

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JUNE 6, 2011**

CALL TO ORDER: 7:31 P.M.

President Kevin Corcoran: I call to order the Monday, June 6, 2011 Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION: led by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Bob Olesen, Roseanne Johnson and President Kevin Corcoran.

Absent was Council Member Bernadine Butkowski.

Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, Engineer Scott Wangler, Auditor Chris Costin and Clerk of Council George Smith.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the Council minutes of the regular meeting held May 16, 2011. Are there any objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note:

- 1) Civil Service Commission minutes of 05-17-2011
- 2) Board of Zoning & Building Appeals minutes of 05-26-2011
- 3) Parks and Recreation Commission minutes of 04-27-2011

LOBBY:

President Corcoran: We have now arrived at the lobby session of Council. For those of you who would like to speak tonight, you have the opportunity to address Council. You will have three minutes to speak. Please approach the podium, state your name and address for the record and the lobby is now open. Seeing no one, the lobby is closed. Moving on to the Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. Since we met a couple of weeks ago, you mentioned in your opening remarks, you talked about the health and safety of our residents. We had a couple of

storms and actually, by my count; so far this year, we have had four major storms. In the last two weeks, we had two with one being an extremely damaging and dangerous storm. The first one with a lot of hail in it, we had a car trapped with wires down on it and the people were successfully rescued unharmed. They were trapped in the car for about an hour. We didn't have anyone else injured, but we had a lot of damage with a lot of trees down and a lot of roofs ruined. Now, a lot of repair and maintenance has to be done. One of the things I want to point out again and just to remind you again and we do this all the time. Keep things out of your ditch. If you see beach balls, basketballs, trash, waste cans or whatever it is in the ditch, try to remove it. What happened during this particular storm, especially with the hail and high winds, was that a lot of leaves and branches came down and catch basins that were cleared before were suddenly covered. I don't want people out during a storm cleaning their catch basins, but if possible, when that storm stops. If you could get out there, it will help get rid of that water a lot quicker because when those catch basins are covered and plugged up, water can't leave. Once again, just a reminder that any way you can help us keep the ditches and catch basins clean, we certainly appreciate it and it does help get rid of the water. Also, early last week, we had a broken water line at Route 83 and Center Ridge Road when a Contractor who was working there and at no fault of his own, did drill into a 16 inch water line. That produces an amazing amount of water. At one time, I was walking down the middle of Route 83 in the center of the road; on the crown, with about four inches of water over my feet. We did get that fixed but one other event that happened was that during the traffic control, one of our Auxiliary Officers, Eric Petitt, was accidentally hit by a car. The driver said that because of the sun, they couldn't see. He was taken to the hospital and was released later that evening. He is in fine shape, but I just want to reiterate once again, be careful out there and watch. We don't want anyone hurt. That is an unfortunate incident, but we are really lucky that Eric was not injured more than he was.

This evening, I want to announce the appointment and reappointment to two individuals to the Fair Housing Board. The first one I would like to announce is Dennis Johnson. He is replacing Click Davis, who relocated and that term ends July 5 of 2013. I would also like to reappoint Vince Loparo. His term ends July 5. He would be reappointed another term ending July 5, 2014. Tony Hatmaker, who is our Director for Fair Housing, has asked that he be reappointed as he has been a valuable member of the Board. I would make those two appointments and I don't believe that they require Council approval. I appoint Dennis Johnson and Vince Loparo to the Fair Housing Board.

Lastly, I would like to ask for an Executive Session after or during the recess to discuss the sale of City Property. Thank you.

It was moved by Mayor Gillock and seconded by Johnson to adjourn to Executive Session during or after the recess.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: All right, moving on to the Safety-Service Director, Mr. Armbruster.

B. Safety-Service Director:

Safety-Service Director Armbruster: Over the past year, actually two years, we in this community have certainly had a great use for our Police Auxiliary. I can't imagine not being here and the issues that we have gone through and how the Auxiliary has come forth when the storms are out there and our hats in the Administration are off to them. Without them, you can't imagine the traffic control. When they are dispatched, they do their duty beyond belief for traffic control and unfortunately, when Eric got hit, it was catastrophic and it could have been very catastrophic, but the Police Auxiliary have just done an outstanding job and it should be commended. What they do for this community is just outstanding. Thanks guys for coming to the City Council meetings, as well as, helping us out in any of the events. They don't get paid for anything. They just come out and do their job and do it well. Thanks much.

President Corcoran: Thank you. Mr. Engineer.

C. Engineer:

Engineer Wangler: Well, the Mayor touched on a couple of points I was going to mention with the broken water main and keeping stuff out of the ditch. Instead of reiterating that, I would like to point out that the remainder of that bore will be open-cut where they hit the water main and I am going to have them do that at night, so we don't have any traffic disruptions.

President Corcoran: Thank you, Mr. Wangler. Mr. Auditor.

D. Auditor:

Auditor Costin: Thank you, I have no report scheduled for this evening, but I would like to draw Council's attention to T 66-2011, under new business. It is an amended appropriation ordinance and as you know, we have these from time to time and I would request that Council consider passing it tonight with the emergency and I would be pleased to discuss its contents at its first reading.

President Corcoran: Thank you, Mr. Costin.

E. Other Reports:

President Corcoran: There are no other reports.

COUNCIL COMMITTEE REPORTS:

President Corcoran: There are no Council Committee reports.

CORRESPONDENCE:

President Corcoran: There is no correspondence either; so, we are rolling right along to new business.

OLD BUSINESS: None

NEW BUSINESS:

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 64-2011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A NEW FIRE ENGINE (PUMPER) FOR THE FIRE DEPARTMENT FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$338,000.00.

It was moved by Boose and seconded by Olesen to suspend the By-Laws to give T 64 its first reading this evening.

President Corcoran: Are there comments or questions?

Council Member Boose: Mr. President, this acquisition along with the one that follows, T 65, were both discussed thoroughly and approved in appropriations earlier this year. I want the public to realize that though this is a lot of money, the one thing here on T 64; of the 338, 270 is from a grant and the rest is from City funds. You are really getting a good deal for the money when the majority of this is from a grant. We have discussed this at length and though I anticipate we'll look forward to hopefully moving this forward and finishing this piece of legislation this evening, I wanted everyone to know that we are not just spending money haphazardly. This has gone into a lot of thought and a lot of discussion. Thank you.

Council Member Johnson: I just wanted to make one comment also. They are down one truck right now. It is in for repairs. It would be very helpful if we moved this along this evening.

President Corcoran: All those in favor of giving T 64 a first reading say yes. All those opposed say no.

Yes, 6 No, 0

President Corcoran: T 64 is added to first readings. T 65.

Clerk of Council Smith:

T 65-2011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A NEW AMBULANCE FOR THE FIRE DEPARTMENT FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$220,000.00.

It was moved by Boose and seconded by Olesen to suspend the By-Laws to give T 65 its first reading this evening.

President Corcoran: Are there comments or questions?

Council Member Boose: Mr. President, just a further note that actually \$240,000, by my notes, was approved in appropriations to come out of the Ambulance Fund for this acquisition and we are only requiring \$220,000 as I see here by the ordinance. Again, this was thoroughly discussed and approved in appropriations earlier this year.

President Corcoran: All those in favor of giving T 65 a first reading say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 65 is now on first reading. That brings us to T 66.

Clerk of Council Smith:

T 66-2011 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NUMBER 4827-2011 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011.

It was moved by Johnson and seconded by Boose to suspend By-Laws to give T 66 a first reading this evening.

President Corcoran: Any comments or questions on this? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 66 is now under first readings. That brings us to the recess portion of the meeting.

RECESS:

It was moved by Johnson and seconded by Boose to dispense with recess.

President Corcoran: Clerk, could you please call the roll?

Yes, 6 No, 0

Clerk of Council: Motion was approved.

President Corcoran: Recess is dispensed with, but we are now going into Executive Session.

Council adjourned to Executive Session at 7:45 P.M. to discuss the sale of City property.

Council reconvened at 8:16 P.M.

FIRST READING:

Clerk of Council Smith:

T 64-2011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4846-2011 RIDGEVILLE TO PURCHASE A NEW FIRE ENGINE (PUMPER) FOR THE
FIRE DEPARTMENT FROM THE STATE CO-OP, OR TO ADVERTISE FOR
BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR
ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT
TO EXCEED \$338,000.00.

First Reading

It was moved by Olesen and seconded by Boose to dispense with the second and third readings for T 64.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President, I would like to acknowledge Assistant Fire Chief John Reese's efforts in getting this grant. He took it upon himself, worked very hard on it and we certainly appreciate it.

President Corcoran: Any other comments or questions? All those in favor of dispensing with the second and third readings, say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Olesen and seconded by Boose to adopt T 64.

It was moved by Olesen and seconded by Johnson to add the emergency clause because we have one failing unit now and we are getting a huge grant to purchase this one.

President Corcoran: All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: It was moved by Olesen and seconded by Boose to adopt T 64 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Passed unanimously with one absentee and it becomes ordinance number 4846-2011.

Permanent Ordinance No. 4846-2011

President Corcoran: Moving on to T 65.

Clerk of Council Smith:

T 65-2011 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4847-2011 RIDGEVILLE TO PURCHASE A NEW AMBULANCE FOR THE FIRE
DEPARTMENT FROM THE STATE CO-OP, OR TO ADVERTISE FOR BIDS
AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR
ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT
TO EXCEED \$220,000.00.

First Reading

It was moved by Boose and seconded by Johnson to dispense with the second and third readings for T 65.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Boose and seconded by Johnson to adopt T 65.

It was moved by Boose and seconded by Johnson to add the emergency clause due to the health, safety and welfare of the citizens to get this ambulance ordered and in place.

President Corcoran: Any comments or questions on the emergency? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: It was moved by Boose and seconded by Johnson to adopt T 65 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Passed unanimously with one absentee and it becomes ordinance number 4847-2011.

Permanent Ordinance No. 4847-2011

President Corcoran: T 66.

Clerk of Council Smith:

T 66-2011 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NUMBER
4848-2011 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011.

First Reading

It was moved by Johnson and seconded by Boose to dispense with the second and third readings for T 66.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Johnson and seconded by Boose to adopt T 66.

President Corcoran: Any comments or questions, Mr. Costin?

Auditor Costin: I do indeed. I would like to just recap for the members that are not on the Finance Committee of what these include. The first item, Police, was a glitch. When we did the appropriations, we authorized certain overtime and actually, I think that is fuel. When we did the final appropriation ordinance it fell off the screen, so we are putting it back. It was authorized and we need to put it back. The Street Levy, at the time we historically appropriate equipment rental and when we talked to the Departments, they indicated that they didn't need equipment rental. We have found out that we do, indeed, need the equipment rental to help do some of the asphalt work that we do and so we are requesting that the \$41,000 be put back in the Street Levy Fund and then due to the conditions of our streets, we are putting \$100,000 in contingencies in the Street Levy Fund. Now, that contingency money won't be able to be used until it is properly approved by Council, but we do want to appropriate the money, because I think it will be certainly needed to be used. We did the same thing with surface drainage. There are some issues with flooding and I think everybody is familiar with that and it was requested to put some additional monies in the surface drainage there for the \$22,500 and Park and Rec., there was a Contractor that is doing some work umpiring and because he is already an employee of the City, it would be a problem to have him as a Contractor, so we are classifying him as an additional compensation for the employee that is separate and no overtime involved. As a result, we are moving it to personal services. We have to add it to personal services. When you turn over the page, on the other side, these other big numbers Water Improvement Fund, French Creek, and Sanitary Sewer actually has to do with the reclassification of one of our projects that we had when we originally received the BANs monies, we had the Engineer's estimates as to how they would be allocated to the various funds and when the project was completed, the actual expenditures came out different. Now, what we need to do is we need to move over some BANs proceeds and then repay the Fund to pay the

money and that includes the Water Improvement Fund, French Creek Fund and Sanitary Sewer Fund. You only see the expenditures. You don't see the revenue on the other side coming in, but it will be received in the fund that spends the money, which I believe is Capital Projects. Trust Miscellaneous is simply where we have a fund that we get collections from various sources that are not our monies but we still do the appropriation process and as we get more, we have to pay it back. Whether that is sidewalk deposits or whatever and so we are just going to need to increase that as well. That was a long synopsis of what the changes are. We have included that in the ordinance and we request that you pass that tonight with the emergency, because it does include some items in here that need to be properly appropriated before we can spend the money.

It was moved by Johnson and seconded by Boose to add the emergency clause to T 66.
President Corcoran: Any comments or questions on the emergency? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: It was moved by Johnson and seconded by Boose to adopt T 66 with the emergency clause. Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Passed unanimously with one absentee and it becomes ordinance number 4848-2011.

Permanent Ordinance No. 4848-2011

President Corcoran: Moving on to second readings. First up is T 53.

SECOND READINGS:

Clerk of Council Smith:

T 53-2011 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING THE MODIFICATION OF A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH KLC PROPERTIES, LLC, A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.
Second Reading

T 57-2011 AN ORDINANCE AMENDING THE FINAL PLAT OF STONEGATE AT
4849-2011 WATERBURY PCD, PHASE 1 OF SUBDIVISION 1.
Second Reading

It was moved by Corcoran and seconded by Buescher to dispense with the third reading for T 57.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President. I just wanted to ask the Law Director, that because this is amending the plat, would there be any issues in dispensing with a reading.

Law Director Crites: I understand and I believe that the nature of your question is whether or not this is a zoning matter; therefore requiring three full readings and no, this land was rezoned by separate legislation. This is simply an amendment to a plat that is on file with the County.

President Corcoran: Any other comments or questions? All those in favor of dispensing with the third reading say yes. Those opposed say no.

Yes, 6 No, 0

It was moved by Corcoran and seconded by Olesen to adopt T 57.

President Corcoran: Is there anyone who believes the emergency clause is justified in this instance? It was moved by the Chair and seconded by Olesen to adopt. Are there any questions or comments on that? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Passed unanimously and becomes ordinance 4849-2011.
Permanent Ordinance No. 4849-2011

President Corcoran: T 59.

Clerk of Council Smith:

T 59-2011 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION FOR A TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY THE CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94, BY RHENIUM ALLOYS, INC., AN OHIO CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.
Second Reading

T 60-2011 A RESOLUTION AMENDING THE CITY OF NORTH RIDGEVILLE PUBLIC RECORDS POLICY BY ADDING A DEFINITION OF "TRANSIENT RECORD".
Second Reading

President Corcoran: That is the end of second readings. Third readings, T 51.

THIRD READINGS:

Clerk of Council Smith:

T 51-2011 AN ORDINANCE AMENDING ORDINANCE NO. 4778-2011 ENTITLED
4850-2011 LEGAL GAMING REGULATIONS.
Third Reading

It was moved by Olesen and seconded by Boose to adopt T 51.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Measure passed and it becomes ordinance number 4850-2011.
Permanent Ordinance No. 4850-2011

T 52-2011 AN ORDINANCE REPEALING NRCO SECTION 3979-2004 AND REPLACING
4851-2011 IT WITH NEW REGULATIONS GOVERNING ADULT CABARETS AND SEXUALLY ORIENTED BUSINESSES.

Third Reading

It was moved by Boose and seconded by Buescher to adopt T 52.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Measure passed and it becomes ordinance number 4851-2011.

Permanent Ordinance No. 4851-2011

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran: The next regular Council meeting will be held Monday, June 20, 2011 at 7:30 P.M. right here in Council Chambers.

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, this meeting is adjourned.

Meeting adjourned at 8:31 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on June 20, 2011.