

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING NOVEMBER 2, 2009**

CALL TO ORDER: 7:30 P.M.

President Bernadine Butkowski: I call to order the North Ridgeville City Council meeting of Monday, November 2, 2009.

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 19, 2009.

 moved by Jaenke, seconded by Boose 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:

Parks & Recreation Minutes of regular meeting September 23, 2009;

Board of Zoning & Building Appeals Minutes of regular meeting October 22, 2009; and

Board of Drainage & Flood Control Minutes of regular meeting April 28, 2009.

LOBBY:

President Butkowski: I'm asking anyone who would like to address Council tonight to fill out the 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. We will have no interaction tonight. All questions will be answered after the meeting. You will have three minutes to address Council. Is there anyone that would like to speak tonight?

1) Paul Papes of 5240 Lear Nagle Road spoke of his opposition to the Police Support Car program. He stated that he felt there are quite a few automobiles going out of the City and doesn't feel this program benefits him as a tax payer by having these cars driven outside of the City. He asked why he has to keep coming to these meetings to ask these questions and get nothing out of it. He stated that during the lobby session of the last meeting, it was stated that all questions will be answered after the meeting and that hasn't happened for him. He reiterated his opposition of the Police Support Car program.

President Butkowski: Thank you. You can talk with the Auditor. He should have those figures for you. Is there anyone else that would like to speak tonight? Is there anyone else that would like to speak and have their first chance? Okay, did you want to speak again?

2) Paul Papes of 5240 Lear Nagle Road spoke regarding the scheduling of this Lobby session on the agenda. He stated that he has heard several people state that they didn't like it. He asked who suggested to make this change on the agenda.

President Butkowski: That is done at the organizational meeting.

Paul Papes: That's what?

President Butkowski: It's done at the organizational meeting which will be done in January.

Paul Papes: Is that open to the public?

President Butkowski: Yes, all of our meetings are open to the public.

Paul Papes: I'll be there.

President Butkowski: Is there anyone else that would like to speak tonight? Seeing none, we'll move on to the Administrator's reports. Mayor Gillock?

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Good evening, Madam President and Council Members. T 98, which was introduced during the last meeting and is now on its first reading, needs to be passed this evening with the emergency, if Council agrees. This approves the consulting contract with CT Consultants for our 500,000 dollar CHIP grant and will allow us to move forward with using this grant. As Council is aware, this is the sixth grant of this type that we have received and helps qualifying residents in three areas, emergency repairs, property rehabilitation and down payment assistance. CT handles the actual inspection in helping to determine which residents meet the qualifications. Information on the program can be obtained by calling our Treasurer's office at 353-0854 or going on the City's website and clicking on CHIP Grant Public Announcement.

Our Chief Building Official, Guy Fursdon, has also asked if T 85, which is on its second reading, could be passed this evening. This ordinance adjusts our deposit fees for reinspections and adjusts other building fees to reflect our current costs including contractor registration fees. The

Building Department would like to get this passed so that the Building Department could send notices to the contractors in the City before their annual registration renewal which they have to do each year, and if it is passed this evening, they won't have to go back to them twice.

President Butkowski: Would you need an emergency on T 85?

Mayor Gillock: If we could get it that would help. It is not essential, because they could still go ahead and send the notices out, but to avoid any conflicts, the emergency would make it simpler for them.

The third ordinance I want to mention is T 107 which are the red flag rules that were introduced by the Law Director. This issue came out from the Federal Trade Commission and basically required us to have a program which would help prevent identity theft but, it had some really strict requirements. It has an enforcement date that we had to do. Since then; late today, we got notice that the effective date has been postponed from next month until June 1. If we could, I would make a motion right now; because we don't know what they are going to finally end up requesting, that T 107 be removed from the agenda.

moved by Mayor Gillock, seconded by Olesen to remove T 107 from the agenda

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.

Mayor Gillock: I would like to inform Council that we received our annual discount which we get every year on our Worker's Compensation Program which is a discount on our premium of 6,986 dollars and 19 cents as a result of the efforts we have taken through our Worker's Safety Program. We have annual Safety meetings. We are required and we attend biannual Safety meetings with the local Safety Council and all of that contributes toward making this possible.

Residents will be glad to hear, if they don't already know, that the bridge on Route 83 just south of Lorain that has been under construction, is now open for through traffic. You can now get through there.

Final two things, congratulations to the North Ridgeville High School Football Team for qualifying for the State play offs. This is the first time North Ridgeville has ever qualified and will be traveling to Toledo this Friday to play Toledo St. Francis DeSales. They are also co-champions of the Westshore Conference. So, congratulations and go Rangers. I might mention that Coach McLaughlin is part of that, so congratulations to Ray, also.

Finally, tomorrow is election day. If you haven't already voted, please be sure to do so. Thank you, that concludes my report.

President Butkowski: Thank you. Moving on to the Safety-Service Director, Mr. Johnson.

B. Safety-Service Director:

Safety-Service Director Johnson: Thank you, Madam President. Just a quick reminder to the residents that we are entering the white-tailed deer equivalent of spring break. Deer are going to be running across the roads and you can bet that if you see one, there will be several behind it. Please be careful as we are seeing an increase in deer hits already this year and it is going to get worse. Please be careful. That concludes my report.

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

C. Engineer:

Engineer Griffith: Thank you, Madam President. I would like to start tonight with a quote from Margaret Mead who said, "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." I was informed last Friday that Dan Gouch, the Black River Watershed Coordinator with the Lorain County Community Development Department, has resigned his position effective January 15, 2010. Dan has received a Graduate Teaching Assistantship at Cleveland State University. Those of us who have had the pleasure of working with Dan on storm water issues these past two years know that he is one of those people Margaret Mead was talking about. We are both happy for Dan's advancement but saddened that we will lose him. Dan regularly attended our Board of Drainage and Flood Control Meetings and in addition to his regular insightful commentary, he conducted several education programs for the members. One of his programs was a repeat of a program presented at the French Creek Waste Water Watershed Committee meeting on March 25, 2008. That March presentation was written up in the April 2, 2008 issue of the North Ridgeville Press which I have right here. I wish to publically thank Dan and wish him well and ask him not to forget us. That concludes my report this evening.

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

D. Auditor:

Auditor Costin: Thank you. No report scheduled for this evening.

President Butkowski: Thank you.

E. Other Reports:

President Butkowski: We have no other reports.

President Butkowski: Clerk, could you please read the report?

COUNCIL COMMITTEE REPORTS:

Clerk of Council Blakely:

ADMINISTRATIVE COMMITTEE REPORT #6263 dated October 19, 2009. Members of Council: We have considered the matter of increasing the hours of the Clerk/Typist position in the Office of the Clerk of Council to 30 hours per week and recommend that this request be approved and the hours be increased to 30 hours per week.

Signed: Members Dennis Boose and Kevin Corcoran and Chairperson Richard Jaenke.
moved by Jaenke, seconded by Corcoran to accept

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.

CORRESPONDENCE:

President Butkowski:

1) Received a signed email from Christian Shelby, Executive Director of the International Association of Municipal Clerks announcing Deputy Clerk, Donna Tjotjos has earned the distinction of Certified Municipal Clerk for completing demanding education requirements and who has a record of significant contributions to her local government and State.

At this time, I would like to present this award to her. The International Institute of Municipal Clerks hereby confers the title of Certified Municipal Clerk upon Donna Tjotjos, CMC, who has completed the requirements prescribed by the International Institute of Municipal Clerks for certification. This period is from October 15, 2009 to October 15, 2013. Thank you. She has put a lot of study and work into this while she is raising her family too. Thank you, Donna.

Council Member Buescher: Madam President, as a Member of City Council, I too, would like to thank Mrs. Tjotjos for all of the fine work that she does for us. I appreciate it.

President Butkowski: Moving on.

2) Received a memo from Engineer Larry Griffith submitting the required hourly rate charges for 2010, per Codified Ordinance Section 1444.22 (b) Fees for Engineering Plan Review and Inspections. That is all the correspondence we have.

OLD BUSINESS:

T 56-2009 A RESOLUTION ACCEPTING THE MASTER PLAN OF 2009.

President Butkowski: I would like to refer the resolution T 56 to a Special Council Meeting of

the Whole, November 9 at 7:30 P.M. in Council Chambers concerning the Master Plan. The public is invited to this meeting for your input on the Master Plan. Again, the date is November 9 at 7:30 P.M.; that is next Monday, in Council Chambers. Moving on to New Business with T 102.

NEW BUSINESS:

Clerk of Council Blakely:

T 102-2009 AN ORDINANCE AUTHORIZING FUNDS FOR A CONTRACT TO BE NEGOTIATED AND ENTERED INTO BY THE MAYOR OF NORTH RIDGEVILLE AND RICHLAND ENGINEERING LTD. FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES IN THE APPROXIMATE AMOUNT OF \$38,000.00.

moved by Mayor Gillock, seconded by Olesen to suspend the By-Laws to give T 102 its first reading this evening

President Butkowski: Do we have any discussion?

Mayor Gillock: Madam President, if we could, I would like the Engineer to speak to the urgency of this matter.

Engineer Griffith: In the ordinance I listed some of the reasons why we run into this problem. Typically, our bridge inspection program, as required by the Ohio Department of Transportation and the FEDs as well, has been in the neighborhood of 16,000 to 18,000 dollars. However, as a result of this year; that recent bridge failure in Minnesota, now they are requiring that we do load rating and foundation scour calculations. They used to do this just visually. Now, they have to do calculations and as a result, our cost has increased considerably and part of the reason we need to have this taken care of tonight, if possible, is that one of the stipulations that the FEDs put on us is that four of the seven structures that we have to do load ratings on, will have to be done by December 1 or any federal funds that we request could be withheld. We are going to be asking for some federal funds from TRAK and I'm hopeful that this will not be an issue. It could, at some point in time be an issue, if we don't get this taken care of.

Council Member Boose: Madam President, I spoke with the Deputy Auditor this afternoon in regards to this because, in appropriations we had appropriated 16,000 dollars. That is what was originally requested and we did appropriate that and so, there is an additional 22,000 dollars that needs to come in order for this to be able to be taken care of. Mr. Costin could talk to this, but it is my understanding that there is some monies. This was appropriated through the street levy and not the general fund and so, it is my understanding that there are some funds available that have not yet been spent on the Lorain Road project, approximately 202,000 dollars that we could take monies from that to pay for this, but then again at some point, that money will have to be put back because Lorain Road project has to go forward. I'm not quite sure how that all falls out, but I did want to make Council aware that we had not yet appropriated the entire 22,000 extra. Mr. Costin, could you explain?

Auditor Costin: Madam Chairman?

President Butkowski: Yes.

Auditor Costin: Yes, that is correct. Typically, this would require another appropriation ordinance and when these items come up, as our fund balances are tight in many of the funds, we would have appropriation ordinances meeting, after meeting, after meeting. So, we set aside contingencies where we can. In this particular case in the street levy fund, as Councilman Boose had indicated, is where these expenditures will be taken from. We have some unused monies on another project, because the project came under bid, believe it or not, and those will be used until we bring another appropriation ordinance to you in December. So, if Council passes this ordinance, it will require an appropriation. But, we do have the ability to defer that appropriation until December when we codify whether there are other changes as well.

Council Member Boose: Just for clarification then, the 22,000 will not need to be put back into the Lorain Road project, because it was bid lower than anticipated?

Auditor Costin: The 22,000 will need to be appropriated as a new item. However, depending on the extent if any, of change orders, currently we will have monies available, unused in the street levy as a result of the bids coming in under. Until the project is completed though, we don't know if that is going to be the final case, but it is likely that it would. It is likely that we will have monies available.

Council Member Boose: Thank you.

Council Member McLaughlin: Madam President, is this the only people that are doing the inspections? I mean, since we jack the price up, are there other options as far as somebody else to be contracted for this because we went from 16 to 38 now and we are talking quite a bit. Did we look at having anybody else do it?

Engineer Griffith: We did not. All I did was, during one of the meetings that we were having in preparation for the TRAK meeting, a consultant who was there said that we should probably figure 5,000 dollars for each structure and Richland came back and told us that they would do the first four structures for us for 9,500 dollars, which I thought was somewhat of a bargain compared to what the other consultant had told us. We should be paying 20,000 dollars and part of the reason is that the engineers that we have been using for a number of years, they are familiar and that of course, is part of the reason why they could give us a good price, because they are already familiar with the structures.

Council Member McLaughlin: But now they have to do extra work. I guess that is why I was asking. In the future, I would think that we would want to make sure that we get the best deal; not saying that we're not.

Council Member Buescher: Madam President, am I to assume then that you would need this passed with the emergency this evening? It is due by December 1.

Engineer Griffith: Yes, if possible.

Council Member Boose: Madam President, again, just for clarification, if we would pass this, this evening by emergency, would the work actually be able to be completed by December 1 in order to meet the deadline?

Engineer Griffith: The four structures that we absolutely, positively have to have done, will be.

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

Yes, 7 No, 0

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

President Butkowski: This is to allow it to have its first reading.

T 103-2009 AN ORDINANCE AMENDING ORDINANCE NO. 4683-2009 BY
INCREASING THE TOTAL COST OF MATERIALS, CONSTRUCTION AND
ASSEMBLY OF A STEEL BUILDING AT THE SHADY DRIVE BASEBALL
COMPLEX FROM \$44,500.00 TO \$49,000.00.

 moved by Mayor Gillock, seconded by Olesen to suspend the By-Laws to give T 102 its
first reading this evening

President Butkowski: Do we have any questions?

Mayor Gillock: Madam President, there are two reasons why we are asking for this. In the original ordinance; for this building, it was and I don't remember if it was 44,500 or 45,000 but, we had two change orders which the ordinance would not cover. This is the building that the boosters helped us purchase. We got a good deal on the building and they purchased half of it. It is being constructed at Shady Drive to be used for storage and I believe an indoor batting cage; at any rate, when the contractor was working on it he ran into one problem. The soil was not firm and it had to be excavated another 12 inches which incurred additional cost. The biggest part of this is we agreed to change the thickness of the floor from the specified four inches to six inches. That would let us put vehicles in there. With a four inch, we wouldn't ever be able to drive a vehicle in there or it would crack it. We felt it made more sense to go to the six inch thickness. That is the reason for these two changes. Thank you.

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

Yes, 7 No, 0

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

T 104-2009 AN ORDINANCE AMENDING NRCO SECTION 1474.09 DETENTION
PONDS.

T 105-2009 ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF
NORTH RIDGEVILLE OF LORAIN COUNTY, OHIO, HEREAFTER
REFERRED TO AS THE CITY, IN THE MATTER OF THE STATED
DESCRIBED PROJECT:

 TO PERFORM PREVENTATIVE MAINTENANCE ON A PORTION
OF IR 480. THIS PROJECT IS APPROXIMATELY 1.2 MILES IN
LENGTH AND IS COMPLETELY LOCATED WITHIN THE CITY OF
NORTH RIDGEVILLE.

 moved by Mayor Gillock, seconded by Olesen to suspend the By-Laws to give T 102 its
first reading this evening

President Butkowski: Do we have any questions?

Mayor Gillock: Madam President, this came from the Department of Transportation. They're planning on paving Lorain Road, basically, from about the turnpike bridge to the Cuyahoga County line. This gives them our consent to do that. It is at no cost to us, but they need this ordinance passed. There is a deadline.

Engineer Griffith: It's not Lorain.

Mayor Gillock: It's not Lorain?

President Butkowski: It says 480.

Mayor Gillock: It is that part of 480. It is only 1.2 miles. It's not Lorain Road.

Engineer Griffith: It is that part from the corporation line up to the toll booths.

Mayor Gillock: This is actually on 480. I was thinking Route 10. At any rate, it is at no cost to us, but they want our consent because it is within the City and we need to pass this, this evening, because the deadline, which isn't in the ordinance, is November something. I think they are planning on doing this in 2011, which is the year after next. However, they need the ordinance done, like now.

President Butkowski: All right, is there any other discussion? Clerk, please call the roll.

Yes, 7 No, 0

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

T 106-2009 AN ORDINANCE AMENDING SUBSECTION H AND REPEALING
SUBSECTION K OF NRCO SECTION 1044.02, CONNECTION CHARGES.

President Butkowski: I will refer this to Utilities.

President Butkowski: We are moving on to recess. Do I have a motion?

Council Member Boose: Point of order. T 107?

President Butkowski: T 107 has been removed.

Council Member Boose: That is correct. Thank you.

President Butkowski: We are into recess now.

RECESS:

moved by Jaenke, seconded by Buescher to dispense with recess

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 recess has been suspended.

FIRST READINGS:

Clerk of Council Blakely:

T 98-2009 AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS IN THE
4693-2009 AMOUNT OF \$119,800.00 FOR THE CONTRACTED PROFESSIONAL

SERVICES OF CT CONSULTANTS, INC. FOR THE ADMINISTRATION
AND IMPLEMENTATION OF CHIP GRANT FUNDS AWARDED TO THE
CITY FOR THE BENEFIT OF LOW TO MODERATE INCOME RESIDENTS.

First Reading

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

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

Yes, 7 No, 0

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

moved by Olesen, seconded by Corcoran to adopt

President Butkowski: Do we have any discussion?

moved by Olesen, seconded by Corcoran to add the emergency because we have
to move forward with this Chip grant

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

Yes, 7 No, 0

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

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

Council Member Boose: Madam President, just as clarification. This is a two year grant of
500,000 dollars; so the ordinance before us is also for two years.

Mayor Gillock: Yes, this covers the consultant's portion of the 500,000 to handle the program
over a two year period.

Council Member Boose: It would be nice some day to not have to spend 24 percent of the grant
to administer it, but again, 76 percent is better than zero.

Mayor Gillock: I certainly agree, but this is what it is.

President Butkowski: Is there any other discussion?

Mayor Gillock: Madam President, I would mention that percentage is the cost for handling the
grant regardless of whom the consultant is.

President Butkowski: It is all the government paperwork that has to be done.

Safety-Service Director Johnson: Madam President, I would add that the work of the contractors
is checked up by these people. They have licensed inspectors that follow through on this stuff.
What they do is a little more expensive than the average project.

President Butkowski: Do we have any other 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 4693-2009.

Permanent Ordinance No. 4693-2009

T 100-2009 AN ORDINANCE ACCEPTING CERTAIN STREETS/ IMPROVEMENTS
LOCATED IN VARIOUS PHASES OF THE WATERBURY PCD AND
DEDICATING THEM FOR PUBLIC PURPOSES.
First Reading

T 101-2009 AN ORDINANCE AMENDING NRCO SECTION 1444.17, GRADING PLAN
APPROVAL PRIOR TO BUILDING PERMIT ISSUANCE; SEEDING,
MULCHING; CONFLICTS OF LAWS.
First Reading

President Butkowski: The public hearing will be held on November 16 at 7:20 P.M.

T 102-2009 AN ORDINANCE AUTHORIZING FUNDS FOR A CONTRACT TO BE
4694-2009 NEGOTIATED AND ENTERED INTO BY THE MAYOR OF NORTH
RIDGEVILLE AND RICHLAND ENGINEERING LTD. FOR PROFESSIONAL
ENGINEERING CONSULTING SERVICES IN THE APPROXIMATE
AMOUNT OF \$38,000.00.
First Reading

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

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

Yes, 7 No, 0

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

moved by Boose, seconded by Buescher to adopt

moved by Boose, seconded by Buescher to add the emergency so that we can meet the December 1 deadline

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

Yes, 7 No, 0

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

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

Auditor Costin: On a prior conversation, the only amount we are actually going to expend this year is likely to be the 9,500 dollars that he mentioned for the first four bridges. The balance on that ordinance will most likely be paid out of next year. We will appropriate it in December and encumber it, but it is most likely going to be performed on the rest of the bridges next year. Just a point of clarification.

Council Member Boose: Thank you.

President Butkowski: Do we have any other 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 4694-2009.

Permanent Ordinance No. 4694-2009

T 103-2009 AN ORDINANCE AMENDING ORDINANCE NO. 4683-2009 BY
4695-2009 INCREASING THE TOTAL COST OF MATERIALS, CONSTRUCTION AND
ASSEMBLY OF A STEEL BUILDING AT THE SHADY DRIVE BASEBALL
COMPLEX FROM \$44,500.00 TO \$49,000.00.

First Reading

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

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

Yes, 7 No, 0

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

moved by Olesen, seconded by Boose to adopt

President Butkowski: Do we have any discussion?

Auditor Costin: Madam Chairman, please see if you can follow what I am going to indicate here. On the original 44,500 dollars, there were two verbal motions authorizing the expenditures to be made from the Park and Rec Improvement fund. That was done verbally by City Council. Then, when the project was put together and it exceeded the 25,000 dollars, it required a formal written ordinance in that amount, which you are now amending. However, no where does it say where that additional money will be taken from and if Council so chooses, you will either have to amend this ordinance to take it from the Park and Rec Improvement fund or by verbal approval, take it from the Park and Rec Improvement fund. Otherwise, we will have to take it from the General fund budget.

Mayor Gillock: Madam President, I believe the Parks and Rec Director stated that this can be taken out of his regular funding.

Council Member Boose: Madam President, that was my understanding as well, that this was going to be coming out of the General fund that he had allocated but not yet spent.

Auditor Costin: In that case, we will have to re-class some operating expenses to capital outlay because, this will be a capital outlay project and we can do that if that is Council wish.

Council Member Boose: Madam President, I would recommend that if the funds are available in the General fund operating expenses that were allocated and not yet spent, to take them out of there because the Park and Rec Improvement fund is being depleted quite quickly and there are lots of projects that would be loved to be done and not only for Shady Drive, but also for the other parks. So, if there is money there, I would prefer it be taken from there. Again, that is up to Council's passage.

President Butkowski: Would we need a motion of which fund to take that out of then?

Auditor Costin: Madam Chairman, the only thing we would need is a supplementary motion if it were to be taken out of the Park and Rec Improvement fund. Since it will not, then there is no further action needed by Council.

Council Member Olesen: Madam President, where are we at this point?

President Butkowski: You have made the motion to adopt, but we need the motion for emergency.

moved by Olesen, seconded by Boose to add the emergency because we need to get this project finished

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

Yes, 7 No, 0

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

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

Council Member Boose: Madam President, just a point of clarification and no changes need to be made to the ordinance, but the ordinance does state that it is at the Shady Drive Baseball Complex and I can tell you from being on the Park and Rec Commission for two terms and from being involved in the complex, it is not just a baseball complex. There is also a multipurpose field in the back and it is used by the North Ridgeville Mini Rangers for football, so it is more than just a baseball complex. Thank you.

President Butkowski: Thank you. I think it is the official name of the whole area. That is why they defined it that way.

Council Member Boose: It is called the Shady Drive Complex.

President Butkowski: Is there any other 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 4695-2009.

Permanent Ordinance No. 4695-2009

T 105-2009 ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF
4696-2009 NORTH RIDGEVILLE OF LORAIN COUNTY, OHIO, HEREAFTER
REFERRED TO AS THE CITY, IN THE MATTER OF THE STATED
DESCRIBED PROJECT:

TO PERFORM PREVENTATIVE MAINTENANCE ON A PORTION
OF IR 480. THIS PROJECT IS APPROXIMATELY 1.2 MILES IN
LENGTH AND IS COMPLETELY LOCATED WITHIN THE CITY OF
NORTH RIDGEVILLE.

First Reading

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

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.

moved by Corcoran, seconded by McLaughlin to adopt

President Butkowski: Do we have any discussion?

moved by Corcoran, seconded by McLaughlin to add the emergency in order to meet the deadlines imposed by those who are forcing us to do this

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

Yes, 7 No, 0

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

President Butkowski: A motion was made by Corcoran and seconded by McLaughlin to adopt with the emergency. Is there any discussion on the adoption? 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 4696-2009.

Permanent Ordinance No. 4696-2009

President Butkowski: That is all the first readings we have tonight. Now, we'll move on to the second readings. The first one is T 85.

Mayor Gillock: Madam President, just a point of clarification, did we get the one with the building fees passed?

Council Member Corcoran: That is coming up next.

Mayor Gillock: That is under second readings?

President Butkowski: Yes, that is under second readings and the Clerk is going to read that right now.

Mayor Gillock: Thank you.

SECOND READINGS:

Clerk of Council Blakely:

T 85-2009 AN ORDINANCE AMENDING NRCO CHAPTER 1444, BUILDING
4697-2009 PERMITS AND FEES, BY ESTABLISHING DEPOSIT FEES FOR RE-
INSPECTIONS, AND ADJUSTING VARIOUS FEES TO REFLECT
CURRENT COSTS.

Second Reading

moved by Olesen seconded by Corcoran to dispense with the third 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.

moved by Olesen, seconded by Corcoran to adopt

President Butkowski: Do we have any discussion?

Council Member Olesen: Do we need the emergency?

President Butkowski: Yes, we need the emergency.

moved by Olesen, seconded by Corcoran to add the emergency because we have to get these fees into being

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

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 Corcoran to adopt with the emergency? 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 4697-2009.

Permanent Ordinance No. 4697-2009

T 53-2009 AN ORDINANCE CREATING A NEW NRCO SECTION
REVISED ENTITLED TREE PLANTING PLAN REQUIREMENTS.
Second Reading

THIRD READINGS:

President Butkowski: We have no third readings tonight.

COMMITTEE MEETING ANNOUNCEMENTS:

President Butkowski:

Next Regular Council Meeting Monday, November 16, 2009 at 7:30 P.M. in Council Chambers and before that meeting we will have the Public Hearing for T 101 at 7:20 P.M.

ADJOURNMENT:

 moved by Jaenke to adjourn
Meeting adjourned at 8:20 P.M.

Approval of Minutes:

MOTION Jaenke 2ND Buescher DATE November 16, 2009

YES 6 NO 0 ABSTAIN 0