

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING APRIL 21, 2014**

CALL TO ORDER: 7:30 P.M.

President Corcoran: I call to order the Monday, April 21, 2014 regular Council meeting. Please rise for the invocation and Pledge of Allegiance.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

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

Councilman Robert Olesen was excused.

Also present was Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Assistant Law Director Toni Morgan, Assistant Engineer Cathy Becker, Deputy Auditor Teresa Machovina and Clerk of Council George Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of April 7, 2014.

Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved as submitted.

President Corcoran: We have several other minutes. The Board of Drainage and Flood Control meeting minutes of 01.28.2014, Civil Service Commission meeting minutes of 04.15.2014, Planning Commission meeting minutes of 04.08.2014, and the Safety Committee meeting minutes of 04.07.2014. That is the end of our minutes.

LOBBY:

President Corcoran: This brings us to the lobby session of our meeting. This is your opportunity to address Council. If you should choose to do so, please stand at the podium and state your name and address for the record. You will be given three minutes to speak on the topic of your choice. With that being said, if you would like to address Council, please step up to the podium.

- 1) Diana Kouri, representing her client Tony Carrino, explained that her client is opening up a business here in North Ridgeville and has successfully operated businesses here in North Ridgeville previously. He does intend to keep his current locations. He has been paying rent on these locations even though they remain closed. He anticipates a number of changes to include adult amusement games within a retail store. He will be selling such things as ecigarettes, phone cards, cellular and wireless telephones and accessories, and gift cards. At this point it is somewhat premature, but these will be adult games and they will be games of skill as opposed to games of chance.

President Corcoran: Thank you very much. Is there anybody else who would like to address Council this evening? Seeing none, we will move on to the Administrators reports, Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. A couple of items tonight. First on your agenda is T 35, 37 and 38 which are capital expenditures in which were approved in appropriations, but we do not want to move those forward tonight because those will be paid for through BANs and we have not done the BANs legislation yet. So if you will let T 35, 37 and 38 work their way through. T 36 is for an excavator that isn't going to be funded through BANs and we would like to move that forward so we can go out for bids on that piece of equipment that we really need now that it is getting warmer.

I wanted to mention briefly an issue with R.I.T.A. we had a week ago. We moved to R.I.T.A. last tax season. Everything went smoothly and everything was fine in 2013. This year, apparently right after last year's tax season, they changed some software and some things they were doing over there and this year they had some significant capacity problems which they have apologized for and are taking steps to reduce it by increasing their broadband. Even with that problem they were having during that two day period, they still processed over 20,000 tax returns. Because they had a problem, they extended the filing deadline until midnight today. So you still have four hours today to get it postmarked. We also apologize for any inconvenience or problems that occurred. Part of the reason we went to R.I.T.A. was because they were so good at what they were doing and so, that was pretty unusual.

Lastly, I wanted to mention that we have three resolutions requesting approval of expenditures this evening. T 39 is the first one and it has to do with expenditures at French Creek. We had some issues with the vendor there and I have drafted a letter which I gave you a copy of and that is only a draft, but this is an ongoing situation we have had with that vendor and we are taking steps to rectify that. None of the invoices were huge in nature, but when you add them all up they exceed the \$3,000 level that we can incur in-house. So, we hope to have that addressed as soon as we can. T 40 and T 41 were internal to our Utilities Department. These have to do with Shamrock. We have two invoices we process every month. One is for the Ubill and the other is for the processing. That is for January and February for those two bills and the other one is for the fees that are associated with our credit card, which go to FirstMerit. Our Utilities Supervisor did not process the quarterly purchase orders for these. They are all legitimate, they are all appropriated, but the purchase orders were not done and that is also being addressed. These all need to be passed this evening. They don't need the emergency, but we need to get them passed this evening. Is that correct Teresa?

Deputy Auditor Machovina: Yes, we will be able to pay them after thirty days.

Mayor Gillock: So, if we can get these passed as we usually do with these, I would appreciate it. Thank you and that concludes my report.

Councilman Arndt: Mr. President, if I may direct a question?

President Corcoran: Yes.

Councilman Arndt: Mr. Mayor, as I understand, you would like T 39, 40 and 41 passed tonight along with T 36. Did I understand that correctly?

Mayor Gillock: That's correct.

Councilman Arndt: T 36 could be simply passed and not with the emergency?

Mayor Gillock: Correct. I might just for clarification, on T 39, 40, and 41; we get these resolutions for expenditures from time to time. They are basically just processing errors. When we want to purchase something, we first appropriate it and then when we go to actually purchase it, we have to process a purchase order and then we exercise the actual purchase. Sometimes, for various reasons, we don't get the purchase order done or matched up with what we are doing. Another good example is that we could do a blanket purchase order for asphalt for \$5,000.00 and they start working. Without realizing it, they purchased \$5,100.00. Well now, they are over the dollar amount placed on the purchase order. If the amount exceeds \$3,000.00 then we have to process a resolution of expenditure. So that is what they are. They are not really all that dire, but they shouldn't happen.

President Corcoran: Thank you Mayor. Moving on to the Safety-Service Director, Mr. Armbruster.

B. Safety-Service Director: Thank you Mr. President. For, further clarification regarding T 36 the equipment that we are purchasing is actually going to be used for raising and rehabbing the interceptor manholes, castings and covers on the interceptor. So, there are 60 that we are hoping to, depending upon how well it goes, get them replaced and rehabbed during this construction season with our own staff using one person from the Service Department and two from French Creek to perform those tasks to save the City additional funding if we were to go out to bid for it. Looking forward to getting that project started as soon as the legislation is passed. After the thirty days go by we can get it ordered and hopefully start June 1st.

Beyond that, I talked to Scott Wangler, our City Engineer today. He had surgery again on Friday. They actually re-broke his collar bone and put it back together. I spoke with him today and he seems to be doing fairly well. I'm not exactly sure when he'll come back, but he did go through surgery on Friday and came through it okay. Maybe Cathy could add to that, but that is the information I received when I spoke with him this afternoon. That completes my report tonight.

President Corcoran: Thank you Mr. Armbruster. Engineer.

C. Engineer: Thank you Mr. President. I did speak to Scott today and he told me the same thing he told the Safety-Service Director.

I would like to suggest to everyone that has a stream or ditch on their property not to mow right up to the edge of the stream bank. It may look nice, but mowing right up to the stream bank creates environmental problems. When the stream buffer vegetation is removed, stream banks erode faster and cave in and soon your property will be washing away down stream. You can protect the stream by leaving a narrow buffer strip of grass along the bank, unmowed and letting the native vegetation grow. That concludes my report.

President Corcoran: Thank you very much. Auditor.

D. Auditor: Thank you Mr. President and Council. The only thing I have this evening is to make you aware that we will have the BANs legislation for those items that are on the agenda that we are just going to follow through with tonight. We can anticipate that at the first or the second meeting in May. That concludes my report. Thank you.

President Corcoran: Thank you.

E. Other Reports:

President Corcoran: We have the March 2014 Building Department report, March 2014 Fire Department report, March 2014 Mayor's Court report, March 2014 Police Activity report, and the March 2014 Water Distribution report. There is a Council Committee report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

SAFETY COMMITTEE report dated April 7, 2014 which recommends City Council adopt T 21-2014 as submitted.

Moved by Arndt and seconded by Johnson to accept the Safety Committee report dated April 7, 2014.

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

Yes – 6 No – 0

President Corcoran: The Safety Committee report has been accepted.

CORRESPONDENCE: None.

OLD BUSINESS:

President Corcoran: We have the City Council Correspondence Policy and as you know this went through committee and was submitted to us several weeks ago. We had to wait for the appropriate procedure to vote on that. So, right now I would like to have a motion to approve that policy.

Moved by Keenan and seconded by Arndt to accept and approve the City Council Correspondence Policy as amended.

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

Yes – 6

No – 0

President Corcoran: The policy has been approved and accepted. Moving on now, next up we have T 33.

NEW BUSINESS:

Ordinances and Resolution Submittals

Clerk of Council Smith:

T 33-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5090-2013 TO CORRECT A TYPOGRAPHICAL ERROR REGARDING THE ESTABLISHMENT OF REGULATIONS FOR UNATTENDED COLLECTION BINS.

(Introduced by Mayor Gillock)

President Corcoran: T 34.

Clerk of Council Smith:

T 34-2014 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1444 *BUILDING PERMITS AND FEES* AND CHAPTER 1446 *REGISTRATION OF CONTRACTORS*, BY ADJUSTING VARIOUS FEES TO REFLECT CURRENT COSTS.

(Introduced by Mayor Gillock)

President Corcoran: That will be referred to the Administrative Committee.

President Corcoran: T 35.

Clerk of Council Smith:

T 35-2014 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE/LEASE THREE NEW POLICE VEHICLES 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 \$95,481.00.

(Introduced by Mayor Gillock)

President Corcoran: T 36.

Clerk of Council Smith:

T 36-2014 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE OR HIS DESIGNEE TO PUBLICLY ADVERTISE AND RECEIVE BIDS FOR THE SALE OF CERTAIN ITEMS/EQUIPMENT THAT NO LONGER SERVE A MUNICIPAL PURPOSE; TO SEEK QUOTES FOR THE PURCHASE OF A NEW E351 T4 ZTS BOBCAT COMPACT EXCAVATOR AND AUXILIARY EQUIPMENT; TO HAVE THE SELLING

PRICE OF THE BACKHOE CREDITED AGAINST THE PURCHASE PRICE OF THE E35I T4 ZTS BOBCAT COMPACT EXCAVATOR AND AUXILIARY EQUIPMENT; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED \$44,000.00 (GROSS SALE PRICE).

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Butkowski to suspend the By-laws to allow T 36 to have a first reading.

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

Yes – 6

No – 0

President Corcoran: T 36 is now moved to first readings. T 37.

Clerk of Council Smith:

T 37-2014 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A \$650 BOBCAT SKID-STEER LOADER AND APPURTENANCES FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR 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 \$58,000.00.

(Introduced by Mayor Gillock)

President Corcoran: T 38.

Clerk of Council Smith:

T 38-2014 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A 4-TON FALCON ASPHALT RECYCLER AND HOT BOX TRAILER AND APPURTENANCES FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR 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 40,000.00.

(Introduced by Mayor Gillock)

President Corcoran: T 39.

Clerk of Council Smith:

T 39-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO HB ENGINEERING IN THE AMOUNT OF \$4,020.00.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Boose to suspend the By-laws to give T 39 a first reading.

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

Yes – 6 No – 0

President Corcoran: T 39 is now added to first readings. T 40.

Clerk of Council Smith:

T 40-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE SHAMROCK COMPANIES, INC. IN THE AMOUNT OF \$6,477.36.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Johnson to suspend the By-laws to give T 40 a first reading.

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

Yes – 6 No – 0

President Corcoran: T 40 is now added to first readings. T 41.

Clerk of Council Smith:

T 41-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO FIRSTMERIT BANK N.A. IN THE AMOUNT OF \$3,841.96.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to suspend the By-laws to give T 41 a first reading.

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

Yes – 6 No – 0

President Corcoran: T 41 is now added to first readings.

RECESS:

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

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

Yes – 6 No – 0

President Corcoran: Moving on to first readings. First up we have T 27.

FIRST READINGS:

Clerk of Council Smith:

T 27-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF TIMBER RIDGE SUBDIVISION PHASE 3 AND PHASE 4 FOR RECORDING PURPOSES ONLY.

(Introduced by Mayor Gillock 4/7/14)

President Corcoran: T 36.

Clerk of Council Smith:

T 36-2014 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE OR HIS DESIGNEE TO PUBLICLY ADVERTISE AND RECEIVE BIDS FOR THE SALE OF CERTAIN ITEMS/EQUIPMENT THAT NO LONGER SERVE A MUNICIPAL PURPOSE; TO SEEK QUOTES FOR THE PURCHASE OF A NEW E35I T4 ZTS BOBCAT COMPACT EXCAVATOR AND AUXILIARY EQUIPMENT; TO HAVE THE SELLING PRICE OF THE BACKHOE CREDITED AGAINST THE PURCHASE PRICE OF THE E35I T4 ZTS BOBCAT COMPACT EXCAVATOR AND AUXILIARY EQUIPMENT; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED \$44,000.00 (GROSS SALE PRICE).

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Arndt to dispense with the second and third readings for T 36.

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

Yes – 6

No – 0

Moved by Boose and seconded by Arndt to adopt T 36.

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

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5121-2014.**

Yes – 6

No – 0

President Corcoran: T 39.

Clerk of Council Smith:

T 39-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO HB ENGINEERING IN THE AMOUNT OF \$4,020.00.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Johnson to dispense with the second and third readings for T 39.

President Corcoran: Are there any comments or questions?

Councilwoman Butkowski: Mr. Chairman, this vendor has done this repeatedly for a long time and I'm glad to see that the Mayor wrote a letter and I hope that this is the last one that we receive from this vendor because a few years ago, he was doing this constantly. He hasn't been doing it lately, but he is back at doing it again. Thank you very much for writing that letter and I will be voting no on it.

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

Clerk of Council Smith: Measure passed unanimously and becomes . . .

Councilman Arndt: Correct me if I'm wrong but aren't we voting on dispensing with the second and third reading?

President Corcoran: Yes, that was, I'm sorry.

Clerk of Council Smith: It wasn't a motion to adopt?

Councilman Arndt: No, but I will make that motion.

Councilwoman Butkowski: And it wasn't passed unanimously as I voted no.

President Corcoran: The dispensing of the second and third readings has passed with a vote of five to one.

Yes – 5 No – 1 (Butkowski)

Moved by Arndt and seconded by Johnson to adopt T39.

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

Clerk of Council Smith: Measure passed with one no vote and the remaining in the affirmative. It becomes **Resolution number 1303-2014.**

Yes – 5 No – 1 (Butkowski)

President Corcoran: T 40.

Clerk of Council Smith:

T 40-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE SHAMROCK COMPANIES, INC. IN THE AMOUNT OF \$6,477.36.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Johnson to dispense with the second and third readings for T 40.

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

Yes – 6 No – 0

Moved by Arndt and seconded by Johnson to adopt T 40.

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

Clerk of Council Smith: Measure passed unanimously with one absentee and becomes **Resolution Number 1304-2014.**

Yes – 6 No – 0

President Corcoran: T 41.

Clerk of Council Smith:

T 41-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO FIRSTMERIT BANK N.A. IN THE AMOUNT OF \$3,841.96.

(Introduced by Mayor Gillock)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 41.

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

Yes – 6 No – 0

Moved by Johnson and seconded by Butkowski to adopt T 41.

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

Clerk of Council Smith: Measure passed unanimously and it becomes **Resolution Number 1305-2014.**

Yes – 6 No – 0

President Corcoran: That is the end of our first readings.

SECOND READINGS: None.

THIRD READINGS: None.

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting will be held on Monday, May 5, 2014 at 7:30 P.M. in Council Chambers.


ADJOURNMENT:

President Corcoran: Is there anything to bring before the City before I adjourn the meeting? Seeing none, this meeting is adjourned. The meeting was adjourned at 8:00 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL