

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JANUARY 5, 2009**

CALL TO ORDER: 7:30 P.M.

President Bernadine Butkowski: I call to order the North Ridgeville City Council Meeting of Monday, January 5, 2009. 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, Deputy Auditor Teresa Machovina and Clerk of Council Warren Blakely.

MINUTES - Corrections (if any) and Approval:

President Butkowski:

Council Minutes of public hearing held December 15, 2008

moved by Jaenke, seconded by Corcoran to approve

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

Yes, 7 No, 0

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

Council Minutes of regular meeting held December 15, 2008

moved by Olesen, seconded by Corcoran to approve

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

Yes, 7 No, 0

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

President Butkowski: Please note the:

Board of Zoning and Building Appeals Minutes of regular meeting December 18, 2008.

President Butkowski: We'll move on to the Lobby.

LOBBY:

President Butkowski: I'm asking anyone who would like to address Council tonight to fill out a form 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 Council and there will be no interaction. Does anyone want to speak tonight? Step up here please.

1) Joanne Eldridge of 4065 Lake Road, Sheffield Lake, introduced herself as the Library Director for the Lorain Public Library System and thanked Council for putting the levy issue on their agenda this evening. She expressed her appreciation of the partnership that they have with the City of North Ridgeville and requests that the ordinance pass prior to the end of the month in order for them to meet the February 19 deadline required by the Board of Elections.

President Butkowski: Thank you. Is there anyone else who would like to speak tonight? Anyone else? Seeing none, we will move on to the Administrative Reports. Mayor Gillock?

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Good evening. I want to welcome everyone back into the New Year. A couple of items that Council would be interested in:

First, I would like to mention the proposed new economic stimulus bill that President-Elect Obama has proposed. Details are not yet finalized but, already, different groups and organizations are clamoring for those dollars. NOACA, Lorain County Commissioners, ODOT and others are already making their pitches for those dollars. As a member of NOACA, I recently proposed and NOACA adopted, an amendment to a proposed resolution that requested that any and all funds distributed to the State of Ohio first be given to the Innerbelt Bridge Project in Cleveland. While this is certainly an important project, I did not feel that it was equitable that, that one project receive 100 percent of the state funding. As I said, that amendment was adopted.

We have been pushing for funding for our Ohio Sports Zone road project, as well as the next phase of the Center Ridge Road widening plan. It has not yet been determined if those funds will be available; when they will be available and how they will be distributed. They are looking for opportunities for projects that are shovel-ready in the next 90 to 120 days. Both of our projects meet that definition and projects that are shovel-ready, at this point, are not real common. So, we are hopeful.

Next, North Ridgeville is a partner with the city of Norwalk and the counties of Lorain and Huron for funding through the Neighborhood Stabilization Program. Region four, comprised of the entities I just mentioned, is eligible to receive an Ohio NSP allocation of 2,376,372 dollars and we will be meeting soon to address how to best utilize those funds.

I have been told and we are certainly hopeful, that sometime this week the lights will become active at the corner of Stoney Ridge Road and Center Ridge Road. That will significantly help move traffic from Stoney Ridge Road onto Center Ridge Road; improving traffic flow and safety at that intersection. When the lights are first turned on, they will be flashing yellow for a short period of time to allow residents and drivers to become accustomed to the new light before it goes into full function.

Lastly, I would like to take personal privilege to make an announcement. As of 2:47 this afternoon, Lincoln David Gates, my eighth grandchild, entered this world weighing seven pounds, 13 ounces and 20 inches tall. Thank you. That concludes my report.
President Butkowski: Thank you and Congratulations. We'll move on to the Safety-Service Director, Mr. Johnson.

B. Safety-Service Director:

Safety-Service Director Johnson: Thank you Madam President. A short report today. Our Service Garage was greeted this morning with a fairly serious water break on Taylor Parkway. It denied water to most of the businesses in North Ridgeville on that road. I'm thrilled with how the garage handled itself. They ran into fiber optic telephone cable. You look in that hole and there are wires heading in every different direction, plus the sewer line. It was a mess. They had to dig and they had to dig by hand. They did an excellent job. They got the service restored to that whole area by 4:00 this afternoon and they worked hard doing it. They deserve our thanks. That concludes my report.

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

C. Engineer:

Engineer Griffith: Thank you Madam President. Did you receive a new TV or computer for Christmas? If so, do not place the old one in the trash. Please recycle it. The Lorain County Solid Waste Management has not yet announced their 2009 E-scrap collection day, but if you log on to their website at www.loraincounty.us/solidwaste, you can sign up for an advance notice email.

In order to remove a significant source of lead from the environment, currently, Texas, Oregon, Connecticut, Maine, New Hampshire, Massachusetts, California and Maryland banned the disposal of televisions and computer monitors in their landfills. Please consider storing these items until they can be recycled. Thank you, Madam President. That concludes my report this evening.

President Butkowski: Thank you, Mr. Griffith. We'll move on to the Assistant Auditor, Teresa Machovina.

D. Auditor:

Deputy Auditor Machovina: Thank you, Madam President. I have no report for this evening from the Auditor's office.

President Butkowski: Thank you.

E. Other Reports:

President Butkowski: Please note:

OM Public Sector Solutions Monthly Report dated December 10, 2008 and
Police Department Support Car Report for November 2008.

COUNCIL COMMITTEE REPORTS:

President Butkowski: We have no Council Committee Reports.

CORRESPONDENCE:

President Butkowski: Our correspondence:

1) Received a memo from Engineer Larry Griffith submitting hourly rate changes per Codified Ordinance Section 144.22 (b), Fees for Engineering Plan Review and Inspections.

OLD BUSINESS:

President Butkowski: Under old business, Clerk, please read our old business tonight.

Clerk of Council Blakely:

T 151-2008 AN ORDINANCE AMENDING NRCO SECTION 660.12 FENCES,
4622-2009 ALLOWING FOR COMMERCIAL NONLETHAL ELECTRIC FENCES
 moved by Boose, seconded by Buescher to adopt

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

Yes, 7 No, 0

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

President Butkowski: The ordinance number?

Clerk of Council Blakely: It becomes ordinance number 4622-2009.

Permanent Ordinance No. 4622-2009

President Butkowski: Thank you. We'll move on to our new business for tonight.

NEW BUSINESS:

moved by Buescher, seconded by Boose to appoint Chris Costin as Auditor for the term commencing January 1, 2009 and ending December 31, 2010

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

Yes, 7 No, 0

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

President Butkowski: Congratulations Chris Costin. Please forward the message to him.

Clerk of Council Blakely:

T 1-2009 AN ORDINANCE CEASING THE INTRODUCTION OR DEVELOPMENT OF ADDITIONAL PLANNED COMMUNITY DEVELOPMENT DISTRICTS IN THE CITY OF NORTH RIDGEVILLE.

President Butkowski: I WILL REFER THAT TO THE BUILDING AND LANDS COMMITTEE AND PLANNING COMMISSION.

T 2-2009 AN ORDINANCE DECLARING IT NECESSARY TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN MILL LIMITATION ON BEHALF OF THE LORAIN PUBLIC LIBRARY SYSTEM FOR CURRENT EXPENSES OF THE LORAIN PUBLIC LIBRARY SYSTEM, INCLUDING THE OPERATION OF A BRANCH LIBRARY LOCATED IN THE CITY.

moved by Olesen, seconded by Corcoran to suspend By-Laws to give T 2 its first reading

President Butkowski: Do we have 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 3-2009 A RESOLUTION DECLARING IT NECESSARY TO REPLACE ALL OF AN EXISTING TAX FOR THE PURPOSE OF PROVIDING FOR AMBULANCE SERVICE AND EMERGENCY MEDICAL CARE AND TO MAINTAIN A PARAMEDIC PROGRAM AND TO EQUIP AND TO OPERATE THE SAME, REQUESTING THE LORAIN COUNTY AUDITOR TO CERTIFY THE

TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY, PURSUANT TO SECTIONS 5705.03, 5705.192 AND 5705.191 OF THE REVISED CODE.

 moved by Gillock, seconded by Corcoran to suspend By-Laws to give T 3 its first reading
President Butkowski: Do we have any discussion?

Mayor Gillock: Madam President, we would like to get this adopted this evening with the emergency clause. We have to get this approved and send the levy to the County Auditor for certification of the millage. It then has to come back and we have to pass another ordinance to get it on the ballot. We have to get all this done before the February 19 filing deadline. So, time is really of an essence here. We would like this passed with the emergency this evening, if we could. Thank you.

President Butkowski: Thank you. Do we have any other discussion? Please call the roll.

 Yes, 7 No, 0

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

T 4-2009 AN ORDINANCE AMENDING ORDINANCE NO. 4344-2006 BY INCREASING THE AMOUNT PAID TO O.M. PUBLIC SECTOR SOLUTIONS FROM \$54,000.00 TO \$56,000.00 FOR PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES.

President Butkowski: I WILL REFER THAT TO THE FINANCE COMMITTEE.

T 5-2009 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR SANITARY SEWER MAIN LINE AND MANHOLE GROUTING, RE-LINING AND POINT REPAIRS AND OTHER APPURTENANCES, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR THE SAME, NOT TO EXCEED \$100,000.00.

President Butkowski: I WILL REFER THAT TO THE UTILITIES COMMITTEE.

RECESS:

 moved by Olesen, seconded by Jaenke to dispense with recess

President Butkowski: All in favor?

 Yes, 7 No, 0

President Butkowski: Motion passes. We'll dispense with our recess. Moving on to first readings.

FIRST READINGS:

Clerk of Council Blakely: First Readings:

T 6-2009 AN ORDINANCE APPROVING THE FINAL PLAT OF WATERSIDE PLACE,
PHASE 2, A CLUSTER DEVELOPMENT, FOR RECORDING PURPOSES
ONLY.
First Reading

T 2-2009 AN ORDINANCE DECLARING IT NECESSARY TO LEVY A RENEWAL
4623-2009 TAX IN EXCESS OF THE TEN MILL LIMITATION ON BEHALF OF THE
LORAIN PUBLIC LIBRARY SYSTEM FOR CURRENT EXPENSES OF THE
LORAIN PUBLIC LIBRARY SYSTEM, INCLUDING THE OPERATION OF A
BRANCH LIBRARY LOCATED IN THE CITY.
First Reading
moved by Olesen, seconded by Corcoran to dispense with the second and third
readings

President Butkowski: Do we have any discussion?

Mayor Gillock: Madam President, just for clarification, the Clerk read the title twice and referred to it as the Lorain County Public Library System and as the past Trustee on the Board, I just want to clarify that it is not a County Library. It is just the Lorain Public Library System. It involves about six libraries and there are others in the County Libraries. It is just a little different. Just a point of clarification. Thank you.

President Butkowski: Yes, it does state Lorain Public Library System on here. Do we have any other discussion? Clerk, please call the roll on the suspension.

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.
moved by Olesen, seconded by McLaughlin to adopt

President Butkowski: Do we have any discussion?

Council Member Boose: I move to add the emergency for the same reasons as for T 3 as they will also need to go to the County to get this certified and then come back to us.

Mayor Gillock: No, they have already done that step.

Council Member Boose: They've already done that?

Mayor Gillock: Yes, they are on the second step. If we just adopt, it will be effective February 5 so, they will be fine.

Council Member Boose: I will withdraw my motion.

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance number 4623-2009.

Permanent Ordinance No. 4623-2009

T 3-2009 A RESOLUTION DECLARING IT NECESSARY TO REPLACE ALL OF AN
1151-2009 EXISTING TAX FOR THE PURPOSE OF PROVIDING FOR AMBULANCE
SERVICE AND EMERGENCY MEDICAL CARE AND TO MAINTAIN A
PARAMEDIC PROGRAM AND TO EQUIP AND TO OPERATE THE SAME,
REQUESTING THE LORAIN COUNTY AUDITOR TO CERTIFY THE
TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR
AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT
REPLACEMENT LEVY, PURSUANT TO SECTIONS 5705.03, 5705.192 AND
5705.191 OF THE REVISED CODE.

First Reading

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

President Butkowski: Do we have any discussion? Please call the roll.

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero.
moved by Olesen, seconded by McLaughlin to adopt

President Butkowski: Do we have any discussion?

moved by Olesen, seconded by Corcoran to add the emergency because this is a valid issue and we have to make sure it gets on the ballot

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

Yes, 7 No, 0

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

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

Council Member Boose: Yes, Madam President, this is a replacement levy versus a renewal. Perhaps the Deputy Auditor could just briefly, in layman's terms, describe the difference in a replacement versus a renewal for those watching and for those in the audience.

Deputy Auditor Machovina: Pretty much, the difference between a replacement and a renewal; currently we are running at a lower per millage amount, because, as it goes over the five year period, it reduces. The replacement will replace the levy at the original millage, thus, generating the revenue needed to continue with the ambulance and the EMS services.

Council Member Boose: Thank you.

Deputy Auditor Machovina: You're welcome.

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes resolution number 1151-2009.

Permanent Resolution No. 1151-2009

President Butkowski: Now, we can move on to the second readings and it's T 162.

SECOND READINGS:

Clerk of Council Blakely:

T 162-2008 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.
Second Reading

President Butkowski: Thank you. Now, we are moving on to the third readings.

THIRD READINGS:

Clerk of Council Blakely:

T 119-2008 AN ORDINANCE AMENDING NRCO SECTION 1474.09 DETENTION
4624-2009 PONDS BY ADDING A MINIMUM SETBACK OF TEN (10) FEET FROM PROPERTY LINES TO THE TOP OF BANK OF STORM WATER STORAGE BASINS.
Third Reading
moved by Olesen, seconded by McLaughlin to adopt

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance number 4624-2009.

Permanent Ordinance No. 4624-2009

T 121-2008 AN ORDINANCE AMENDING CHAPTER 1226 AND CREATING SECTION
4625-2009 1226.16 BY ADDING STANDARD CONSTRUCTION DETAILS TO
ENGINEERING DEPARTMENT REQUIREMENTS FOR CONSTRUCTION
WITHIN THE CITY OF NORTH RIDGEVILLE.

Third Reading

moved by Corcoran, seconded by McLaughlin to adopt

President Butkowski: Do we have any discussion? Clerk, please call the roll on the adoption.

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance
number 4625-2009.

Permanent Ordinance No. 4625-2009

T 122-2008 AN ORDINANCE AMENDING NRCO SECTION 1046.19 WATER LINE
4626-2009 MATERIAL AND CONSTRUCTION SPECIFICATIONS BY ADOPTING THE
ATTACHED UPDATED AND REVISED WATER LINE MATERIAL AND
CONSTRUCTION SPECIFICATIONS FOR THE CITY OF NORTH
RIDGEVILLE, OHIO.

Third Reading

moved by McLaughlin, seconded by Corcoran to adopt

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance
number 4626-2009.

Permanent Ordinance No. 4626-2009

T 136-2008 AN ORDINANCE AMENDING ORDINANCE NO. 4309-2006 RELATING TO
4627-2009 THE OPERATION OF A SNOWMOBILE, OFF-HIGHWAY MOTORCYCLE,
ALL PURPOSE VEHICLE OR SIMILAR TYPE VEHICLE AS DEFINED IN
CHAPTER 476.

Third Reading

moved by Corcoran, seconded by Jaenke to adopt

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance
number 4627-2009.

Permanent Ordinance No. 4627-2009

T 138-2008 AN ORDINANCE AMENDING NRCO SECTION 1046.10, SERVICE
Substitute CONNECTIONS, AND ADDING WATER MAIN LOCATION TO THAT
4628-2009 SECTION.

Third Reading

moved by Corcoran, seconded by McLaughlin to adopt

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

Yes, 7 No, 0

Clerk of Council Blakely: Motion passes by a vote of seven to zero and becomes ordinance number 4628-2009.

Permanent Ordinance No. 4628-2009

COMMITTEE MEETING ANNOUNCEMENTS:

President Butkowski: Upcoming meeting announcements:

Next Regular Council Meeting Tuesday, January 20, 2009 at 7:30 P.M. in Council Chambers.

Public Hearing Tuesday, February 17, 2009 at 7:20 P.M. re: T 6-2009, approving the final plat of Waterside Place, Phase 2, a cluster development for recording purposes only.

Council Member Corcoran: Madam President, is that February 17?

President Butkowski: Yes, it is probably because of Martin Luther King Day.

ADJOURNMENT:

moved by Jaenke to adjourn

President Butkowski: Go Bucks!

Meeting adjourned at 8:01 P.M.

Approval of Minutes:

MOTION Boose 2ND Jaenke DATE January 20, 2009

YES 7 NO 0 ABSTAIN 0