street into a neighbor's tree lawn and sidewalk. Homeowners and the plow driver can both be held responsible, so please be sure to instruct your plow service not to plow across the street.

And finally, I need to report that we had yet another drunk driver destroy the traffic light controller at Lear Nagle and Lorain Roads. It has only been about a month that we had a new one up and running fully. We have a temporary controller in place while a permanent replacement is built. Morning and afternoon traffic will be a problem, until we can get the new controller up and running. The motorist responsible did have insurance, so there should be little cost to the taxpayers, just an inconvenience. Our contractor is rushing the job as fast as possible. We will have a contractor on site, in the morning, to make needed adjustments to the rush hour timing. It will be a little bit of a problem, until we can get the new box up and running again. Thank you and that concludes my report.

President Pro-Tem Buescher: Thank you, Mr. Johnson. We will now hear from our City Engineer, Mr. Griffith.

**C.     Engineer:**

Engineer Griffith: Thank you, Madam President. I really dislike sounding like a broken record, but we have had several incidents occur this month that cause me to repeat the following:

Please keep your leaves out of the street, away from catch basins and drainage ditches and swales. During heavy rains and periods of heavy water runoff, the leaves can easily form a mat or plug that can completely block a drainage structure or facility. This can then lead to a local flooding condition. It may not affect many homes, but it doesn't matter how many homes are affected, if one of them is your home.

Do not place your leaves in our ditches and streams either, even though you may have been getting rid of your leaves in that manner for the last 40 years, as one gentleman told us. Placing all that organic matter in our waterways depletes the oxygen in the water and kills the aquatic life in the streams. Thank you, Madam President, that concludes my report this evening.

President Pro-Tem Buescher: Thank you, Mr. Griffith. We will now hear from our Auditor, Chris Costin.

**D. Auditor:**

Auditor Costin: Thank you, Madam President. Two items of financial business this evening. The first of which is the Auditor's Written Financial Report for October of 2008, which you should have all received and we request your passage.

Auditor's Written Financial Report for October 2008

moved by Boose, seconded by McLaughlin to approve the Auditor's Written Financial Report of October 2008

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

Auditor Costin: The second item under new business tonight, T 156, represents an amended appropriation ordinance and prior to the meeting, I disbursed to you an amended appropriation ordinance with one additional change and that change, simply, is to increase the Park and Rec Improvement Fund contingency line item back to 25,000 dollars to hold us for the rest of the year. I would request that the appropriation ordinance that I passed out be used and the original under new business be amended by substitution. I would request that, that be passed tonight with the emergency. When it is up for its reading, I would be glad to answer any detailed questions on the ordinance at that time. That concludes my report and my comments. Thank you very much.

President Pro-Tem Buescher: Thank you, Mr. Costin.

moved by Boose, seconded by Olesen to amend by substitution T 156-2008

President Pro-Tem Buescher: Is there any discussion? Will the Clerk, please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: We will now move on to other reports. Will the Clerk please read the reports?

**E. Other Reports:**

Clerk of Council Blakely: Please note:

OM Public Sector Solutions Monthly Report dated October 31, 2008;  
Fire Department Report for October 2008;  
Public Water System Monthly Operation Report for October 2008;  
Mayor's Court Report for October 2008; and

Planning Commission Report to Council of regular meeting November 10, 2008:

APPLICANT: Randy Entler, Windstream, 560 Ternes Street, Elyria, OH 44035  
OWNER: Fifth Third Bank, 32800 Center Ridge Road  
REQUEST: Approval for placement of telecommunications switching equipment to upgrade existing equipment  
LOCATION: 32800 Center Ridge Road in a B-3 District  
Permanent Parcel No. 07-00-007-130-093  
PC ACTION: Approved by a vote of five to zero.

moved by McLaughlin, seconded by Olesen to approve

President Pro-Tem Buescher: Is there any discussion?

Council Member McLaughlin: Madam President, this is going on a slab that already has some equipment there. They are only adding a piece of equipment to an existing location.

President Pro-Tem Buescher: Thank you, Mr. McLaughlin. Will the Clerk, please take the vote?

Yes, 5 No, 0

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

APPLICANT: Don Mould, Mould Development, 9449 Island Road & Larry Vassil, LWV Properties, LLC, 12665 Corp Drive, Parma, OH 44130  
OWNER: City of North Ridgeville, 7307 Avon Belden Road  
REQUEST: Approval to install baseball and soccer fields on an old fly ash site to be known as Ohio Sports Park  
LOCATION: A 67-acre parcel east of Victory Lane in an I-2 District  
Permanent Parcel No. 07-00-003-102-024  
PC ACTION: Approved by a vote of five to zero.

moved by McLaughlin, seconded by Corcoran to approve

President Pro-Tem Buescher: Is there any discussion?

Council Member McLaughlin: Yes, Madam President. This is the sports project that has been

advertised. Planning Commission sat and listened to Mr. Vassil speak and at this time, it is just the layout of the diamonds and the soccer fields. No structures of the restaurant, restrooms or anything like that was presented at that time. So, we moved ahead and approved it five, nothing. President Pro-Tem Buescher: Thank you, Mr. McLaughlin. Will the Clerk, please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: We now come to Council Committee Reports. Will the Clerk please read the reports?

**COUNCIL COMMITTEE REPORTS:**

Clerk of Council Blakely:

1)        BUILDINGS & LANDS COMMITTEE REPORT #5732 dated November 3, 2008:  
Members of Council: We have considered the matter of T 119-2008, an ordinance amending NRCO Section 1474.09 Detention Ponds by adding a minimum setback of ten (10) feet from property lines to the top of bank of storm water storage basins and recommend that this request be approved and legislation be adopted by Council.

Signed: Members McLaughlin and Olesen, Chairperson Buescher.

          moved by McLaughlin, seconded by Olesen to approve

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

2)        BUILDINGS & LANDS COMMITTEE REPORT #5733 dated November 3, 2008:  
Members of Council: We have considered the matter of T 121-2008, an ordinance amending Chapter 1226 and creating Section 1226.16 by adding Standard Construction Details to Engineering Department Requirements for construction within the City of North Ridgeville and recommend that this request be approved and legislation be adopted by Council.

Signed: Members McLaughlin and Olesen, Chairperson Buescher.

          moved by McLaughlin, seconded by Olesen to approve

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

3)        BUILDINGS & LANDS COMMITTEE REPORT #5734 dated November 3, 2008:  
Members of Council: We have considered the matter of T 122-2008, an ordinance amending NRCO Section 1046.19 Water Line Material and Construction Specifications by adopting the attached updated and revised Water Line Material and Construction Specifications for the City

of North Ridgeville, Ohio and recommend that this request be approved and legislation be adopted by Council.

Signed: Members McLaughlin and Olesen, Chairperson Buescher.

    moved by McLaughlin, seconded by Olesen to approve

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

    Yes, 5        No, 0

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

4)    BUILDINGS & LANDS COMMITTEE REPORT #5735 dated November 10, 2008:

Members of Council: We have considered the matter of T 136-2008, an ordinance amending Ordinance No. 4309-2006 relating to the operation of a snowmobile, off-highway motorcycle, all purpose vehicle or similar type vehicle as defined in Chapter 476 and recommend that the request be approved and legislation be adopted by Council.

Signed: Members McLaughlin and Olesen, Chairperson Buescher.

    moved by McLaughlin, seconded by Olesen to approve

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

    Yes, 5        No, 0

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

Council Member Boose: Madam President?

President Pro-Tem Buescher: Yes, Mr. Boose?

Council Member Boose: Yes, under Finance Committee assignments for 2008, T 52, T 53 and T 54, which are involved with a potential full-time position of Clerk of Council were originally referred to the Committee in May with a due date of July. We have not acted on that because we were waiting for disposition of the same ordinances in the Administrative Committee. It is now my understanding, that we will have a meeting on this in the Administrative Committee soon and in lieu of that, I would like to ask that these three assignments be placed back in Finance Committee for proper disposition. T 52, T 53 and T 54.

Council Member Olesen: Is that a motion, Mr. Boose?

Council Member Boose: I don't believe that it needs to be. It's just that the Chairman will need to place those back in Committee.

President Pro-Tem Buescher: Yes, I will place those back in Committee.

Mayor Gillock: Madam President, I believe that they have to be resubmitted and given new T numbers, because I think if they are not acted on within 60 days, they die in Committee.

Council Member Boose: Point of order. To the Law Director, the ordinances themselves, I don't know that they have anything to do with having to have them renumbered because they have been acted on in the Administrative Committee.

Law Director Crites: Is that the case, that they were dually referred to two separate committees?

The Administrative Committee did act?

Mayor Gillock: The Administrative Committee didn't act.

Council Member Boose: Right, because there was no reason to act on them for money if the position wasn't approved.

Council Member McLaughlin: That was Finance.

Law Director Crites: The issue is a mechanical one in terms of whether or not; because typically, in the most common situation a piece of legislation, if referred to Committee, is not acted upon within a prescribed time would die. However, because it was acted upon by the Administrative Committee, I don't believe Mr. Mayor, that he needs to resubmit because its then given life, because the Administrative did act within the time. So, it would probably be appropriate to just refer that same piece of legislation that came out of Administrative to whichever Committee the Chair would prefer.

Council Member Boose: Again, for clarification, it is still in Administrative Committee, but later in the meeting you will hear that the Clerk of Council, in Correspondence, has submitted the report that both the Administrative Committee and the Finance Committee were waiting for, so that we could move legislation forward.

Law Director Crites: I plead ignorance and confess that and apologize as to what was going on with the certain pieces of legislation, but the point being, it was acted upon by the Administrative Committee timely?

Council Member Boose: Right.

Law Director Crites: That being the case, then I do believe that it simply has to be referred.

President Pro-Tem Buescher: Mr. Crites, this is in reference to the proposed position description for the full-time Clerk of Council.

Law Director Crites: That much I recall, but I wasn't sure when the Administrative Committee did act on it from the date of referral.

President Pro-Tem Buescher: Then we will resubmit those to the Finance Committee. Thank you, Mr. Boose.

President Pro-Tem Buescher: We will now move on to Correspondence. Will the Clerk please read the correspondence?

**CORRESPONDENCE:**

Clerk of Council Blakely:

- 1) Received a letter from Clerk of Council Warren W. Blakely submitting a study report and proposed position description for a full-time Clerk of Council as requested by Council's Administrative Committee.

**OLD BUSINESS:**

President Pro-Tem Buescher: There is no old business on the agenda this evening. Will the Clerk please read the new business?

**NEW BUSINESS:**

Clerk of Council Blakely:

Request for new D5 liquor permit from Thomas E. Hampton, DBA Toms Place, 39462 Center Ridge Road

moved by Buescher, seconded by McLaughlin to not request a hearing as stated in the application so that this permit can be sent to the State for final disposition

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

T 156-2008 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4513-SUBSTITUTE 2008, 4521-2008, 4543-2008, 4585-2008 AND 4599-2008 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008.

moved by Buescher, seconded by Olesen to suspend By-Laws to allow the first reading for T 156 as amended by substitution

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

T 157-2008 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH EVELYN VERBA FOR THE PURCHASE OF A 3.000 ACRE PARCEL OF LAND LOCATED PARALLEL TO SHADY DRIVE IN THE CITY OF NORTH RIDGEVILLE IN THE APPROXIMATE AMOUNT OF \$54,500.00.

Law Director Crites: Madam President, I would at least, first inquire with the Administration. Do we not want to go forward with this unless a motion to suspend the By-Laws to give a first reading be in order?

Safety-Service Director Johnson: I would recommend it.

Law Director Crites: Someone will have to make that motion.

moved by Boose, seconded by Corcoran to suspend the By-Laws to give T 157 its first reading

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

T 158-2008    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR A CENTER RIDGE ROAD SAFETY STUDY, NOT TO EXCEED \$55,000.00.

President Pro-Tem Buescher: THE CHAIR REFERS THAT TO THE SAFETY COMMITTEE.

Mayor Gillock: Madam Chairman?

President Pro-Tem Buescher: Yes, Mr. Mayor?

Mayor Gillock: What this is, is that the State has indicated to us that they have up to 5,000,000 dollars available for an intersection approval. To begin that process and make the application, the first thing we have to do is this safety study to prove that there is a need there. We would like to get this moving if we could. I don't see any reason for this to go to the Safety Committee under the circumstances.

President Pro-Tem Buescher: Okay, I would just ask Mr. Costin if we have the funds available to go forward with this.

Auditor Costin: It is included in the appropriation ordinance that I hope to pass tonight.

                  moved by Buescher, seconded by McLaughlin to suspend By-Laws to give T 158 its first reading

President Pro-Tem Buescher: Is there any discussion?

Mayor Gillock: Madam President.

President Pro-Tem Buescher: Yes, Mr. Mayor?

Mayor Gillock: I was just going to say what the Auditor has pointed out that, anytime we can spend 54,000 dollars to have a chance at 5,000,000 dollars, is really good leverage of our money.

Auditor Costin: I don't think chance was the appropriate word. I understand the intent.

President Pro-Tem Buescher: We have a motion by Buescher and a second by McLaughlin to give T 158 its first reading this evening. Will the Clerk please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: We now come to Recess. Is there a motion to dispense with Recess?

**RECESS:**

moved by Boose, seconded by McLaughlin to dispense with recess.

President Pro-Tem Buescher: Is there any objection or discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: We now move to first readings. Will the Clerk please read the first readings?

**FIRST READINGS:**

Clerk of Council Blakely:

T 140-2008    AN ORDINANCE ACCEPTING VICTORY LANE AND DEDICATING IT FOR PUBLIC PURPOSES.  
First Reading

T 141-2008    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 CONSTRUCTION OF IMPROVEMENTS TO VICTORY LANE, INCLUDING SANITARY SEWERS, STORM SEWERS, WATER MAIN, ROADWAY PAVEMENT, AND WATER QUALITY BASINS, TOGETHER WITH NECESSARY APPURTENANCES AND WORK-RELATED INCIDENTALS THERETO, NOT TO EXCEED \$1,500,000.00.  
First Reading

T 137-2008    AN ORDINANCE AUTHORIZING PAYMENT OF A SEWER TAP-IN FEE  
4604-2008    OVER A FIVE YEAR PERIOD ON AN ANNUAL BASIS FOR A GOVERNMENT ENTITY THE POLITICAL SUBDIVISION OF THE CITY OF AVON.

First Reading

moved by Mayor Gillock, seconded by McLaughlin to dispense with the second and third readings tonight on T 137

President Pro-Tem Buescher: Is there any discussion?

Mayor Gillock: Madam President?

President Pro-Tem Buescher: Mayor Gillock?

Mayor Gillock: This is the sewer tap in fee for the new minor league baseball facility and fitness center in Avon, who is in our sewer facility planning area and the City of Avon has asked us if they could pay this over five years. If they needed to, if they have the money up front, they will



(audio tape ends)

T 156-2008    AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4513-4605-2008    2008, 4521-2008, 4543-2008, 4585-2008 AND 4599-2008 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008.

First Reading

moved by Boose, seconded by McLaughlin to dispense with the second and third readings tonight on T 156

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

moved by Boose, seconded by McLaughlin to adopt

moved by Boose, seconded by McLaughlin to add the emergency

President Pro-Tem Buescher: Is there any discussion on the emergency? Will the Clerk please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: It has been moved by Boose and seconded by McLaughlin to adopt T 156 with the emergency. Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4605-2008.

Permanent Ordinance No. 4605-2008

T 157-2008    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
4606-2008    CONTRACT WITH EVELYN VERBA FOR THE PURCHASE OF A 3.000  
ACRE PARCEL OF LAND LOCATED PARALLEL TO SHADY DRIVE IN  
THE CITY OF NORTH RIDGEVILLE IN THE APPROXIMATE AMOUNT OF  
\$54,500.00.

First Reading

moved by McLaughlin, seconded by Olesen to dispense with the second and third readings tonight on T 157

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

moved by Boose, seconded by Corcoran to adopt

moved by Mayor Gillock, seconded by McLaughlin to add the emergency

President Pro-Tem Buescher: Is there any discussion on the emergency? Will the Clerk please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: It has been moved by Boose and seconded by Corcoran to adopt T 157 with the emergency. Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4606-2008.

Permanent Ordinance No. 4606-2008

T 158-2008    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
4607-2008    CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY  
LAW WITH A CONSULTING ENGINEERING FIRM FOR A CENTER RIDGE  
ROAD SAFETY STUDY, NOT TO EXCEED \$55,000.00.

First Reading

moved by Olesen, seconded by Corcoran to dispense with the second and third readings tonight on T 158

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

moved by Olesen, seconded by Corcoran to adopt

moved by Olesen, seconded by Corcoran to add the emergency

President Pro-Tem Buescher: Is there any discussion on the emergency? Will the Clerk please take the vote?

Yes, 5            No, 0

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

President Pro-Tem Buescher: It has been moved by Olesen and seconded by Corcoran to adopt T 158 with the emergency. Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4607-2008.

Permanent Ordinance No. 4607-2008

T 159-2008    A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO  
1148-2008    ANDREW J. CRITES FOR ATTORNEY FEES IN THE AMOUNT OF  
\$4,971.50.

First Reading

moved by Boose, seconded by Corcoran to dispense with the second and third readings tonight on T 159

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

                    moved by Olesen, seconded by Corcoran to adopt

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent resolution number 1148-2008.

                    Permanent Resolution No. 1148-2008

T 160-2008    AN ORDINANCE AUTHORIZING THE DONATION OF CERTAIN  
4608-2008    PERSONAL PROPERTY OF THE CITY OF NORTH RIDGEVILLE TO A  
REGISTERED NON-PROFIT CORPORATION.

                    First Reading

                    moved by Boose, seconded by Corcoran to dispense with the second and third readings tonight on T 160

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

                    moved by Boose, seconded by Corcoran to adopt

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4608-2008.

                    Permanent Ordinance No. 4608-2008

T 161-2008    AN ORDINANCE AUTHORIZING THE DONATION OF A 1995 NAVISTAR  
4609-2008    AMBULANCE TO ROTARY INTERNATIONAL, DISTRICT 3496.

                    First Reading

                    moved by Boose, seconded by Corcoran to dispense with the second and third readings tonight on T 161

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

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

                    moved by Corcoran, seconded by McLaughlin to adopt

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5            No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4609-2008.

                    Permanent Ordinance No. 4609-2008

President Pro-Tem Buescher: We now move to Second Readings. Will the Clerk please read the second readings?

**SECOND READINGS:**

Clerk of Council Blakely:

T 112-2008    AN ORDINANCE WAIVING THE SEWER INTERCEPTOR FEE FOR  
REVISED    THE ORIGINAL R-1 HAMPTON PLACE SUBDIVISION AS  
SUBMITTED/APPROVED JUNE 2007 FOR IMPROVEMENTS FOUND TO  
BENEFIT THE CITY.  
Second Reading

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.  
Second Reading

T 148-2008    A RESOLUTION GRANTING PRELIMINARY APPROVAL FOR THE  
PROPOSED PLANNED COMMUNITY DEVELOPMENT SITUATED ON  
APPROXIMATELY 218 ACRES BETWEEN AVON BELDEN ROAD AND  
STONEY RIDGE ROAD AND KNOWN AS HAMPTON PLACE PCD.  
Second Reading

President Pro-Tem Buescher: We now move to Third Readings. Will the Clerk please read the third reading?

**THIRD READINGS:**

Clerk of Council Blakely:

T 110-2008    AN ORDINANCE REPEALING CHAPTER 868 ADULT CABARETS  
REVISED    AND REPLACING IT WITH THE BELOW LEGISLATION GOVERNING  
4610-2008    SEXUALLY ORIENTED BUSINESSES.

Third Reading

moved by Boose, seconded by McLaughlin to adopt

President Pro-Tem Buescher: Is there any discussion? Will the Clerk please take the vote?

Yes, 5 No, 0

Clerk of Council Blakely: Motion passes by a vote of five to zero and becomes permanent ordinance number 4610-2008.

Permanent Ordinance No. 4610-2008

President Pro-Tem Buescher: We move on to our Committee Meeting Announcements. Will the Clerk please read the upcoming meeting announcements?

**COMMITTEE MEETING ANNOUNCEMENTS:**

Clerk of Council Blakely: Upcoming meeting announcements:

Next Regular Council Meeting Monday, December 1, 2008 at 7:30 P.M. in Council Chambers

Public Hearing to be held Monday, December 1, 2008 at 7:00 P.M. 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

Public Hearing to be held Monday, December 15, 2008 at 7:00 P.M. regarding T 108-2008, re-zone approximately 218 acres situated between Avon Belden Road and Stoney Ridge Road from R-1 Residence District to PCD Planned Community Development as Petitioned by Anthony M. Valore, Valore Properties, Inc.

**ADJOURNMENT:**

moved by Corcoran to adjourn

Meeting adjourned at 8:43 P.M.

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Approval of Minutes:

MOTION Olesen 2ND Corcoran DATE December 1, 2008

YES 7 NO 0 ABSTAIN 0