

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING APRIL 19, 2010**

CALL TO ORDER: 7:30 P.M.

President Corcoran: I call to order the Regular Council Meeting of Monday, April 19. Please stand for the invocation and pledge of allegiance.

INVOCATION: lead by President Corcoran.

PLEDGE OF ALLEGIANCE: by all.

ROLL CALL:

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

Absent was Council Member Nancy Buescher.

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

MINUTES - Corrections (if any) and Approval:

Public Hearing Minutes of April 5, 2010 re: Agricultural District application

President Corcoran: Are there any corrections to those minutes? Seeing none, those minutes are approved.

Regular Council Minutes of regular meeting held April 5, 2010

President Corcoran: Are there any corrections to those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note:

Board of Zoning and Building Appeals Minutes of regular meeting March 25, 2010 and Planning Commission Minutes of regular meeting April 13, 2010.

LOBBY:

President Corcoran: We come to the lobby section of the meeting. This is your opportunity to talk to us. We ask for you to fill out a form in the back with your name, address and phone number so that we can get in contact with you if there is a need for followup. Please limit yourself to three minutes. If we have an answer to your question, we will try to keep them brief, but this is a Council meeting and not an open forum. So, don't expect answers to everything you

might bring up, since you have us at a disadvantage. You know what you are going to speak about and we don't. With that being said, the lobby is open. Come on up. Please remember to state your name and address before you start speaking.

1) Paul Papes of 5240 Lear Nagle spoke regarding four Federal Express trucks he saw driving down Lear Nagle Road illegally and provided pictures that he took of these trucks. He also spoke regarding the support car program and how he has asked for the cost on it. He stated that he hasn't heard from anyone in regard to the cost of this program. He also spoke about a City employee, who had a police record, went through the police screening, was hired and convicted while he was an employee by the City.

President Corcoran explained that Mr. Papes' three minutes were up and explained that he could have another opportunity to speak after other people had the chance to speak.

2) Robert Gaydash of 9400 Avon Belden spoke regarding the safety of the school children as it relates to the office building on Center Ridge Road.. He also spoke regarding the rules of the book and stated how he has met those rules but still got put out of business. He stated that this office building didn't even come close to meeting those rules, even though they received approvals from Zoning Board of Appeals. He stated that the same people that took his zoning away from him, approved that building right there. He wished that someone would explain how the Zoning Board of Appeals works in this community. He referred back to his original subject matter regarding the safety of the school children and stated that he just wanted to be told that it isn't a safety factor for school children at that business property.

President Corcoran addressed Mr. Papes and asked if he would allow him to check with everyone else to see if they would like to speak before he speaks the second time. He asked if anyone else would like to speak. He advised Mr. Papes that he could speak again, but he would have to limit his topic to a different subject matter than the one he spoke on previously.

3) Paul Papes of 5240 Lear Nagle spoke regarding a flyer that has been found in mailboxes regarding issues 16, 17 and 18 and stated that rumor has it that the Safety-Service Director was seen putting up signs regarding 16, 17 and 18. He asked if this was true, why would a Safety-Service Director be putting up signs. He spoke again regarding the police support program and asked for answers. He reverted back to his original subject matter relating to issues 16, 17 and 18 and stated that as far as the vote goes on issues 16, 17, and 18, he would be voting no.

4) Bob Slovak of 7145 Case Road spoke regarding the importance of passing issues 16, 17, and 18 and stated that to give up this levy would be a big blow to this City. He explained that the City will lose some people if the levy isn't passed and continued to explain that the City has worked hard to get to the point where departments are capable of being run by themselves. He asked why would someone want to take something away that the City has worked so hard on.

Safety-Service Director Armbruster addressed the President and explained that he did put up levy signs, as he supports it fully. He continued to explain that for 40 years this community has established levies to support Police, Fire and Street Departments. It was chosen that way by the residents of the city of North Ridgeville. He explained that through the process, he has put up signs all over the community on his own time and driving his personal truck in support of these levies as the City moves forward. There is no question that somebody has probably seen him placing those signs in appropriate places for these levies, as he again stated that he strongly supports the passage of them for the city of North Ridgeville.

President Corcoran addressed Mayor Gillock and asked if he wanted to comment.

Mayor Gillock explained the support car program as he has in the past; noting the benefits the support car program provides the City. He stated that there isn't a specific cost associated with this program and if there was a specific cost, the benefits the City gains by having the support car program would outweigh any costs. He explained that the Officers who live in the City keep the vehicle they are driving and the Officers who live outside of the City, except those that are grand fathered in, do not keep the car. The Officers who take their vehicles home are parked in the neighborhoods of the City which makes residents feel safe. He explained that the two digit numbered cars are the support cars that are assigned to individuals who live in the City and the three digit numbered cars are fleet cars shared by Officers. He continued to explain that the Police Chief provides monthly reports regarding the support cars which shows how the Officers are using them. He explained that if an Officer who is in the support car program sees another Officer stopped, they are to stop and help that Officer. He explained that a support car will last the City six years as the Officers maintain them on their own. A fleet car, one that is shared by Officers, will only last three years. It costs the City, he explained, money to replace those cars, light bars, etc. So, the trade off is right there and the program works and it really is a benefit to the City.

President Corcoran thanked the Mayor and asked if there was anyone else that would like to speak. He addressed Mr. Gaydash.

5) Robert Gaydash of 9400 Avon Belden Road stated that he brought in paperwork the last time he came which he put a little bit of work into and stated that he thought Council should give a little respect and actually review paperwork that the residents provide them. He offered to take aerial photos of some areas in the City as he believes that there are some serious things to be looked at. He believes that he has some interesting points relating to the financial problems. He again asked that Council at least take a look at paperwork that the residents bring in and explained that in the future, he will bring in some suggestions.

President Corcoran thanked Mr. Gaydash and addressed Mr. Papes and asked if he wanted to speak again.

6) Paul Papes of 5240 Lear Nagle Road disagreed with what the Mayor said relating to the support car program as he has spoke to Officers and was told something different.

President Corcoran thanked Mr. Papes for coming and asked if there was anybody else that wanted to speak during lobby session. Seeing none, he moved the meeting on to the Administrators Reports and addressed Mayor Gillock.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you, Mr. President. I have two quick items this evening. The first one is that weather permitting, from next Monday, April 26 starting at 9:00 A.M. through Friday, May 7 at 5:00 P.M., the railroad crossings at Maddock and Root Road will be closed for installing railroad ties, track leveling, repaving of the crossing and other needed repairs. Signs will be posted for the detours. Work is being performed by Norfolk Southern Railroad. The city of North Ridgeville apologizes for any inconvenience. It would have been worse, as they wanted to close Race Road also. I told them that they couldn't close all of our routes. So, they are going to go with these two and come back and do Race Road at a later time.

The second item I wanted to briefly touch upon is this Wednesday, at the Education Center, there is a PUCO Public Hearing regarding First Energy. North Ridgeville has been very involved and in the forefront of the all-electric home issue. Our own Council President has been right out front in that discussion. This meeting, this Wednesday, is not in regard to the all-electric home issue. It is open to the public, but it is really in regard to the First Energy Electric Security Plan which has to do with their transmission costs, economic development, their delivery capital recovery rider and other issues such as that. It is not involving the issue of all-electric homes. I am not trying to discourage anyone from going and participating. You may even get a chance to speak. I don't know. It may be like our lobby where you can speak on whatever you want. I don't know, but the purpose of the meeting is not the all-electric home issue. I just want to make that clear. I didn't want residents to think that, that is what it was and they get to the meeting and find out it was something different.

President Corcoran: Mayor, may I interrupt for just one second. That meeting is about a rate increase and it is about 390 million that they are asking for so, it does affect every resident in the City. If you want to find out more information about it, the all-electric group does have the information posted on their website. Again, it is not an all-electric home issue, it is an issue that affects everybody, but if you go to allelectrichomes.info, you can find out about this meeting that is on Wednesday and please attend unless you want to see your electric bills go up.

Mayor Gillock: I'm not sure that is what will happen, but to just expand on that a little bit, First Energy filed an application with PUCO regarding its rates and the PUCO staff, city of Cleveland

and the Ohio Manufacturers Association all signed the agreement. The Ohio Consumer's Council and members of the Ohio Consumer Environmental Advocates did not sign it and so what they are concerned with are four items. The first one is the delivery capital recovery rider, which First Energy wants to collect up to 390 million that Mr. Corcoran mentioned. They are also discussing their transmission expansion costs which First Energy has proposed moving those costs from one organization to another. They have also talked about lost revenues that First Energy wants to recover. The additional lost revenues were the result of the decline in energy uses. That could run up to 100 million dollars and the last item is the economic development. They want to provide special rates to some organizations calling them economic development job retention deals. This could be an additional 70 million dollars. So, you are talking approximately 550 million dollars here in rate changes. That is not a small issue and I encourage the public to participate. I just don't want you to be misled and think that it was about the all-electric home issue that we have been very much involved in.

President Corcoran: Thank you, Mayor Gillock. Safety-Service Director Armbruster.

B. Safety-Service Director:

Safety-Service Director Armbruster: Thank you, Mr. President. We are at 87.5 percent installation on the water meters. The letter that I gave you as a sample that went out to zones four, five and six of which there are 386 customers that received this. We received 78 almost immediate responses back to get them set up to install their new water meter. As we wind down the project, we have in zones one, two and three, 74 in zone one, 36 in zone two and 58 in zone three that the homeowners have not responded in any way what-so-ever to our ability to gain access into the home. So you are aware, as we move forward on this project, some of these homes might be abandoned and their water meter is there. What I mean by abandoned is that some may be in the bank's hands but, as we move forward on this, the only avenue that we have as a City is the fact that the water has to be turned off if there is nobody that is going to allow us the response to get into the home. That is something that will happen, quite honestly, sometime in May but, we will make sure that we can document the registered letters that did go out, so that if we can contact them by phone, we will work with the resident in any way what-so-ever to try to gain access; including fixing their water meter on Saturday. So we are going at great lengths. Mayor Gillock certainly doesn't want any water to be shut off, but wants to be fair to all the residents that have allowed the access for this to happen. As we move forward, I look forward to it becoming a very small number rather than the 554, right now, that we haven't been able to gain access to. That concludes my report.

President Corcoran: Thank you, Mr. Armbruster. Engineer, Mr. Griffith.

C. Engineer:

Engineer Griffith: Thank you, Mr. President. Tonight, I make what has become almost an annual appeal to residents who live along our ditches, streams and water courses. As the grass clippings

and tree and shrub trimming season comes on us, we continually find residents that deposit such debris along the banks and in the beds of our water courses. Placing them in our ditches and streams can result in two problems. One, this debris can clog and block the drainage courses, which can result in flooding and two, in the process of decomposing, the debris removes oxygen from the water, which kills the aquatic life in the water that depends on that oxygen. The Engineering department is about ready to send letters to all of the residents in one of our subdivisions, letting them know they are violating North Ridgeville Code Section 1056.08. In this particular case, the subdivision residents are responsible for their own retention basin and thus, all the residents in the subdivision could be affected. As the debris enters the retention basin, the debris could block the outfall causing area wide flooding, plus increase the cost to the Homeowner's Association, as they are responsible for removing the debris, both to clear the outlet and to keep the basin clean. If the residents are not composting in some manner, this material should be bagged and left to be picked up with the regular trash. That concludes my report this evening.

President Corcoran: Thank you, Mr. Griffith. Auditor Costin.

D. Auditor:

Auditor Costin: Thank you. Two items of business on the Auditor's agenda. Number one is the Financial Report and to make sure that Council had received their copy of the March 31 City report and secondly, I would like to draw Council's attention to two items under new business, T 58 and T 59. T 58 is a resolution authorizing advances from the General Fund to Federal Funds and State Grant Funds. We have several grants that the City expends money from that are expenditure driven, which means, we have to spend the money and get reimbursed by the Federal Government. So, annually, we need to advance monies. Typically, it is just Federal Grants. This year, we also have the State Grant for Olde Towne Hall. So, I would request that Council consider passing T 58 with the emergency tonight so that we can advance the monies to the State Grand Funds to allow me to sign the contract for the renovation of Olde Towne Hall. The second is T 59 and that is an amended appropriation ordinance. There are several items that came up that would require this amendment and I can defer to first readings to answer any specific questions. The major items deal with the appropriation of the advances we just talked about. A retirement that came up that wasn't appropriated for and repayment of the State Grant. I would request that the amended appropriation ordinance under T 59-2010 also be passed tonight with the emergency. Thank you.

President Corcoran: Thank you, Mr. Costin. Are there any questions for the Auditor on his financial report? That report will be filed.

E. Other Reports:

President Corcoran: Please note:

French Creek Waste Water Treatment Plant 2008 Annual Report;

Fire Department Report for February and March 2010;
Water System Operation Report for March 2010; and this evening we have a

Parks & Recreation Commission Liaison Oral Report. Mr. Boose.

Council Member Boose: Thank you, Mr. Chairman. We had a Parks & Recreation Commission Special meeting last Wednesday and at that meeting the Commission approved to spend up to 15,000 dollars from the Parks and Recreation Improvement Fund for the purchase and installation of sports turf floor covering for the Shady Drive Complex batting cage building. This is the last, hopefully the last piece of this project to be done. The floor covering needs to be done so that the equipment that is in there as well as the participants that use the facility will be protected. We did receive several bids. None of the specific bids were accepted at that particular meeting last Wednesday. They will be discussed further and one of them will be approved at the regular Commission meeting next Wednesday, but we wanted to have Council's approval, hopefully, of the expenditure so that once we do decide on the winning bid that we can move forward as quickly as possible because as we are all aware, baseball is starting and we want to utilize that facility as quickly as possible.

 moved by Boose, seconded by Olesen to allow for up to 15,000 dollars from the Parks and Recreation Improvement Fund to be used for the purchase and installation for sports turf floor covering for the Shady Drive Complex batting cage building

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

 Yes, 6 No, 0

Clerk of Council Smith: Motion passes with one absent.

President Corcoran: Thank you, Mr. Boose. Moving on to Council Committee Reports.

COUNCIL COMMITTEE REPORTS:

Clerk of Council Smith:

1) UTILITIES COMMITTEE REPORT #6284 dated April 5, 2010. Member of Council: We have considered the matter of the current annual anticipated balances on the Sewer Fund (Fund #650) and the Sanitary Sewer Improvement Fund (Fund #690) and request the Administration work with CH2M Hill to expedite the completion of the current French Creek Waste Water Treatment Plant rate study for our immediate consideration.

Signed: Members Nancy J. Buescher and Bernadine Butkowski and Chairperson Dennis Boose.

President Corcoran: There is no action for Council to take, so we will just note the report.

President Corcoran: Let me just interrupt. The agenda is incorrect. The report is coming from the Building and Lands Committee, which is what the agenda says, but the details you will have to listen to the Clerk as he reads them. Please start again.

Clerk of Council Smith:

2) BUILDINGS & LANDS COMMITTEE REPORT #6285 dated April 9, 2010. Members of Council we have considered the matter of the Parks & Recreation Commission's recommendation to Council of approval of a proposal presented by the Friends of the Park to dedicate 3.5 acres of City property located off of Bainbridge Road for the development of a Dog Park and recommend authorizing the Mayor, Safety-Service Director and the Parks Director to consider other locations in addition to the 3.5 acres on Bainbridge Road.

Signed: Members Nancy J. Buescher and Richard W. Jaenke and Chairperson Robert W. Olesen. Council Member Olesen: Mr. President, this was not an up or down vote for Building and Lands. We don't have that authority. This was a recommendation that we look at some other sites. We were a little concerned about the noise in the backyards of Root Road residents. We discussed some other sites in that meeting that I think can be looked at through the Mayor's office and that was the extent of that meeting. We just feel that we look at some other sites.

President Corcoran: Thank you, Mr. Olesen. Again, there is no action for Council to take, so we will just note the report made by the committee.

President Corcoran: Moving on to correspondence.

CORRESPONDENCE:

President Corcoran: There is no correspondence this evening.

OLD BUSINESS:

President Corcoran: There is no old business. Moving on to new business.

NEW BUSINESS:

Clerk of Council Smith:

Received from Stephen A. Joseph a Petition for Change in Zoning Classification from B-1 Neighborhood Business District to I-2 Light Industrial District for property located on the south side of Sugar Ridge Road approximately 260 feet east of Maddock Road and being Permanent Parcels No. 07-00-026-102-018 and No. 07-00-026-102-019.

President Corcoran: The Chair will refer that to Building and Lands.

Clerk of Council Smith:

Request for a C1 and C2 liquor permit transfer from Additron Chemicals, Inc., DBA KC Convenient, 33600 Center Ridge Road to JV Stores Inc., DBA KC Convenient, same address.

President Corcoran: The application itself does not request a hearing and unless there is any objection, we will allow this permit transfer to be sent to the State for final disposition.

Council Member Boose: Mr. President, just one question. Prior to the current owner taking over

that location, there were some concerns from some residents about the underground storage tanks not being properly dealt with. I don't know if that is an issue still. I know that since they have taken over, they have cleaned the property up and it is up and operating, but is there any issue with that, that we need to know about before we move forward with this application or is now the time?

Safety-Service Director Armbruster: Mr. President, being in the business as many years as I have been is that the EPA and Bureau of Underground Storage are, on a yearly basis, making sure that the tanks have the integrity that they should have and they are under constant scrutiny. There is no service station or convenience store that sells fuel or even trucking operations that might sell fuel to themselves, that is not under the scrutiny of the BUSTR or the Ohio EPA through the process from stage two all the way down to the tank tightness tests that they go through. So, I would not be concerned about those tanks in any way whatsoever, at this point. They have to meet the guidelines and if they don't meet the current guidelines, then they have to be yanked and new tanks and new lines have to be put back in.

President Corcoran: Thank you, Mr. Armbruster. Is there any objection, then to send this down to the State? Seeing none, we will do that.

Clerk of Council Smith:

Request for a D1 and D2 liquor permit for Cafe 83, LLC, 36033 and 36097 Westminister Avenue.

President Corcoran: Again, is there any objection to not requesting a hearing and sending this permit to the State for final disposition? Seeing none, we will do that.

Clerk of Council Smith:

Planning Commission recommendation to Council of their regular meeting April 13, 2010.

T 29-2010 An ordinance vacating a thirty (30) foot wide unimproved street located approximately 725 feet west of Race Road and beginning on the south side of Sugar Ridge Road

PC ACTION: Approved the request to vacate and recommend that Council pass temporary ordinance T 29-2010 by a vote of four to zero.

Council Member Olesen: Mr. President, this is the same thing we've been talking about. The first time, Planning Commission bypassed the vote on this to get more information from us. We did take a look at the property and we have mentioned that. We feel that the only thing we can do with this property is to vacate it.

moved by Olesen, seconded by Butkowski to approve Planning Commission's recommendation

President Corcoran: Is there any objections to that? We approve their recommendation. There will be a public hearing on this matter on June 7 and I will mention that at the end of the meeting when I mention upcoming meetings.

Clerk of Council Smith:

T 53-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO PURCHASE A CRACK SEALING DISTRIBUTOR AND ALL APPURTENANT ACCESSORIES 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 \$50,000.00.

moved by Mayor Gillock, seconded by Johnson to suspend By-Laws to give T 53 a first reading this evening

President Corcoran: Are there any comments?

Mayor Gillock: Mr. President, if possible, we would like to get this passed this evening. We don't need the emergency on it, but if we could dispense with the second and third reading, because we still need to go to bid or go to the State Co-op and right now, our crack sealer, which they will take on trade-in, is basically not functional. We are using a loaner. So, we would like to get this purchased so we can seal the streets.

President Corcoran: Thank you, Mayor. All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

President Corcoran: T 53 will have its first reading this evening.

Clerk of Council Smith:

T 54-2010 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR PHASE 1 OF THE FRENCH CREEK AIR LINE MODIFICATION PROJECT, NOT TO EXCEED \$325,000.00.

Mayor Gillock: Mr. President, I would ask to yield to the Safety-Service Director.

Safety-Service Director Armbruster: This is one of the ongoing projects out at French Creek, which was in the budget to move forward and we would like to move as quickly as possible on this repairing and putting in of the air line. As the weather is breaking, I don't want to have this not done by October of November of next year. So, if we could, we would like to move forward on it and I would like to see the second and third readings dispensed. It doesn't have to pass by the emergency, but if we could dispense with the second and third readings and move this forward, I would greatly appreciate it.

moved by Boose, seconded by Jaenke to suspend By-Laws to give T 54 a first reading this evening

President Corcoran: Are there any other comments? All those in favor say yes. All those opposed say no.

Yes, 6 No, 0

President Corcoran: T 54 will have its first reading this evening.

Clerk of Council Smith:

T 55-2010 AN ORDINANCE REPEALING ORDINANCE NO. 4124-2005 TO ELIMINATE THE JOB TITLE “CHIEF DEPUTY CLERK”, AND AMENDING NRCO CHAPTER 220 COUNCIL.

T 56-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PARTS AND THE EMERGENCY REPAIR OF THE ULTRAVIOLET DISINFECTION SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT WITHOUT FORMAL BIDDING AS A RESULT OF AN EMERGENCY SITUATION ARISING IN CONNECTION WITH THE OPERATION OF A MUNICIPALLY OWNED UTILITY IN AN AMOUNT NOT TO EXCEED \$28,184.00.

Safety-Service Director Armbruster: Mr. President, this piece of equipment is actually the ultraviolet. As the affluent is flowing underneath it, it actually uses it as a disinfectant for a lack of another term. It is not working appropriately. We do need to fix it like now. As the weather gets warmer, you need this ultraviolet equipment in order to make sure that the affluent is completely disinfected as it is going underneath it. So, not only the first reading, I would like to have the second and third and the opportunity to have an emergency on this, this evening.

 moved by Olesen, seconded by to suspend By-Laws to give T 56 a first reading this evening

President Corcoran: Are there any other comments? All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

President Corcoran: T 56 will have its first reading this evening

Clerk of Council Smith:

T 57-2010 A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE NORTHEAST OHIO AREA-WIDE COORDINATING AGENCY (NOACA) FOR FUNDS THROUGH THE CONGESTION MANAGEMENT/AIR QUALITY (CMAQ) FUND, ASSOCIATED WITH THE CITY OF NORTH RIDGEVILLE’S PROPOSED CITY-WIDE SIGNALIZATION IMPROVEMENT PROJECT, AND FOR THE CITY TO PAY 20% OF CONSTRUCTION AND CONSTRUCTION MANAGEMENT COSTS, PLUS 100% OF ENGINEERING COSTS, RIGHT-OF-WAY COSTS (IF ANY), AND ENVIRONMENTAL COSTS (IF ANY), OF FUNDS AWARDED.

 moved by Mayor Gillock, seconded by Olesen to suspend By-Laws to give T 57 a first reading this evening

President Corcoran: Is there any discussion?

Mayor Gillock: Mr. President, we would like this one passed this evening with the emergency if we could. This is a resolution of support that is to accompany a grant application through NOACA for a city-wide signalization and improvement project. What we are doing at this point; through our consultant, is just applying for the grant. We don't have the numbers actually put together yet, but when you do a grant like this, they always want a resolution of support from Council so that they know that City Council knows what is going on and that we are applying for this grant. This is through NOACA. Actually, I believe the deadline for the grant was today and it has gone in by our consultant. We talked to him and said that we would be presenting this tonight and we could get this in as quick as we could along with the grant. We would like this one adopted with the emergency. There are no dollars involved at this point. If, when we get to the point, where there is a grant and it is approved for certain dollar amount, then we would have to appropriate and vote on spending our 20 percent, but at this point, we are not committing any dollars. Thank you.

President Corcoran: Thank you, Mayor. Any other comments?

Council Member Boose: Mr. President, though the resolution does indicate that we would be responsible for 100 percent of the engineering cost or right-of-way or environmental. Do we know, for example, what the engineering cost will be?

Mayor Gillock: Not at this point. I don't have the study. We are working with the consultant. Actually, do you have any idea on this Larry?

Engineer Griffith: As I recall, everything construction, engineering; everything was something like five million dollars. That was the total amount of money involved. I cannot remember how much of that was engineering though. Part of the reason why we are not real sure on the cost yet, is because it takes so long to get federal funds and we have other projects in the works. For example, the widening of Lear Nagle Road that will affect this project also as well as, for example, the proposed traffic signal at Lorain and the east bound I 480 ramps. There are still some variables involved that make tying down a cost very difficult.

Council Member Boose: Mr. President, I am just concerned that if we don't know what the costs are and I will defer to the Auditor, but I don't know what we will spend here.

Mayor Gillock: Mr. President, before we actually can commit to any dollars, we have to come back to Council with the engineering study and the exact numbers and get approval for our portion of the dollars to be spent. Right here, we are just putting in an application to be considered for the grant. We don't have the dollars specifically. That is why it says if any on the right-of-way, on the engineering and the environmental cost, the consultant's study will have to develop those numbers and then we'll come back and say does Council authorize one million dollars toward the five million dollar project and appropriate it and borrow the money; whatever we have to do.

Engineer Griffith: I might add that even though you get awarded a grant, if Council deems that the City can't afford it, you just turn it down.

Council Member Johnson: As I understand it, this is a resolution of support and an ordinance on the actual dollars will be forthcoming when we find out what they are.

President Corcoran: Right, we are not talking about spending any money right now. That will be a separate issue as I understand it.

Mayor Gillock: Correct, this is a resolution for it. One thing we do know is that you can't get a grant if you don't apply for it.

President Corcoran: Right, you got to be in it to win it. Any other questions about T 57? We have a motion by Mayor Gillock and a second by Mr. Olesen to give T 57 a first reading this evening. All those in favor say yes. All those opposed say no.

Yes, 6 No, 0

President Corcoran: T 57 will be added to first readings.

Clerk of Council Smith:

T 58-2010 A RESOLUTION APPROVING ADVANCES AND ADVANCE
REPAYMENTS OF VARIOUS FUNDS OF THE CITY OF NORTH
RIDGEVILLE, OHIO.

moved by Johnson, seconded by Butkowski to suspend By-Laws to give T 58 its first reading this evening.

President Corcoran: Are there any comments? All those in favor say yes. All those opposed say no.

Yes, 6 No, 0

President Corcoran: T 58 will have its first reading this evening.

Clerk of Council Smith:

T 59-2010 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4729-
2010 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010.

moved by Johnson, seconded by Butkowski to suspend By-Laws to give T 59 its first reading this evening.

President Corcoran: Are there any comments? All those in favor say yes. All those opposed say no.

Yes, 6 No, 0

President Corcoran: T 59 is added to the first readings.

RECESS:

moved by Jaenke, seconded by Butkowski to dispense with the recess

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

Yes, 6 No, 0

President Corcoran: Recess is skipped. First readings.

FIRST READINGS:

Clerk of Council Smith:

T 26-2010 AN ORDINANCE AMENDING NRCO SECTION 1228.01 DUTIES OF
REVISED CITY ENGINEER; CONSTRUCTION SPECIFICATIONS REGULATIONS,
SUBSECTION (b)(3) SUBDIVIDERS AGREEMENT, BY ADDING
ALTERNATIVE FORMS OF SURETY OR GUARANTY FOR
MAINTENANCE OF CONSTRUCTED IMPROVEMENTS, AND BY
REQUIRING DEVELOPERS TO POST SAID FORMS OF SURETY OR
GUARANTY PRIOR TO, AND AS A CONDITION OF, THE ISSUANCE OF
ANY BUILDING PERMIT.

First Reading

T 29-2010 AN ORDINANCE VACATING A THIRTY (30) FOOT WIDE UNIMPROVED
STREET LOCATED APPROXIMATELY 725 FEET WEST OF RACE ROAD
AND BEGINNING ON THE SOUTH SIDE OF SUGAR RIDGE ROAD.

First Reading

T 50-2010 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
4742-2010 CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY
LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS,
SPECIFICATIONS, AND BIDDING DOCUMENTS FOR THE
CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF
LORAIN ROAD AND EASTBOUND I-480 RAMPS, TRAFFIC SIGNAL
IMPROVEMENTS AT THE LORAIN ROAD AND WESTBOUND I-480
RAMPS INTERSECTION, TRAFFIC SIGNAL IMPROVEMENTS AT THE
LORAIN ROAD AND LEAR NAGLE INTERSECTION, INTERCONNECTION
OF ALL THREE TRAFFIC SIGNALS, INCLUDING OTHER RELATED
CONSTRUCTION AND APPURTENANCES, NOT TO EXCEED \$30,000.00.

First Reading

moved by Mayor Gillock, seconded by Butkowski to dispense with the second
and third readings for T 50

President Corcoran: Are there any comments?

Mayor Gillock: Mr. President, the first phase of this, the traffic study to determine if a light was warranted there has been completed. We know it needs at least four and it states 13 warrants for a traffic light. So, there is a huge demand for a light there. This is just a next phase.

President Corcoran: Are there any other comments? All those in favor of dispensing with the second and third readings say yes. All those opposed say no.

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to adopt T 50

President Corcoran: Are there any comments? Clerk, please call the roll.

 Yes, 6 No, 0

Clerk of Council Smith: Motion passed with one absent and becomes ordinance number 4742-2010.

 Permanent Ordinance No. 4742-2010

Clerk of Council Smith:

T 53-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4743-2010 RIDGEVILLE, OHIO, TO PURCHASE A CRACK SEALING DISTRIBUTOR
 AND ALL APPURTENANT ACCESSORIES 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 \$50,000.00.

 First Reading

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

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

 Yes, 6 No, 0

 moved by Olesen, seconded by Johnson to adopt T 53

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

 Yes, 6 No, 0

Clerk of Council Smith: Measure is adopted with one absent and that becomes ordinance number 4743-2010.

 Permanent Ordinance No. 4743-2010

Clerk of Council Smith:

T 54-2010 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
4744-2010 AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A
 MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST
 BIDDER FOR PHASE 1 OF THE FRENCH CREEK AIR LINE
 MODIFICATION PROJECT, NOT TO EXCEED \$325,000.00.

 First Reading

 moved by Boose, seconded by Butkowski to dispense with the second and third
 readings for T 54

President Corcoran: Are there any comments? All those in favor say yes. Those opposed say no.

 Yes, 6 No, 0

 moved by Boose, seconded by Butkowski to adopt T 54

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

 Yes, 6 No, 0

Clerk of Council Smith: Measure is adopted with one absent and becomes ordinance number 4744-2010.

Permanent Ordinance No. 4744-2010

Clerk of Council Smith:

T 56-2010 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4745-2010 RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT FOR THE
PURCHASE OF PARTS AND THE EMERGENCY REPAIR OF THE
ULTRAVIOLET DISINFECTION SYSTEM AT THE FRENCH CREEK
WASTEWATER TREATMENT PLANT WITHOUT FORMAL BIDDING AS A
RESULT OF AN EMERGENCY SITUATION ARISING IN CONNECTION
WITH THE OPERATION OF A MUNICIPALLY OWNED UTILITY IN AN
AMOUNT NOT TO EXCEED \$28,184.00.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 56

President Corcoran: Are there any comments? All those in favor say yes. Those opposed say no.

Yes, 6 No, 0

moved by Olesen, seconded by Johnson to adopt T 56

moved by Olesen, seconded by Johnson to add the emergency, because we are in a critical situation without this equipment functioning

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

Yes, 6 No, 0

President Corcoran: It was moved by Olesen and seconded by Johnson to adopt T 56 with the emergency clause. Are there any comments? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Measure is adopted and becomes ordinance number 4745-2010.

Permanent Ordinance No. 4745-2010

T 57-2010 A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION
1204-2010 WITH THE NORTHEAST OHIO AREA-WIDE COORDINATING AGENCY
(NOACA) FOR FUNDS THROUGH THE CONGESTION
MANAGEMENT/AIR QUALITY (CMAQ) FUND, ASSOCIATED WITH THE
CITY OF NORTH RIDGEVILLE'S PROPOSED CITY-WIDE
SIGNALIZATION IMPROVEMENT PROJECT, AND FOR THE CITY TO
PAY 20% OF CONSTRUCTION AND CONSTRUCTION MANAGEMENT
COSTS, PLUS 100% OF ENGINEERING COSTS, RIGHT-OF-WAY COSTS
(IF ANY), AND ENVIRONMENTAL COSTS (IF ANY), OF FUNDS
AWARDED.

First Reading

moved by Olesen, seconded by Butkowski to dispense with the second and third readings for T 57

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

Yes, 6 No, 0

moved by Olesen, seconded by Butkowski to adopt T 57

moved by Olesen, seconded by Butkowski to add the emergency to show that Council is in support of this project and that there is a time line on this

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

Yes, 6 No, 0

President Corcoran: It was moved by Olesen and seconded by Butkowski adopt T 57 with the emergency clause. Are there any comments? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: T 57 is adopted and becomes resolution number 1204-2010.

Permanent Resolution No. 1204-2010

T 58-2010 A RESOLUTION APPROVING ADVANCES AND ADVANCE
1205-2010 REPAYMENTS OF VARIOUS FUNDS OF THE CITY OF NORTH
RIDGEVILLE, OHIO.

First Reading

moved by Johnson, seconded by Butkowski to dispense with the second and third readings for T 58

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

Yes, 6 No, 0

moved by Johnson, seconded by Butkowski to adopt T 58

moved by Johnson, seconded by Butkowski to add the emergency

President Corcoran: Mr. Costin, could you explain the reason for the emergency clause.

Auditor Costin: To allow me to sign a contract, we have to advance the monies to the State Grant Fund where it will be appropriated.

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

Yes, 6 No, 0

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 58 with the emergency clause. Any comments? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: Resolution is adopted with one absent and becomes resolution number 1205-2010.

Permanent Ordinance No. 1205-2010

Mayor Gillock: Mr. President, did we have a Resolution 1203? On the agenda, it says the first Resolution should be 1203. Did we have one with that number or did we just miss that number and if we did, does it make a difference?

Clerk of Council Smith: You may be correct, Mr. Mayor. I think I did pass that.

President Corcoran: We will keep the numbers the way they are and we just won't have the number 1203 for the rest of time.

T 59-2010 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 4729-
4746-2010 2010 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD
COMMENCING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010.

First Reading

moved by Johnson, seconded by Butkowski to dispense with the second and third readings for T 59

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

Yes, 6 No, 0

moved by Johnson, seconded by Butkowski to adopt T 59

moved by Johnson, seconded by Butkowski to add the emergency clause

President Corcoran: Again, Mr. Costin, the reason?

Auditor Costin: To allow the appropriation of monies to meet contractual expenditures on a timely basis.

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

Yes, 6 No, 0

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 59 with the emergency clause. Any comments? Clerk, please call the roll.

Yes, 6 No, 0

Clerk of Council Smith: T 59 is adopted by emergency and becomes ordinance number 4746-2010.

Permanent Ordinance No. 4746-2010

President Corcoran: That brings us to the end of first readings. Moving on to second readings. First up, we have T 27.

SECOND READINGS:

Clerk of Council Smith:

T 27-2010 AN ORDINANCE AMENDING NRCO SECTION 830.02 USE
REGULATIONS, SUBSECTION (b)(15)(A).

Second Reading

T 28-2010 AN ORDINANCE AMENDING NRCO SECTION 1056.08, COMPLIANCE
RESPONSIBILITY, BY ADDING ENFORCEMENT REIMBURSEMENT
MEASURES.
Second Reading

THIRD READINGS:

President Corcoran: We have no third readings this evening.

COMMITTEE MEETING ANNOUNCEMENTS:

President Corcoran:

As the Mayor mentioned earlier, there is a First Energy PUCO hearing on Wednesday at the Education Center at 6:00 P.M.

Next Regular Council Meeting Monday, May 3, 2010 at 7:30 P.M. in Council Chambers

Public Hearing June 7, 2010 re: T 29-2010 vacating a 30 foot wide unimproved street

ADJOURNMENT:

President Corcoran: Is there any other business to bring before the City this evening? Meeting is adjourned.

Meeting adjourned at 8:43 P.M.

Approval of Minutes:

These Minutes were approved at a regular meeting of the North Ridgeville Municipal Council on May 3, 2010: