

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
SPECIAL MEETING OCTOBER 24, 2011**

CALL TO ORDER: 6:00 P.M.

President Kevin Corcoran: I call to order the Special Council Meeting.

ROLL CALL:

Present were Council Members Nancy Buescher, Dennis Boose, Richard Jaenke, Robert Olesen, Bernadine Butkowski, President Pro-Tem Roseanne Johnson and President Kevin Corcoran. Also, present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Law Director Andrew Crites, and Clerk of Council George Smith. Absent was Engineer Scott Wangler and Auditor Chris Costin.

President Corcoran: Clerk, could you read the notice, please.

READING OF NOTICE:

Clerk of Council Smith: Notice of Special Council Meeting. Notice is hereby given that a Special Council meeting will be held on Monday, October 24, 2011, 6:00 P.M., North Ridgeville City Hall, Council Chambers, 7307 Avon Belden Road, North Ridgeville, OH 44039.

The purpose of this meeting is to adjourn into an informal Committee of the Whole to discuss the proposed amendment of ward boundaries per the results of the 2010 U.S. Census and to make recommendations to Council.

The Special Council meeting is scheduled by order of Mayor G. David Gillock.

President Corcoran: That being said, what we are going to do is adjourn into that Committee of the Whole Meeting.

It was moved by Olesen and seconded by Boose to adjourn into the Committee of the Whole Meeting to discuss ward boundaries.

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

Yes, 7 No, 0

President Corcoran: The meeting is adjourned and we will move into our informal meeting.

COMMITTEE OF THE WHOLE:

President Corcoran: We will gather around the table as it is much easier to show you the drawing then try to explain.

President Corcoran: Here is how this started out. We received the information from the Secretary of State saying that we had the census information and the population was reported as 29,465 people. From there, you divide that by four and it roughly averages out to 7,366 people per ward and that is all by population. What we were able to do was to get the Census Bureau to send us these nice big maps along with the data block information. The important part of all this is the data-block information. On your small version of the map that I handed out, you couldn't really see anything because it is all right here on the bigger map. If you look at the map and we will start in the upper corner here, there is a little 1000 there and according to the Census Bureau's numbers they will tell you that in section 801.01, section 1000, there are so many people living in that section. That is how they figure out the population. They do all these ward lines for local, state and federal elections all based on these block numbers. Once we had that information, the question is what do you do with it? Andy wound up going to a seminar and in listening to a Professor from Cleveland State, who was basically explaining the process and also was in a sense, offering his services for a fee. That fee was pretty expensive from what I remember.

Law Director Crites: It was like 2500 to 3500 bucks for what we wanted to do.

President Corcoran: Then there was an opportunity to get software that will help do this project, but that Andy looked into and the cost was about 7,000 dollars. I talked to the graduate student at Cleveland State who put together the map for Avon Lake and he said it would take him anywhere between 60 and 100 hours and it was going to be 20 dollars an hour. So, I am looking at all these different possibilities of spending money and really, it is tedious work, but it is not really difficult work and I figured why spend the money if we don't have to. I took the project on myself and I have been questioning my sanity ever since. The problem was getting the block data from the Census Bureau, which was key to this whole project because they have a website that you could go to and a map that you can get into where you can try to find the information yourself, but I tried and I know some other people tried. We couldn't figure out the mapping system, so we contacted the Census Bureau employee who then forwarded everything to us. It was easier because they truly got involved.

Council Member Butkowski: Did they charge you anything to send that to you?

President Corcoran: No, it was all sent by email and I will pass this around. I only printed off the first two pages. I didn't print off all the data, but this is the way it was sent to us. This is the Census Bureau's information sent on an excel spreadsheet and you can see on here when you get it, that it shows you the census tract number, which is the bolder 806, 801 numbers and then it also tells you the block number like that 1000, 3000 and so on. So, we will go back to 801.01, which is right here and block number 1000 shows it has 208 people living in this section right there. Everything east of that line; north of that line; west of that line; south of that line; in this little triangle thing, there is 208 people that live there. So, I will pass this around to everybody so that you can see that is the way it originally came and then, what I did was, and I used ward two because it only printed out on one sheet, but I sorted the data and actually looked through here and figured out, okay 801.01 is in ward four and block 1000 is in ward four and so you just tie it all together. I sorted it out and the way ward two came out originally was that it had 5,740 people in that ward. Now we know that we have to get to 7,366 because it is the average and right now it is under the average by quite a bit. By law, you can come within five percent of the average. So, a ward could have five percent above or five percent below. It does give you some wiggle room to try and work with, but the biggest problem with ward lines is that they have to be boundaries whether they are streets, railroad tracks, ditches, or turnpikes. They all have to flow according to those lines.

Law Director Crites: That is per Charter. That is general law too, but our Charter specifically says that. (More was stated, however it was inaudible)

President Corcoran: That does make things a little bit difficult when you are moving puzzle pieces around; you have to follow those boundary lines. There was a couple ways you could do this. You could start over from scratch and just draw four lines and try to figure out the wards from there, which is a lot more difficult. The easier way of doing it was taking the existing ward lines and just bumping them around based on the population numbers that we are dealing with. That made more sense to me so, that is the way I approached it. I knew from the current population numbers or ward numbers that we had to grow wards two and four. Ward three was okay the way it was and ward one had to shrink by a lot. These black lines on this map are the existing ward lines, which is different from that map. This shows both on here. That just shows the proposed. So, you had ward four originally coming and ending in this section right here. In order to grow, you had choices. It was either going to grow to the west or it was going to grow to the southwest and south. Again, moving puzzle pieces around worked out where growing this way made some sense and the reason why it all kind of fell into place. Section 807 is everything south of the railroad tracks and that is the Census Bureau's track number. When you pulled all the 807 out, ward three would then have 7,471 people, which is pretty close to the 7,366. It is only up 1.4 percent. It made it real easy then to start doing the math because you took care of that whole section; then you knew that was taking out a big chunk from ward one and it allowed ward four to grow. So, you had that taking ward four and pulled in parts of 3A, 3B and maybe part of 3C, I can't remember, but anyway where this line is and it follows the ditch that runs along here. Ward four then has 7,379 people, which is, statistically, almost even. Ward two bumping it out as the ward line used to be along Jaycox and moving it over to Ridgeview and taking in a couple of those other streets, but still sort of, you can see from the black line, you still had this little weird configuration right there, but kind of sticking with that ward two then comes out at 7,365, so one person less than the average and then ward one finishes up at 7,250, which is minus 1.6 percent from the average, but still within that five percent range.

Council Member Johnson: So, essentially, it is less than two percent.

President Corcoran: Correct. Everything is either almost statistically equal or less than two percent either way. So, it is as close and I'm sure you can fool around with this even more and come out with different numbers, but it is as close as you can get to the average and as a bonus for the next time that this has to be done, in ten years, kind of lends itself, if you follow the same theories to doing it this way the next time as well. It makes sense, like this section right here would get added to ward four, the next time and ward three then would grow because you have Waterbury in here. Ward two could pull in this chunk and add more people there and ward one will still grow because of Meadowlakes. Lines could be moved, but it is pretty easy to do it this way the next time too.

Council Member Butkowski: It looks pretty good because you haven't split housing developments. That is why this goes here because of that housing development. We aren't splitting housing developments or neighborhood things. You've got some pretty standard lines here.

President Corcoran: This is the railroad tracks, which made it real easy.

Council Member Butkowski: This is 83, which makes it real easy. This is probably the hardest section.

President Corcoran: That is the weirdest spot, but it is amazing how many people live in this one section right here and ward two had to grow by 1,000 people and they are all right in there.

Council Member Butkowski: Take a ride down there and you'll see why. But, this is a ditch which pretty well divides that too, so you've got all the people on both sides of the road on Root Road that way too. You didn't split the road or anything. It looks pretty good.

Council Member Olesen: The only thing that is going to happen is that there are only two wards that are growing now and unfortunately that is three and one. So, this will be heavy on that side before we know it, but there is nothing we can do about that at this point.

President Corcoran: Right, that is the problem, Bob. You can't accommodate for future growth. You have to just take the numbers as they are and that is what I did and they are, like I said, the average size. That is all you can do.

Council Member Buescher: It is really clean too.

Council Member Jaenke: Mr. President, I think ward three with regard to moving the line south of the railroad tracks just makes sense.

Council Member Buescher: I don't know if anyone knows this, but that area was part of ward three before the last census and then all of this was given to ward one. I was quite sure that this is exactly the way it would go.

Council Member Boose: I would say from my point of view that I agree and I would like to thank Kevin for all the work. He took it upon himself to do it and logically, what you've done makes sense.

Council Member Olesen: Do you see us ever going to five wards?

President Corcoran: I don't see it, Bob. You would have to do all sorts of changes. If you want to add another ward, then you would have to add another At-Large spot because you always have to have an odd number of Council people. That would be the first hurdle is the Charter. As you can see in a place like Cleveland, they added so many people and now they are starting to take Council people away. That is a job for somebody else.

(Comments were made but were inaudible)

Council Member Olesen: Kevin is there a written version of this map.

President Corcoran: I didn't put any legal descriptions together because I wasn't sure exactly how this was going to be received and if there was going to be any questions or if it was going to have to be changed. Right now, what you see is what you get. Putting together a description will be easy for ward three, but everything else is a little bit complicated.

Council Member Boose: On the new lines; for example on the old lines; if you went into ward two, this line was on both sides of the street. Is that what you have too or is it just on one side of the street?

President Corcoran: The line is supposed to be in the middle of the street.

Council Member Boose: So, both sides of the street would be in ward two?

President Corcoran: No, if a line goes down a street, like in Ridgeview, the right side is going to be in ward two and the left side will be in ward one. We have that issue on Lear Nagle too. You have it on Ridgeview, part of Rosebelle, Poplar.

Council Member Boose: Which is fine. I just wanted to make that clarification because as you can see on the ward map, the line was not on the street; it was on the side of the street.

Mayor Gillock: You can do that.

Council Member Boose: It doesn't need to be. I'll be honest, until I looked at this; I thought one side of the street was just different. I just wanted to make that clarification.

Council Member Johnson: Thank you, very, very much.

Council Member Olesen: (comments were made but not all clear) It is a dead end, so actually this must be Center Ridge to Root.

President Corcoran: That is Center Ridge. Yes, to Root right there, but then it follows the ditch from that point forward. It goes down Root and then cuts and follows the ditch.

Council Member Butkowski: That is the Corner Store.

President Corcoran: As Bernadine just mentioned, there is the Corner Store right in that section and that is it.

Council Member Olesen: I would have both sides of this.

President Corcoran: No, you would have everything east of the ditch. Nancy has everything west of the ditch.

Mayor Gillock: Elyria has seven wards and four at-large.

Council Member Olesen: I think you did a great job Kevin.

President Corcoran: Thanks.

Council Member Olesen: You can only do so much. You can't move boundaries of land.

Council Member Jaenke: The numbers balance too, that's the other thing. It is less than two percent. (More than one member spoke at the same time, inaudible)

Council Member Boose: I do have one question for you. How do your children feel about you using their colored markers?

President Corcoran: On a different map, I started using crayons, but they didn't look as good as the markers.

Council Member Butkowski: It used to be divided down this way and across.

Law Director Crites: If the Committee agrees to go along with the recommendations of the President of Council as represented by the maps, which indicates census blocks, then a motion would be proposed to direct the Law Director to draft legislation amending and drawing new ward lines of the four wards for presentation to Council. What happened between now and then is Kevin and I, mostly Kevin, would have the duty of turning that what appears to be digital information into a literal description of the boundaries. If you saw the previous ordinance, which was passed ten years ago; during the last redistricting, you would see that it is an actual verbal description of the wards. As an example, it would say something like, the west side of Root Road to the corner of Root and so on. I already have the skeletal form of the legislation and we just need a description of the actual physical description of the boundaries and it would be presented to Council as soon as possible.

Council Member Jaenke: Will it need three readings on this?

Law Director Crites: The better question Richard is does the Charter prohibit any readings to be waived or it to be passed with the emergency. The Mayor, if he is listening, would probably know better than I. I don't know of any provision. It doesn't involve zoning or special assessment, so I think it can be passed in one meeting.

Council Member Boose: It just needs to be passed before the end of December.

Law Director Crites: Yes, by Charter, even if you pass it today.

Mayor Gillock: I just think because of the importance of this and because you only have to do it every ten years, that you take your time on this ordinance. You should work on getting a digital copy out to Council.

Law Director Crites: It's a good idea to not force it through.

President Corcoran: Actually the problem was in trying to find that digital copy and first, as far as the time line was concerned, I talked to Andy about this. If we get the legislation put together and it appears on Monday's agenda, that would make it, its first appearance. Then it goes to its first reading during the second meeting in November, and the second reading then occurs at the first meeting in December and the third meeting, when we pass it and approve it, would be at that last meeting in December. It would meet the timeframe.

Law Director Crites: I propose that having this meet tomorrow's cloture sounds like a long shot. There is no reason that we couldn't bring it to Monday's meeting and suspend the By-Laws, just to put it on the agenda and give it its first reading.

Council Member Johnson: We can do a Committee Report from the Committee of the Whole.

Mayor Gillock: You would have to suspend the By-Laws because you can't submit legislation during the same meeting a Committee Report is being presented.

Law Director Crites: Once you suspend the By-Laws, you suspend it for the whole meeting, but By-Laws would have to be suspended as it relates to

Council Member Johnson: But you can't submit the legislation by tomorrow.

Mayor Gillock: You can suspend a reading down the road if you have to. I would do my best to have it enacted by the end of the year. Believe me; we are not going to challenge it if it went to pass. I think the ORC says by the end of the year. That is all.

President Corcoran: So, if we have the Committee Report that appears and although it might not meet cloture for tomorrow, but we could do the legislation before Monday and so, we could still have it appear Monday.

It was moved by Johnson and seconded by Buescher to direct the Law Director to prepare legislation to re-divide the wards according to the map presented.

President Corcoran: Any questions on the motion? All in favor say yes. Those opposed say no.

Yes, 7 No, 0

Mayor Gillock: I have a question. If the legislation is sponsored by the Committee of the Whole, does it have to go to Committee?

Law Director Crites: No. It has already been. Let's say I drafted legislation and brought it up at the meeting, President Corcoran referred it to Administrative and Building and Lands Committee. By your By-Laws, it automatically would be treated and sent to the Committee of the Whole, so this is just a Committee meeting to make recommendation.

President Corcoran: Somebody else asked a question and I can't remember what it was.

(Comments were made, but were inaudible)

Council Member Buescher: The good ole days.

Mayor Gillock: I think this is a great job. I really do. It was really fortuitous that ward three just fell into place. It works very well.

President Corcoran: That made it easy.

Mayor Gillock: I think it was a great job.

Council Member Boose: Once it is passed after the third reading; assuming that it would pass after the third reading, then what happens? We need to take this to whom?

Law Director Crites: I would imagine, as I have never done this before, but I would imagine that a certified copy of the adopted legislation would go to the Board of Elections.

Mayor Gillock: They are waiting on it right now.

Council Member Boose: Is there a preferred method of what they want so that we make sure we give them what they want, so they don't throw it back at us and we have to go through this a second time.

Law Director Crites: Precisely, that is what is going to cause us to. . . because those block descriptions do adequately describe the wards. If we did the legislation defining the new wards without those block descriptions and sent it to the BOE, they would kick it back.

Mayor Gillock: All they really want is the ward and that description so they can divide the precincts up.

Council Member Boose: As long as that verbal description is provided, such as go north on Jaycox to this street, then go west down this street.

Mayor Gillock: All your ward lines go down the middle of the dividing lines.

President Corcoran: The precincts are put together by the Board of Elections. We have nothing to do with that. As far as trying to get an electronic version of this put together, I know that the Fire Department has a woman who puts together their maps, but her map doesn't have the ditch, which is the big thing.

Mayor Gillock: Andy Schenman did the last one.

President Corcoran: Supposedly he is no longer there. That was going to be my next step. I was going to talk to them. Really, all we need since we have the map from the Census Bureau, all we need is somebody with some Photoshop skills who can color in sections. It is just finding the right person.

Mayor Gillock: We have the platform or the base map of the City. We use it in Parks and in different things. We have a map of the City that we could put basically anything on there.

President Corcoran: Do you have ditches on that map?

Mayor Gillock: Yes.

Council Member Boose: Can Steve do that?

Mayor Gillock: I don't know. We can ask.

President Corcoran: If Steve can do it, then literally, it should only take a couple of minutes. I'll ask him tomorrow.

Law Director Crites: If push came to shove, (comment was inaudible).

Mayor Gillock: We have that map, we have the flood zones on it, and we have our zoning on it.

(Comments were made that were inaudible)

President Corcoran: It just seemed so easy. It was pretty logical to me when I was doing it. One of the newspaper reporters called me and asked if I expected to have any questions or problems and I couldn't think of any because it was pretty straight forward.

Law Director Crites: All the problems that don't exist in North Ridgeville were discussed during a seminar I went to. A guy, out of an hour, spoke for 55 minutes on case law in regards to battles over wards which most came down to socioeconomics and most commonly racial issues. Those issues don't exist in North Ridgeville.

President Corcoran: I think, Andy, if you started over and drew new lines, I think then people would start to question why that line is there instead of over here, etc. At least this way, I can say that they were already there. I just moved them around. This way it lends itself to less questions.

Council Member Butkowski: Actually the residents too much don't have a fit about it.

Law Director Crites: Don't we need to adjourn the Committee Meeting?

President Corcoran: We already did, now we have to adjourn the Special meeting.

ADJOURNMENT:

President Corcoran: Seeing no other business can be brought up in this meeting this evening, the meeting is adjourned

Meeting adjourned at 6:34 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on November 7, 2011: