

**NORTH RIDGEVILLE CITY COUNCIL  
MINUTES OF REGULAR MEETING FEBRUARY 2, 2015**

**CALL TO ORDER:** 7:33 P.M.

President Corcoran: Calling to order the Monday, February 2, 2015 regular Council meeting.

**INVOCATION:**

Led by President Corcoran.

**PLEDGE OF ALLEGIANCE:**

Led by President Corcoran.

**ROLL CALL:**

Present were Council members Terrence Keenan, Dennis Boose, Robert Olesen, Dr. Ronald Arndt, Bernadine Butkowski, Roseanne Johnson and President Kevin Corcoran.

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

**MINUTES - Corrections (if any) and approval:**

President Corcoran: You have before you the Committee of the Whole minutes from January 20, 2015. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: You have before you the Committee of the Whole minutes from January 26, 2015. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: You have before you the Council meeting minutes of January 20, 2015. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Drainage and Flood Control meeting minutes of October 28, 2014, the Board of Zoning and Building Appeals meeting minutes of January 22, 2015, the Building and Lands Committee meeting minutes of January 20, 2015, the Civil Service Commission meeting minutes of January 20, 2015 and the Parks and Recreation Commission meeting minutes of December 3, 2014.

**LOBBY:**

President Corcoran: That brings us to the lobby session of the meeting. This is your opportunity to speak to Council. You will have three minutes to speak on the topic of your choice. Unfortunately, this is not an interactive session and we do not have questions and answers. It is just an opportunity for you to tell us what your problems are and we will have the appropriate people get back to you. If you are going to speak, please step up to the podium and state your

name and address for the record. Is there anyone that would like to address Council this evening?

Jeff Zdilla, 34671 Plantation Place: stated he and his wife moved to North Ridgeville last year. He is concerned about the amount of legislation passed by emergency and cited the reasons Council uses for passage of legislation by emergency. Mr. Zdilla stated he feels the leadership is inactive and status quo. Mr. Zdilla stated the Master Plan is supposed to be reevaluated every five years and the City is in year six. Mr. Zdilla stated he would like to see City Council have a Committee of the Whole meeting to meet with residents to discuss the Master Plan.

President Corcoran: Thank you. Is there anybody else that would like to address Council this evening? Seeing none, we'll move on to the Administrator's reports. Mr. Mayor.

#### **ADMINISTRATORS REPORTS:**

**A. Mayor:** Thank you. I only have a couple things this evening: first, the new Lorain County Emergency Alert registration is up and working. If you go to the City website, it is the second item in the middle on the City homepage; you can click on Lorain County Emergency Alert registration. It will take you to another page with an icon. It indicates that the service is free to residents to subscribe to receive alert messages for weather, catastrophes, street closings in the local communities and a lot of different things. You can receive these by voice, text or email. There is an icon to click where you can subscribe. It is very simple – it asks for your name, phone numbers, where you want the messages to go to and your address. I did it today and I got an immediate response stating that I was subscribed. We encourage you to sign up for that. It is a tremendous service that we get through the County. The more that sign up for it the better able we will be to get our information out.

Secondly, I want to talk a little bit about the snow fall that we had – a little bit more than we usually get, but our crews were able to handle it very well. Fortunately, there was not a lot of blowing but rather just a lot of snow. As a result, Allied Waste has delayed their trash pick-up by one day. So if it was supposed to be picked up today, it will be tomorrow and tomorrows will be on Wednesday. I know it is going to be difficult in some cases finding a place to put the containers, but try to keep them out of the street. The plows are still cleaning up. You don't want to impede traffic. Along with that, it is the resident's responsibility to clean sidewalks. We ask that you try to do that as soon as you can. In addition, and I have noticed it in my neighborhood sometimes, snow plows are pushing snow across the road – if you are using a snow blower, we ask that you do not blow the snow into the road. We ask that you don't have your plow guys push it across the road. It leaves piles of snow in the road that creates a traffic hazard. We don't want that snow piled up in the road. With that, I hope that everybody got through it safely. We are used to it and we will deal with it. That concludes my report. Thank you.

President Corcoran: Thank you, Mayor. I wanted to chime in on that emergency notification system: I signed up for it several days ago and I got a phone call from the Sherriff telling me

that there was a Level 1 emergency out there and I got it in a couple of texts as well. It is a great thing that everybody should sign up for. Mr. Safety-Service Director.

**B. Safety-Service Director:** Well, not being here the last couple days, I heard about Cleveland and the fifteen inches of snow that we received, quite honestly, when I arrived home this afternoon, as I flew in, our roads were actually were in better shape than I assumed they would be based on the snow we had. Then we had rain and more snow. Bear with us over the next couple days as we try to get the roads back to that concrete and asphalt that we enjoy driving on. It is difficult for the crews now to have that salt work on the ice that is there and the temperature changes that we have. That completes my report.

President Corcoran: Thank you. Mr. Engineer.

**C. Engineer:** Thank you Mr. President. As part of my preparation for my 2015 budget, I made a review of our water infrastructure and I found something interesting that I wanted to share: in 2011 we had forty-one water main breaks. Since then, my office, with the help of Council, has been aggressively replacing aging water lines that have a history of breakages. Each year we replace the most problematic lines and the number of breakages has dropped every year. In 2014, we were down to fifteen water line breaks. Those twenty-six break reduction has saved six hundred twenty four man hours, one hundred and fifty six machine hours; freeing up our Service Department to attend to other tasks. It has reduced traffic and water service disruption by sixty-three percent, improving the quality of water service to residents as well as fire protection. The City has committed a considerably amount of money to this and I wanted to share the results of our efforts at this point. That concludes my report.

President Corcoran: Thank you Mr. Wangler. Auditor.

**D. Auditor:** Thank you, as discussed at the last meeting; you have now received the December Preliminary Report. In addition to that, the only reminder that I have is T 21 – T 27 under new business, those actions are typically passed at the time or after the time we pass permanent appropriations, and so you may want to table or postpone those until the first or second meeting in March. That concludes my report and comments. Thank you.

President Corcoran: Thank you.

**E. Other Reports:**

President Corcoran: We have the December 2014 Building Department report, the December 2014 Parks and Recreation Department report, the December 2014 Police Department report and the Year-end Office for Older Adults report.

President Corcoran: There is a Council Committee report. Mr. Clerk.

**COUNCIL COMMITTEE REPORT(S):**

Clerk of Council Smith: BUILDING AND LANDS COMMITTEE report dated January 20, 2015 regarding T 2-2015 which recommends City Council adopt the Ordinance with an amendment to be incorporated into the Whereas section of the Ordinance. This amended Whereas paragraph will acknowledge the statements voluntarily included within the rezoning application by both the rezoning applicant Mr. Harold Bogner and the residential property owner to the south of the subject rezoning parcel, Mr. Tony Valore; stating that both the proposed future residential development and the subject rezoned development parcels will be engineered and constructed to flow to the north up to Center Ridge Road and be connected into the westerly sewer. Mr. Bogner's statement further obligates the rezoned parcel to connect into the westerly sewer main if and when the sewer main is extended from Center Ridge Road southerly along Greenlawn and passes by the subject property.

Moved by Olesen and seconded by Arndt to accept the Building and Lands Committee report.

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

Yes – 7                      No – 0

President Corcoran: That report has been accepted. There is a piece of correspondence.

**CORRESPONDENCE:**

Clerk of Council Smith: A letter dated January 13, 2015 from Continental Management regarding "Block O".

President Corcoran: There is no old business.

**OLD BUSINESS:**                      None.

President Corcoran: Moving on to new business.

**NEW BUSINESS:**

**Liquor Permit requests/renewals/transfers**

Clerk of Council Smith: A request for a stock transfer for the liquor permit belonging to Smokers Outlet, Ltd., DBA Smokers Outlet, 34438 Center Ridge Road, North Ridgeville, Ohio.

Moved by Butkowski and seconded by Olesen to not request a hearing as stated in the application so that this permit can be sent to the State for final disposition by February 23, 2015.

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

Yes – 7                      No – 0

President Corcoran: No hearing is required on that application.

Councilman Arndt: Mr. President, under new business, if I might: I've felt that this was a topic that needed to be at least brought back to the surface. In the month of December, I was the Council person on the list to write the Council Corner. Accordingly, I did. I wanted to do something unique and different in the community and that was to create a survey. The purpose of which is to invite members of the community to share their concerns, observations and also to provide an opportunity for them to give feedback and suggestions on how we might be the best that we can as leaders in our community. On the December 17<sup>th</sup> issue of the North Ridgeville Press, indeed, my little article was there. It was real cute and had some nice little pictures or something in there. It was also in the Chronicle Telegram when Mr. Fogerty interviewed me and it was also posted on our City website. I wanted to bring this to a level of awareness for us so that you know that the real purpose is not to just survey the residents and then do nothing with that information. It is my hope, wish and aspiration that after I have finished collating the information to tag onto Mr. Zdilla's comments – to really share some good information about what is happening, what people do feel good about, where are some of the areas that folks would really like us to pay attention to; hopefully, within the next couple of weeks, I'll have that information collated. You might ask: good Lord, what is taking this elderly man so long to get through this information. I can share with you that there were four hundred and sixty one electronic responses. Folks also had the opportunity to complete a written or hard copy. There were two. What was also very astounding to me was that out of the four hundred and sixty one electronic responses, three hundred and eighty eight people provided commentary to the open ended questions. Granted, there were some very short, a sentence or two; the reason it has taken me so long, I was on a wonderful vacation and it took me five and a half hours to get through forty-three pages of written responses in an eight font. In an eight font for an old man, that is very hard to read. I am eager to share that there were scores of people who took their time to respond anywhere between two hundred and fifty and seven hundred and fifty words – I didn't even realize that the survey had the capacity for that much verbosity, yet, what is pretty exciting is once this information is collated, it is my hope that it will be then shared with our Administration, all the members of Council and hopefully we can have a Committee of the Whole meeting or some way to communicate this information back to the residents. I simply felt rather than this get lost, I wanted to bring it back to the surface. That is the only thing I need to add then Mr. President.

President Corcoran: Thank you Dr. Arndt. Moving on to Ordinance and Resolution submittals. First up we have T 15.

Law Director Crites: Mr. President, can I speak to these now?

President Corcoran: Sure.

Law Director Crites: T 15, T 16, T 17, T 18 and T 19 are all related to our need to acquire land for the Lear Road widening project. T 15 is the one Ordinance which is Council granting the authority and giving me as the Law Director the ability to proceed and actually file an

appropriation. Again, let's not get appropriation, being the taking of requisite land by the government for a project, confused with what we are going to be doing next week and setting aside our money for our budget. It is very confusing; what was the word you pulled up on Google today?

President Corcoran: A homonym.

Law Director Crites: One word that means two different things. Okay. I simply was giving my marching orders from ODOT – they have a deadline originally set for the beginning of March for certification. Certification in my layman's terms, not being an engineer or involved in this process, that is when they can then say to the land acquisition company who did all the initial negotiating until they reach impasse and it comes to me, can then certify that all the property has been acquired and then the project can proceed. In order for me, for the City, to make, or even attempt to make that deadline, it simply; there is no other alternative but to pass all the legislation as soon as possible. Again, briefly, I want to make sure everyone understands what has to happen with each one of these properties – that is once the negotiation process, which is not done by me or the Law Department, it is done by subcontracted land acquisition firm, fails, and then it is delivered to me. Law Director please commence the appropriation; please get the property so the project can proceed. What has to happen first is Council has to pass the Resolution. There are four on the agenda tonight. When Council passes that Resolution, a certified copy of it has to be served by a formal legal process upon the land owner. After I receive proof of that service, Council then has to pass the Ordinance authorizing and directing the Law Director to proceed. I then have to draft the legal proceeding, the petition, and then file with the court. Once that happens, we then have right to access and actual title to any legal interest being sought inside of the petition. The negotiation phase or process does not stop then. The City or the State doesn't put its fingers in its ears and say we are not going to listen to you anymore about what you think your land is worth. Frankly a negotiation process would go on for a year or more all the way through and even including when a jury is empaneled for the value issue. I don't want to insinuate that members of Council, the Administration or the participating audience did not understand that. It is important to me to know that it was understood that this isn't shutting the door on a landowner about what the compensation is going to be. This is finalizing the acquisition process so that the project can proceed. The issue as to the amount of compensation remains open. In summary, I am requesting that all these be passed tonight with the emergency so we can make our deadline.

Councilman Boose: Will we be able to know, I don't recall a number you gave at the last meeting, but how many properties are in question that; I know that there is six or seven here this evening; one we are finalizing this evening so to speak and the others we are starting the process; how many more are there and how realistic is that deadline you gave us as far as March?

Law Director Crites: It is as realistic as ODOT will still have an open mind about it being expanded. I think it is going to have to be expanded and not just for our process, but for the process in general. I think it will end up being more like April 1<sup>st</sup> but I don't want to be the one holding up the process. The number is at a definitive sixteen. We've passed one Ordinance; one

action has already been commenced. There is another Ordinance on tonight. Once it is passed, the second action will be commenced. There are four Resolutions which are on tonight which I hope Council passes – that is six. Next meeting, assuming I survive the next two weeks and get it done, you will have ten more Resolutions via sum total of sixteen actions which we believe that is going to be it. Where they go from there, it will be; where they are after the petition is filed in court, will be a matter for discussion in executive session, but of course, I am available to always update any member of Council and the Administration if they want to know where they are in with the litigation process.

President Corcoran: Any other questions before we get started with these? Alright, T 15.

### **Ordinance and Resolution Submittals**

Clerk of Council Smith:

**T 15-2015** AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD ACROSS REAL PROPERTY HAVING PERMANENT PARCEL NO. 07-00-004-104-056.

*(Introduced by Mayor Gillock)*

Moved by Mayor Gillock and seconded by Butkowski to suspend the By-Laws to give T 15 a first reading.

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

Yes – 7

No – 0

President Corcoran: T 15 will have a first reading. T 16.

Clerk of Council Smith:

**T 16-2015** A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM ADRIAN T. FREDERICK AND PATRICIA FREDERICK (PARCEL 39 T-1 AND 39 T-2) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to suspend the By-Laws to give T 16 a first reading.

Councilman Boose: Mr. President, I have a question perhaps through you to the Law Director. We were able to have negotiated notes provided to us. Those are, to my understanding, confidential, so we cannot comment or discuss on any of those. Correct?

Law Director Crites: It would be inadvisable to do so in an open meeting, but in executive session, of course.

Councilman Keenan: Mr. President, I have a question on just a point of order. On this Resolution, I was of the understanding that we had to pass the Resolution, serve notice, and get it back before we go to an Ordinance.

Law Director Crites: Correct. T 15 is actually an Ordinance because we passed the Resolution at last meeting.

President Corcoran: The motion that is on the floor is to send T 16 to first reading which then more than likely, we will have second and third readings for it and then pass with the emergency.

Councilman Keenan: I see, so this will get us through the whole Resolution process and to the Ordinance. That helps me. Thank you.

President Corcoran: If Andy survives then we will have the Ordinance next time in addition to the other ten.

President Corcoran: Are there any other comments or questions? All those in favor say yes. Those opposed say no. Clerk, please call the roll.

Yes – 6                      No – 1 (Boose)

Clerk of Council Smith: It passed with six yes votes and one no vote.

Yes – 6                      No – 1 (Boose)

Law Director Crites: Mr. President, if I may – just one more bit of advice to give to Council. Statutorily, the appropriation legislation, specifically the Ordinances, must be passed by a super majority or they are invalid.

President Corcoran: T 17.

Clerk of Council Smith:

**T 17-2015**      A RESOLUTION DECLARING THE NECESSITY/INTENT TO  
APPROPRIATE INTERESTS IN LAND FROM CASIMIR WIECZOREK AND  
VICKY WIECZOREK (PARCEL 57 SH, T) FOR THE PURPOSE OF  
WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF  
NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to suspend the By-Laws to give T 17 a first reading.



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

Yes – 7                      No – 0

President Corcoran: T 17 will have a first reading. President Corcoran: T 18.

Clerk of Council Smith:

**T 18-2015**     A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 17 WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to suspend the By-Laws to give T 18 a first reading.

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

Yes – 7                      No – 0

President Corcoran: T 18 will have a first reading. President Corcoran: T 19.

Clerk of Council Smith:

**T 19-2015**     A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 16WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to suspend the By-Laws to give T 19 a first reading.

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

Yes – 7                      No – 0

President Corcoran: T 19 will have a first reading. President Corcoran: T 20.

Clerk of Council Smith:

**T 20-2015**     AN ORDINANCE AMENDING NORTH RIDGEVILLE CODE SECTION 1046.05 *WATER RATES* BY ELIMINATING THE AUTOMATIC WATER RATE INCREASE FOR THE YEAR 2015.

*(Introduced by Mayor Gillock)*

Moved by Mayor Gillock and seconded by Boose to suspend the By-Laws to give T

20 a first reading.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, yes, our Ordinance automatically requires the Engineer to look back to our water suppliers and calculate the average rate for the year for all the suppliers and then we automatically pass that increase to the users – the residents. We get water from three sources – Avon Lake, Elyria and Rural Lorain Water, however, the majority of our water comes from Elyria which we negotiated a fixed rate a couple of years ago. That rate is not going to change. Avon Lake has gone up somewhat, but we buy very little water from them. Rural Lorain water went up three and a quarter cents per one thousand gallons. The increases are basically insignificant and rather than again, pass on an increase, our water account is in pretty good shape that we felt that it would be prudent to pass an Ordinance to not raise the rates automatically this year and just leave them where they are at. That is what this is for. Thank you.

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

Yes – 7

No – 0

President Corcoran: T 20 will have a first reading. President Corcoran: T 21.

Clerk of Council Smith:

**T 21-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF CHEMICALS TO BE USED BY THE FRENCH CREEK WASTEWATER TREATMENT PLANT.

*(Introduced by Mayor Gillock)*

President Corcoran: T 22.

Clerk of Council Smith:

**T 22-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF ASPHALT AND RELATED MATERIALS TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

President Corcoran: T 23.

Clerk of Council Smith:

**T 23-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT ACCORDING TO LAW, AND IN A MANNER PRESCRIBED BY LAW, FOR THE RENTAL OF EQUIPMENT AND RELATED SERVICES FOR ROAD REPAIR AND MAINTENANCE TO BE USED BY THE SERVICE DEPARTMENT.

(Introduced by Mayor Gillock)

President Corcoran: T 24.

Clerk of Council Smith:

**T 24-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF LIMESTONE AND SAND TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Gillock)

President Corcoran: T 25.

Clerk of Council Smith:

**T 25-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND/OR DELIVER CONCRETE TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Gillock)

President Corcoran: T 26.

Clerk of Council Smith:

**T 26-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ADVERTISE FOR BIDS AND NEGOTIATE A CONTRACT FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, TO FURNISH AND INSTALL FULL DEPTH CONCRETE PADS AND REPAIR SERVICES TO BE USED BY THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Gillock)

President Corcoran: T 27.

Clerk of Council Smith:

**T 27-2015** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ENTER INTO PARTICIPATION AGREEMENTS

WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE  
PURCHASE OF SODIUM CHLORIDE FOR THE 2015 SUMMER AND  
2015/2016 WINTER SEASONS, PURSUANT TO RESOLUTION NO. 693-90.  
(Introduced by Mayor Gillock)

President Corcoran: That is the end of new business. This brings us to the recess portion of our meeting.

**RECESS:**

President Corcoran: Would anyone like a recess?

Moved by Arndt and seconded by Johnson to dispense with the recess.

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

Yes – 7                      No – 0

President Corcoran: Moving on to first readings. First up, T 126.

**FIRST READINGS:**

Clerk of Council Smith:

**T 126-2014** AN ORDINANCE TO LEVY A MUNICIPAL MOTOR VEHICLE LICENSE  
FEE PURSUANT TO OHIO REVISED CODE SECTION 4504.172.

(Introduced by Mayor Gillock; Referred to Streets, Sidewalks and Bridges on 12/15/2015; Streets, Sidewalks  
and Bridges on 01/05/2015; Report accepted on 01/20/2015)

President Corcoran: Before we start with T 9. We have T 9, T 10, T 11, T 12, T 13 and T 14 all TIFF related Ordinances. We have amendments to those Ordinances and they are the same legislation in each case and those amendments are the same for each piece of legislation. I am just going to make one global amendment by substitution motion to replace all those respectively. Does anyone have any questions about that procedure?

Moved by President Corcoran and seconded by Arndt to amend by substitution  
T 9, T 10, T 11, T 12, T 13 and T 14.

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

Yes – 7                      No – 0

President Corcoran: T 9, T 10, T 11, T 12, T 13 and T 14 are all amended by substitution. T 9 as it has been amended. Just for a point of clarification – do you want to go over those amendments?

Law Director Crites: If I may Mr. President, in the fourth whereas, there was a minor change in the language to correct or modify the fact that as originally written it was addressing real property improvements that are in the process of being made. In conformity with the statute, we didn't take any liberties here as it is the way it is typically designed. It was modified to read, if I may paraphrase: "...real property improvements or properties being purchased that are in the process of being made or in the future shall make certain improvements ..." to encompass those which shall be made if and when these tax increment financing pieces of legislation are passed. In section two on page two, a similar language change was made following commercial improvements: "...commercial improvements made or which shall be made to the real properties listed..." Again, it bears mentioning that we are actually modifying a very broadly used tax increment financing the probably first was the Department of Development and the State. I think we are doing it for good reason and that being said: on page three in the first paragraph, there were references made actually, directives in the body of the legislation to the Director of Law, the City, the Mayor and the Finance Director. It is a grant of authority for those individuals to act in accordance with the TIFF structure. The concern was over the fact that the City of North Ridgeville does not have a formal Finance Director. So what I did was keep the word Finance Director in there but removed the capitalization of the term so it is no longer a proper now. I felt that it served us best because of the nature of the City structure many of those duties which would fall under that are often shared by the Auditor's office as well as the Treasurer's office and down the road these TIFF Ordinances have a thirty year term; down the road, if that structure were to change, the way it is drafted now, in my opinion, there would be no need for any subsequent amendment. It just now directs basically the person in charge who is at that time either by Ordinance or by practice with handling those matters would be the one receiving the directive or the authorization of the Ordinance. I believe that is it.

President Corcoran: Thank you. T 9 Amended.

Clerk of Council Smith:

**T 9-2015 Amended** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

*(Introduced by President Kevin Corcoran-Area 12)*

President Corcoran: T 10 Amended.

Clerk of Council Smith:

**T 10-2015 Amended** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE

EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Kevin Corcoran-Area 11)

President Corcoran: T 11 Amended.

Clerk of Council Smith:

**T 11-2015 Amended** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Kevin Corcoran-Area 3)

President Corcoran: T 12 Amended.

Clerk of Council Smith:

**T 12-2015 Amended** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Kevin Corcoran-Area 6)

President Corcoran: T 13 Amended.

Clerk of Council Smith:

**T 13-2015 Amended** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL

BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS  
IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC  
IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Kevin Corcoran-Area 7)

President Corcoran: T 14 Amended.

Clerk of Council Smith:

**T 14-2015** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL  
**Amended** PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A  
PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE  
EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE  
SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING  
INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL  
BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS  
IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC  
IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

(Introduced by President Kevin Corcoran-Area 10)

President Corcoran: T 15.

Clerk of Council Smith:

**T 15-2015** AN ORDINANCE APPROPRIATING, VALUING, AND TAKING  
IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR  
THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD  
ACROSS REAL PROPERTY HAVING PERMANENT PARCEL NO. 07-00-  
004-104-056.

(Introduced by Mayor Gillock)

Moved by Butkowski and seconded by Johnson to dispense with the second and third readings for T 15.

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

Yes – 7                      No – 0

Moved by Butkowski and seconded by Johnson to adopt T 15.

Moved by Butkowski and seconded by Johnson to add the emergency clause to T 15 for the purposes of moving the project forward in the time frame that ODOT has outlined for us.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No

President Corcoran: On the adoption of T 15 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measured passed unanimously and becomes **Ordinance number 5199-2015.**

Yes – 7                      No – 0

President Corcoran: T 16.

Clerk of Council Smith:

**T 16-2015**     A RESOLUTION DECLARING THE NECESSITY/INTENT TO  
APPROPRIATE INTERESTS IN LAND FROM ADRIAN T. FREDERICK  
AND PATRICIA FREDERICK (PARCEL 39 T-1 AND 39 T-2) FOR THE  
PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE  
CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to dispense with the second and third readings for T 16.

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

Yes – 6                      No – 1 (Boose)

Clerk of Council Smith: Motion passed with six yes votes and one no vote.

Yes – 6                      No – 1 (Boose)

Moved by Butkowski and seconded by Johnson to adopt T 16.

Moved by Butkowski and seconded by Johnson to add the emergency clause to T 16 for the purposes of moving the project forward in the time frame that ODOT has outlined for us.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 6                      No – 1 (Boose)

President Corcoran: On the adoption of T 16 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measured passed with one no vote and six yes votes and becomes **Resolution number 1333-2015.**

Yes – 6                      No – 1 (Boose)

President Corcoran: T 17.



Clerk of Council Smith:

**T 17-2015** A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM CASIMIR WIECZOREK AND VICKY WIECZOREK (PARCEL 57 SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 17.

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

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 17.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 17 for the purposes of moving the project forward in the time frame that ODOT has outlined for us.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No

President Corcoran: On the adoption of T 17 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measured passed unanimously and becomes **Resolution number 1334-2015**.

Yes – 7                      No – 0

President Corcoran: T 18.

Clerk of Council Smith:

**T 18-2015** A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 17 WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 18.

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

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 18.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 18 for the purposes of moving the project forward in the time frame that ODOT has outlined for us.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No

President Corcoran: On the adoption of T 18 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Resolution number 1335-2015.**

Yes – 7                      No – 0

President Corcoran: T 19.

Clerk of Council Smith:

**T 19-2015**     A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 16WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Johnson to dispense with the second and third readings for T 19.

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

Yes – 7                      No – 0

Moved by Butkowski and seconded by Johnson to adopt T 19.

Moved by Butkowski and seconded by Johnson to add the emergency clause to T 19 for the purposes of moving the project forward in the time frame that ODOT has outlined for us.

President Corcoran: On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No

President Corcoran: On the adoption of T 19 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measured passed unanimously and becomes **Resolution number 1336-2015.**

Yes – 7                      No – 0

President Corcoran: T 20.

Clerk of Council Smith:

**T 20-2015**      AN ORDINANCE AMENDING NORTH RIDGEVILLE CODE SECTION 1046.05 *WATER RATES* BY ELIMINATING THE AUTOMATIC WATER RATE INCREASE FOR THE YEAR 2015.

*(Introduced by Mayor Gillock)*

Moved by Johnson and seconded by Olesen to dispense with the second and third readings for T 20.

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

Yes – 7                      No – 0

Moved by Johnson and seconded by Olesen to adopt T 20.

Moved by Johnson and seconded by Olesen to add the emergency clause so the City does not collect the fee that the City doesn't need.

Mayor Gillock: This does not need the emergency clause because the Ordinance is eliminating the automatic rate increase for the year (inaudible).

Councilwoman Johnson: I withdraw my motion.

President Corcoran: Okay, thank you. You withdrew the emergency clause. On the adoption of T 20, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measured passed unanimously and becomes **Ordinance number 5200-2015.**

Yes – 7                      No – 0

President Corcoran: Moving on to second readings. T 8-2015.

**SECOND READINGS:**

Clerk of Council Smith:

**T 8-2015** AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW AN AGREEMENT WITH THE NORTH RIDGEVILLE CITY SCHOOL DISTRICT RELATING TO THE TAX REVENUE EFFECTED BY TAX ABATEMENT AGREEMENTS WHICH PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT.

*(Introduced by Mayor Gillock; First reading 01/20/2015)*

President Corcoran: That is the end of second readings. There are no third readings.

**THIRD READINGS:** None.

**MEETING ANNOUNCEMENTS:**

President Corcoran: Our next regular Council meeting will be on Tuesday, February 17, 2015 at 7:30 P.M. in Council Chambers. We have Finance Committee meetings regarding appropriations on Thursday, February 19, 2015, Wednesday, February 25, 2015 and Thursday, February 26, 2015 from 8:30-4:00 in Council Chambers.

Councilwoman Johnson: Mr. President, I just wanted to make a comment that it could be until 4:30 or until we are finished. Thank you.

**ADJOURNMENT:**

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 8:30 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL