

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING JUNE 1, 2015**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, June 1, 2015 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

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

Also present was Mayor G. David Gillock, Safety-Service Director Jeffry Armbruster, 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 Council meeting minutes of May 18, 2015. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the April 22, 2015 Parks and Recreation Commission minutes and the May 18, 2015 Building and Lands Committee minutes.

Moved by President Corcoran and seconded by Arndt to bifurcate the lobby session to have two separate lobby sessions – the first designed to allow people to speak on items that are on the agenda this evening and a second lobby session before adjournment to allow for interaction between participants in the lobby session and the Council and Administration.

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

Yes – 7

No - 0

LOBBY (REGARDING AGENDA ITEMS ONLY):

President Corcoran: We are at the first lobby session. If you wish to speak to one of the items on the agenda for this evening, now is your opportunity to do so. This lobby session will be used for the items that are on the agenda this evening. Please come to the podium; state your name and address for the record. You will be given three minutes to talk about the topic that is on the agenda. There won't be any interaction at this session, but if you want interaction there will be plenty of time at the other lobby session. Is there anybody that would like to address Council during this first lobby session?

President Corcoran: Seeing none, we will move on then to the Administrator's reports.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. Just a quick couple items: this Wednesday evening, June 3rd, I want to bring to your attention the North Ridgeville Heart and Sole Challenge that our Parks and Recreation Department is involved in. This Wednesday at South Central Park – we will have Cary Borland, a doctor from Cleveland Clinic along with Stacy Slack – athletic trainer, will be in attendance. There will be a casual thirty minute walk preceded by brief informative talk by those professionals and all members of the community are welcome. Again, that is at South Central Park this Wednesday, June 3rd at 6:00 P.M.

Also, this weekend, June 6 at 10:00 A.M., we will have touch-a-truck from 10:00 A.M. to noon at the North Ridgeville High School parking lot. We will have all kinds of big trucks there. You can register at the Parks and Recs Department. Age's two to ten will get a big kick out of it being able to touch the vehicles. Again, the City is invited. That is at the North Ridgeville High School parking lot this Saturday, June 6 from 10:00 A.M. to 12:00 P.M. Thank you Mr. President.

President Corcoran: Thank you Mr. Mayor. Mr. Safety-Service Director.

B. Safety-Service Director: This past weekend in a twenty-four hour period we had 2.4-2.8 inches of rain which is a substantial amount of rain. French Creek took in over fourteen million gallons that day. Our normal flow down there is 5.5-6 million gallons. It is more than double. We did not, that I am aware of, have any flooding within the community. There were a few phone calls but it was internal to their own home process. Our ditch cleaning and what we have been doing all along has substantially helped us out, especially when you get close to that three inches of rain in that period of time.

The long awaited Dura Patcher will be here this week. The first road will be Jaycox and we should be out there Friday using it. Also, the Street Department informed us today that fifth and the eighth which is this coming Friday and Monday – Center Ridge Road to Stone Creek including the intersection of Mills and Stoney will be stripped from the asphalt with the plan on coming back immediately and asphaltting that. It will come off Friday and Monday and they are going to do Tuesday – Thursday to put it back down. On the eleventh and twelfth, they are going to go down to Burns to the Avon border and rip off the asphalt and then pave right after that. The reason we are doing it that way is that when you get the machine in town, we want to use it fully. We don't want to have it just to strip and then come back and strip. It will save us some money. We are going to strip it off, have the trucks being able to bring the grindings back and then go back out and asphalt it. Working with Scott, the Mayor, myself and the Service Department made all the sense in the world to do it this way and keep that equipment here, get it done as quickly as possible and maximize that machine rather than load it back up on a flatbed and taking it back out and bringing it back.

We did have a water break today that had an impact on Center Ridge. It was minimal. We thought it was going to create some problems because it was right at Fiesta Jalapeno but they were able to get in there, put the bolts in and it was a very short period of time that those businesses were not able to use water. I commend the Water Department. When the Mayor came back, he saw the hole and said, how long is it going to take? I said; let's hope it doesn't take long. They have a plan and they were going to notify the businesses and it worked out well. We completed it in a very quick period of time. That completes my report.

President Corcoran: Thank you.

Mayor Gillock: It is where Fiesta Jalapeno used to be.

Councilman Keenan: Mr. President, a follow-up to the Safety-Service Director – that nice outline of the grinding, is that going to be on our website-that schedule?

Safety-Service Director Armbruster: We certainly can do that.

Councilman Keenan: That would be sure appreciated.

Safety-Service Direct Armbruster: Remember, this is weather related to.

Councilman Keenan: I understand that.

Councilman Boose: Mr. President? Jeff and the Mayor, I just wanted to say, not the mention of the almost three inches of rain and no flooding in the City, I don't want that to pass by. That is tremendous. There are sometimes, not too long ago, that we might not have been able to say that, and unfortunately, we have heard of flooding around us and in the area and very fortunate that we did not experience that. Sometimes it is just one cloud burst over a local area that can cause that. Again, I think it goes to what we have been trying to do for a long time. We stepped up our efforts. I just didn't want that to go unnoticed or under said because I think that is a huge accomplishment, so thank you.

President Corcoran: Mr. Wangler.

C. Engineer: Thank you Mr. President. Late last week, I received word from the Department of Transportation regarding our turnpike mitigation grant that we applied for – the turnpike had forty-one applications received requesting twenty-four million dollars with five million dollars to spread out. There was twenty percent funding there. We got recommendation for our grant to be granted at \$352,000 which wasn't what we fully wanted, but our grant was funded at fifty percent and I am thinking it was statewide funding at twenty percent – that is a pretty big victory for North Ridgeville. That concludes my report.

President Corcoran: That is good news. Thank you Mr. Wangler.

President Corcoran: Mr. Auditor.

D. Auditor: Thank you Mr. President. As you know, we have been awaiting the passage of T 69, T 72, T 86 and T 71 for the commitment or issuance of our BAN's. I will report that we do have a commitment for our BAN's that has a one percent coupon rate with a yield of .33%. We did well on the market. However, in order to pass these Ordinances, we are also going to need to pass the appropriation Ordinance that appropriates these monies. The appropriation Ordinance, T 94; the large majority of those dollars are related to the BAN's issue, but we did have a few housekeeping matters that we had to put in there as well. Council should have received the explanations of each line item of the appropriations and I would be glad to answer any questions when it has its first reading. I would request that be passed tonight with the emergency in order for us to pass the other Ordinances as discussed: T 69, T 72, T 86 and T 71 under old business. Also, you notice T 95 has been added to the legislation packet and that is for the transfer of funds from the General Fund to streets. We did appropriate that during the March appropriation meetings. We do know we are going to need those monies for the Street Department to operate, Service Department to operate and I do request that also be passed tonight, hopefully with the emergency, as the Service Department is already in the negative on funding. We will need to pass that with the emergency to provide the funding to operate in our Streets Department. That concludes my comments. Thank you.

President Corcoran: T 71, we don't have to pass T 94 before T 71, do we?

Auditor Costin: You just need to pass it in the same meeting.

President Corcoran: Just want to make sure. Thank you Mr. Costin.

E. Other Reports:

President Corcoran: We have the April 2015 Building Department report, the April 2015 Police Department report and the May 2015 Parks and Recreation Director's report.

President Corcoran: There is a Council committee report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

BUILDING AND LANDS COMMITTEE REPORT dated May 18, 2015 which recommends City Council adopt T 61 and T 63 as amended by the Committee.

Moved by Olesen and seconded by Butkowski 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. Moving on to correspondence – we have three.

CORRESPONDENCE:

Clerk of Council Smith:

- A memo dated May 14, 2015 from Engineer Scott Wangler regarding suggested final acceptance of the Hampton Place Subdivision Phase 2.
- A letter dated May 19, 2015 from the Lorain County Public Library System enclosing the 2014 North Ridgeville Library Financial report.
- A letter dated May 28, 2015 from Parks and Recreation Director, Kevin Fougousse, requesting \$1,600 from the Parks and Recreation Improvement Fund to install concrete bases around the new fitness equipment at South Central Park.

Moved by Boose and seconded by Johnson to approve the expenditure on behalf of the Park and Recreation Department of \$1,600 from the Parks and Recreation Improvement Fund to install concrete bases around the new fitness equipment around South Central Park.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, just a notation that the Parks and Recreation Commission did review and approve this recommendation at their last meeting. Also, the concrete work will be performed by the City of North Ridgeville Service Department. Thank you.

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

Yes – 7

No – 0

President Corcoran: That has been approved. Moving on now to old business. We have T 71.

OLD BUSINESS:

Clerk of Council Smith:

T 71-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE SERVICES FOR THE OLIVE AVENUE, LEWIS STREET, BRANCH STREET AND CROSS STREET WATER MAIN REPLACEMENTS INCLUDING APPURTENANCES, NOT TO EXCEED \$100,000.00.

Moved by Johnson and seconded by Boose to adopt T 71.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5246-2015**.

Yes – 7 No – 0

President Corcoran: Moving on to new business.

NEW BUSINESS:

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 94-2015 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5213-2015 OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015.
(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Olesen to suspend the By-laws to give T 94 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 94 has now been added to first reading. T 95.

Clerk of Council Smith:

T 95-2015 A RESOLUTION APPROVING TRANSFERS FROM THE GENERAL FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO.
(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Olesen to give T 95 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 95 will have a first reading. T 96.

Clerk of Council Smith:

T 96-2015 AN ORDINANCE AMENDING ORDINANCE NO. 4980-2012 REGARDING THE CITY'S INVESTMENT POLICY.
(Introduced by Mayor Gillock)

President Corcoran: T 97.

Clerk of Council Smith:

T 97-2015 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN THE HAMPTON PLACE SUBDIVISION, PHASE 2, AND DEDICATING THEM FOR PUBLIC PURPOSES.

(Introduced by Mayor Gillock)

President Corcoran: T 98.

Clerk of Council Smith:

T 98-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR RECONSTRUCTION AND RESURFACING, AND OTHER APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT ROADWAYS, NOT TO EXCEED \$200,000.00.

(Introduced by Mayor Gillock)

Councilman Olesen: Is this something we should have done because this is the season to do this work, right now?

President Corcoran: You are right about the season. Mr. Armbruster? Mr. Mayor?

Safety-Service Director Armbruster: We need to move forward as fast as we can because we don't want to get into inclement weather. We need to bid it out and get things going on that. I would like to see it move forward. It doesn't have to pass by emergency. We can get things moving.

Moved by Olesen and seconded by Butkowski to give T 98 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 98 will have a first reading.

RECESS:

President Corcoran: Would anyone like a recess?

Moved by Butkowski 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 we have T 94.

FIRST READINGS:

Clerk of Council Smith:

T 94-2015 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5213-2015 OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015.

(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 94.

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 94.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 94 in order to meet the financial needs for the City and for the health, safety and welfare of the citizens of the City of North Ridgeville.

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 – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5247-2015.**

Yes – 7 No – 0

President Corcoran: T 95.

Clerk of Council Smith:

T 95-2015 A RESOLUTION APPROVING TRANSFERS FROM THE GENERAL FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO.

(Introduced by Councilwoman Johnson)

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 95.

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 95.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 95 for the health, safety and welfare of the citizens of North Ridgeville and in order for the Streets Department to continue to operate.

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 – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1357-2015.**

Yes – 7 No – 0

President Corcoran: T 98.

Clerk of Council Smith:

T 98-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR RECONSTRUCTION AND RESURFACING, AND OTHER APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT ROADWAYS, NOT TO EXCEED \$200,000.00.

(Introduced by Mayor Gillock)

Moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 98.

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

Yes – 7 No – 0

Moved by Olesen and seconded by Butkowski to adopt T 98.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5248-2015.**

Yes – 7 No – 0

President Corcoran: That is the end of first readings. Moving on to second readings. We have T 65 Amended.

SECOND READINGS:

Clerk of Council Smith:

T 65-2015 Amended AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1294, *SUPPLEMENTARY REGULATIONS*, BY EXEMPTING SERVICE STATION AND OTHER SIMILAR COMMERCIAL OR BUSINESS-USE CANOPIES FROM SETBACK REQUIREMENTS.

(Introduced by CBO Guy Fursdon; Referred to B&L on 04/06/2015; B&L on 04/20/2015; Report accepted on 05/04/2015; First reading 05/18/2015; Amended by substitution 05/18/2015)

President Corcoran: T 84.

Clerk of Council Smith:

T 84-2015 AN ORDINANCE AMENDING ORDINANCE NO. 5176-2014 REGARDING THE CLEANING AND GRIT SLUDGE DISPOSAL OF COMPLETE MIX TANKS 1 AND 3 AND CLEANING OF THE CLARIFIER TANKS AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE AMOUNT FROM \$160,000.00 TO \$250,000.00.

(Introduced by Mayor Gillock; First reading 05/18/2015)

Moved by Mayor Gillock and seconded by Keenan to dispense with the third reading for T 84.

President Corcoran: I know we said it last time, just for anybody who wasn't here last time; could you explain why it went up again?

Mayor Gillock: This is to correct the problem we have in front of French Creek and Abbe Road where the major sewer interceptors come together in an ninety degree angle. It is deteriorating very rapidly and is in danger of collapsing. We want to put in a line at a forty-five degree angle which will reduce the turbulence and turmoil and help the water move quicker. We went out for bid for this and this is our third time or fourth time – fourth time I believe, that the bids have always been higher than our estimates by more than ten percent. Last time we went out and we went ahead and got the bid. The bid is done. This will cover the bid and allow us to move forward with the project.

President Corcoran: Thank you.

Councilman Keenan: Mr. President, Mr. Mayor – which one are we doing?

Mayor Gillock: T 84.

Councilman Keenan: Okay, this is regarding the cleaning and grit sludge disposal of complete mix tanks one and three and cleaning of the clarifier tanks. I have to ask for clarification.

Mayor Gillock: You are correct. This is not that Ordinance.

Safety-Service Director Armbruster: This project - we went out for BAN's and we are going

through the process. The complete mix tanks need cleaned out and hopefully we will get them done before winter. In the process, it went from \$160,000 to \$250,000. We started this project a year ago, putting it together; costs have gone up and we received better estimates from the engineers as to what it will cost. We have a better feel for what is in the tanks. There is the differential between \$160,000 and \$250,000. The quicker we can move on this project as well as the project the Mayor spoke to with regard to the T – they are intermixing together out at French Creek. You have to realize we have so many projects going out there. Luckily, they have some money and we have the ability to borrow money against what we have out at French Creek. That is the reason why it went from \$160,000 to \$250,000.

Mayor Gillock: We did bid this once before. We had one bid way outside the parameters and rebid it. We had two bids and one was within the parameters.

Councilman Boose: We have already approved this new amount in appropriations earlier this year. This isn't new but it is good for the audience and people at home to know why the cost had gone up.

President Corcoran: We had spoken on this issue last time and I didn't want to just blow by it without explaining again why it went up so much.

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

Yes – 7

No – 0

Moved by Boose and seconded by Butkowski to adopt T 84.

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

Clerk of Council Smith: The motion passes unanimously and becomes **Ordinance number 5249-2015**.

Yes – 7

No – 0

President Corcoran: T 87.

Clerk of Council Smith:

T 87-2015 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 THE JAYCOX ROAD PHASE 1 RECONSTRUCTION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$585,573.00.

(Introduced by Mayor Gillock; First reading 05/18/2015)

Councilman Olesen: Mr. President, do we want to move this along?

Councilman Boose: Yes.

President Corcoran: Yes.

Councilman Boose: No?

President Corcoran: No?

Councilman Boose: Can I ask why?

Auditor Costin: We do have approval from OPWC subject to funding and that will be verified starting their new fiscal year July 1st is my understanding. If we were to bid, the Mayor can bid the contract anyway, but if we were to expend monies and for any reason there wasn't any monies, that would be at our cost. So the wise thing to do would be to postpone this until July...

Mayor Gillock: We can still use our reimbursement.

Auditor Costin: Well, that is what we talked about last meeting.

Engineer Wangler: Yeah, my goal was to have all the procedural things in place knowing that the money end cannot start until July 1st, but I guess my goal would be July 2nd to start. Whatever I get done legally ahead of time would be my preference. I'll defer to the other parties as to what is legal.

Councilman Boose: Mr. President, since we have another meeting this month, would the third reading would suffice or even then we are going to wait until July to pass it?

Engineer Wangler: I don't get the money until July 1st.

Councilman Boose: I just don't want to delay the project. I don't want this to be done in the winter.

Mayor Gillock: The total project is \$585,573.00. We are receiving a grant from OPWC for \$345,488.00 which we still have to approve - that is T 88 to agree to accept that grant. I see no reason why we would not. We are going to get \$345,000.00. That leaves \$240,000 of our own money that we have to put in for the project - \$240,085.00. We should be using that portion of the money, our money, to get the engineering done now. We cannot go to bid until July 2nd. If we wait until July 2nd to start the engineering, you are going to be in August and then you will have to bid it and it will be September. So you have to get moving on this. We can use our money or our portion to pay for the engineering.

Councilman Boose: Would it be okay then to have a motion to dispense with the third reading and pass it? Do you need the emergency? No? You do need the emergency?

Moved by Boose and seconded by Butkowski to dispense with the third reading for T

87.

Mayor Gillock: Mr. President, just for clarification, although the Ordinance authorizes to advertise for bids and enter into a contract – we will not enter into a contract until after July, but we can still go ahead and do the engineering and prepare to go to bid.

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

Yes – 7

No – 0

Moved by Boose and seconded by Butkowski to adopt T 87.

Moved by Boose and seconded by Butkowski to add the emergency clause to T 87 in order to move the project along.

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 – 0

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

Clerk of Council Smith: The motion passes unanimously and becomes **Ordinance number 5250-2015**.

Yes – 7

No – 0

President Corcoran: T 91.

Clerk of Council Smith:

T 91-2015 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 KUBOTA RTVX1100 CW UTILITY VEHICLE AND ANY AUXILIARY EQUIPMENT TO BE USED AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT; TO HAVE THE SELLING PRICE OF THE 2010 KUBOTA RTV1100 X UTILITY VEHICLE BE CREDITED AGAINST THE PURCHASE PRICE OF THE KUBOTA RTVX1100 CW UTILITY VEHICLE; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED \$20,000.00 (GROSS SALE PRICE).

(Introduced by Mayor Gillock; First reading 05/18/2015)

President Corcoran: T 93.

Clerk of Council Smith:

T 93-2015 PID NO. 82632; PROJECT NAME: LOR USR 20-22.19
AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO
DEPARTMENT OF TRANSPORTATION TO WIDEN 2.32 MILES OF
CENTER RIDGE ROAD FROM THREE LANES TO FIVE LANES FROM
STONE RIDGE ROAD TO LEAR NAGLE ROAD IN THE CITY OF NORTH
RIDGEVILLE, OHIO.
(Introduced by Mayor Gillock; First reading 05/18/2015)

President Corcoran: That is the end of second readings. Moving on to our third readings. We have T 67.

THIRD READINGS:

Clerk of Council Smith:

T 67-2015 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 Mayor Gillock; First reading 05/04/2015; Second reading 05/18/2015)

Moved by Olesen and seconded by Butkowski to adopt T 67.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5251-2015**.

Yes – 7

No – 0

President Corcoran: T 68.

Clerk of Council Smith:

T 68-2015 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 Mayor Gillock; First reading 05/04/2015; Second reading 05/18/2015)

Moved by Olesen and seconded by Butkowski to adopt T 68.

President Corcoran: Are there any comments or questions?

Councilman Keenan: Mr. President, I would just simply like if you would even speak to these TIF's that we are doing again. I know we have been passing these and yet, not everybody tunes in every week. It is just possible this slipped under the radar for some people but this is a pretty big deal for the City of North Ridgeville.

President Corcoran: It is an opportunity to collect tax revenue that we are currently giving up when we send our tax monies to the county. They don't really necessarily come back here. The TIF's are designed to capture that money that would normally go to the county and keep it within the City. It allows us to use that money for infrastructure purposes. It captures increases in commercial tax money and that is a big deal. The reason why you hear the schools mentioned in the title and the body of the Ordinances is because the schools don't lose out in the transactions. It is a little bit more of a process for them to get their money but they still get the same amount of money as if nothing was in place. These are extremely beneficial to the City. They will help us with all of our infrastructure within the community. They are also a good economic development tool to use for all those properties that are affected. We've passed, I believe this is the sixth one if I remember correctly, and there will be several more still to come. We will blanket the City as best as we can wherever there is property that can be commercially developed.

Law Director Crites: I think that it is a fact that is lost on people is that this is not a new tax. It is simply a redirection of taxes which are already imposed and would be imposed.

President Corcoran: The only time it goes into effect is for an increase in taxes for whatever reason on commercial property. That tax money would be paid by the property owner regardless. It is not extra taxes. It is the value of the property going up that generates the extra taxes, not the TIF. There is not extra money coming out of the pocket of anybody, but it benefits the City in the long run.

Councilman Keenan: Thank you.

President Corcoran: Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5252-2015**.

Yes – 7

No – 0

President Corcoran: T 69.

Clerk of Council Smith:

T 69-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT(S) ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER(S) FOR THE PURCHASE OF A NEW UV DISINFECTION SYSTEM AND APPURTENANCES, SUPPORT BUILDING AND NEW PAVED DRIVEWAY AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$1,600,000.00.

(Introduced by Mayor Gillock; First reading 05/04/2015; Second reading 05/18/2015)

Moved by Butkowski and seconded by Olesen to adopt T 69.

Safety Service Director Armbruster: The UV system needs to be in place and operational, it seems like a long time, but by May of 2016. If we can move this along as quickly as possible, we can really put the pressure back on French Creek rather than waiting for City Council. It gives us eleven months starting in June to get this project off the ground. We had to wait for BAN's to be sold and they are sold at this point.

Moved by Butkowski and seconded by Olesen to add the emergency clause to T 69 in order to get the project started.

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 – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5253-2015**.

Yes – 7 No – 0

President Corcoran: T 72.

Clerk of Council Smith:

T 72-2015 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 THE CENTER RIDGE ROAD WIDENING SANITARY SEWER PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,000,000.00.

(Introduced by Mayor Gillock; First reading 05/04/2015; Second reading 05/18/2015)

Moved by Johnson and seconded by Olesen to adopt T 72.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause to T

72 in order to install the sewer before the Center Ridge Road construction project begins.

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 – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5254-2015**.

Yes – 7 No – 0

President Corcoran: T 86 Amended.

Clerk of Council Smith:

T 86-2015 Amended AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS AND SPECIFICATIONS FOR THE JAYCOX ROAD EXTENSION DESIGN INCLUDING APPURTENANCES, NOT TO EXCEED \$180,000.00.

(Introduced by Mayor Gillock; First reading 05/04/2015; Amended on the floor on 05/04/2015; Second reading 05/18/2015)

Moved by Butkowski and seconded by Boose to adopt T 86 Amended.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5255-2015**.

Yes – 7 No – 0

President Corcoran: T 88

Clerk of Council Smith:

T 88-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A GRANT IN THE AMOUNT OF \$345,488.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE JAYCOX ROAD PHASE 1 ROADWAY RECONSTRUCTION PROJECT.

(Introduced by Mayor Gillock; First reading 05/04/2015; Second reading 05/18/2015)

Moved by Boose and seconded by Butkowski to adopt T 88.

Councilman Keenan: Mr. President, would the emergency be appropriate in this case so we

could collect the monies as quickly as possible?

Mayor Gillock: Mr. President? Yes it would because even though we can't get the money until July 1st, we will have to sign the agreement and advance that. We need the emergency to be able to sign the agreement prior to July 1st.

Moved by Keenan and seconded by Boose to add the emergency clause to T 88 in order to sign the agreement prior to July 1st.

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 – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5256-2015**.

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: There will be an Administrative Committee meeting on **Monday, June 15, 2015 at 6:45 P.M.** to discuss T 89 and T 90 in Council Chambers. The next regular Council meeting will be on **Monday, June 15, 2015 at 7:30 P.M.** in Council Chambers.

President Corcoran: This brings us to our second lobby session of the meeting.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS):

President Corcoran: This is your opportunity to address the items of your concerns within the City to Council. This gives us an opportunity to respond to your concerns. If you wish to address Council, please approach the podium and state your name and address for the record and ask away. You will still be given three minutes to speak on the topic of your choice.

Maria Sycz, 7227 York Crescent: stated the Service Garage property has not been kept up. The detention basin over the years has become atrocious with large amounts of algae and odor. Ms. Sycz stated there are piles of debris, junk vehicles and dilapidated tents and fences on the property. Ms. Sycz wondered why the City was exempt from its own rules.

Councilman Boose: Mr. President? Can we ask the Administration if there are any plans to have that cleaned up or have the pond addressed?

Safety-Service Director Armbruster: What seems to be very simple when you come to the retention basis has become fairly difficult. We've had many conversations with the neighbors and that is true. It was a year ago. We've tried to clean it up as best as possible. We are talking

about the retention basin. We find that we are very much behind the eight ball because we are on solid rock. When we try to pump it out; I can suggest this – rather than me trying to explain everything to you, we will attempt to do just as the neighbors are. We have to recognize this – it is a Service Garage. It is operational. It is operational twenty-four hours a day sometimes and I understand. We cannot disconnect the beeping of the horns when you are going backwards because of safety issues. She did not ask us that. But we have been asked for that to happen. In the likes on a twenty-four hour basis when there are emergencies and we are in and out of there and honestly we do have issues that we need to address and we will address. We have been addressing those issues but yet, when you start with where we were a year ago to where we are now and possibly three or four years ago when you didn't have the salt dome and the other issues that we have got. Not issues – where we park our trucks inside, rather than now, it is becoming larger, because we are becoming a larger City. Unfortunately, it has not moved and it will be a Service Garage unless this Council or another Council decides that we move it someplace else. But at the present time, there is absolutely nothing I can say with regards that we will get it cleaned up, but it won't be pristine because of what it is.

William Noll, 8743 Harris Drive: stated the meeting the Mayor had on the 10th regarding Crosscreek was helpful. Mr. Noll stated the lots for the Creekside cluster subdivision are required to have at least sixty feet of right-of-way where the current preliminary plan shows fifty-five.

Councilman Boose: Mr. President, I'm not quite sure – to the Safety-Service Director or to whom – is there still; are they trying to get a variance to do that or how is that working through? I know the preliminary approval is done, but not the final.

Mayor Gillock: I would refer that issue to the Law Director in regards to the less than sixty foot required by the supplementary regulations. We have that in Waterbury, Ridgefield and Meadow Lakes so I will let him speak to it.

Law Director Crites: If I may Mr. President, I did issue an opinion, I believe, I don't recall if it was written or email Mr. Mayor – I copied you as well, I can't recall, there is a lot going on around here. In essence, Mr. Noll is exactly right; one provision does exist in our Code about the minimum frontage for properties in an R-1 District, but the cluster subdivision Ordinance was passed with the specific intention of creating a different vehicle to be able to do things differently in R-1 Districts. Since it did actually, the exact language escapes me, and I don't expect to recall it now, but the cluster subdivision Ordinance which is 1292 actually does discuss that in its preamble and other sections that it is meant to provide the flexibility to build clusters to make it different. It is never the history of the passage of the Ordinance been applied. The other supplemental regulations for the minimum frontage in R-1 have never been deemed to apply to cluster subdivisions in the history of the City. If it was deemed to apply, we would have two hundred, one hundred occupied homes in the City that would be grossly non-conforming. Throughout the City where clusters exist now, that minimum frontage – it couldn't happen. We couldn't have cluster subdivisions if you would have applied that minimum frontage. Historically and as a matter of interpretation of the language of the Ordinance itself and it is a

matter of sheer, practical common sense that frontage requirement applicable to standard R-1 throughout the City is not applicable to the 1292 clusters.

Councilman Boose: In your legal opinion then the less than sixty feet in a cluster is legal per our Ordinances?

Law Director Crites: Yes.

Councilman Boose: Thank you.

Councilman Keenan: Mr. President, may I ask the Law Director – does it seem appropriate to make a clarification to that supplemental that instead of the words that exist that we provide for an exemption. I mean, make it clear.

Law Director Crites: Yes, it is a lot of what we have been doing in the last twelve years and I couldn't agree more. If you would like me to, I can propose something. It can be a brief reference inside the supplemental regulation or a reference inside the cluster subdivision Ordinance, but it is always a good idea. Otherwise, people get misled or they have expectations that are unfortunately based on a foundation that is not accurate and makes for unhappy residents. I'll make a note to do it.

President Corcoran: Gene.

Gene Kleinholz, 7470 Root Road: expressed his disappointment in a plaque not being hung in North Ridgeville for a fallen firefighter from Elyria that died in North Ridgeville. Mr. Kleinholz stated it once hung in the North Ridgeville Fire Museum and was taken down. He would like to see it replaced.

President Corcoran: Gene, your time is up, I am sorry.

Moved by Boose and seconded by Arndt to allow the resident up to three more minutes.

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

Yes – 7 No – 0

Mr. Kleinholz continued reiterating his original thoughts.

Mayor Gillock: Mr. President, I might respond? We have discussed this issue for a long time. It was brought up. I sent a letter to Mr. Kleinholz earlier today with four letters attached to it from the North Ridgeville Firefighters Museum Committee, from the North Ridgeville Firefighters Union, from the North Ridgeville Fire Chief and the Elyria Fire Chief all in agreement that the best place to recognize and remember Mr. Hentz is in the Elyria Fire Department where he was employed and worked. At the request and behest of the people that work at the City of North Ridgeville – the firemen – this is what they want and I am inclined to go along with the desires

and wishes of our current firefighters, our leadership, the leader of the Elyria Fire Department - to put this plaque in the best place for Mr. Hintz so he could be honored and remembered for his service for what he did. This is why we moved it over there. We did offer to place it in the North Ridgeville Historical Museum, which apparently Mr. Kleinholz did not want... (interruption by Mr. Kleinholz)...please don't interrupt me Gene...

President Corcoran: Actually Gene...

Mayor Gillock: I'm only going by the information I am given by the fire department, the union; they indicated – so we are trying to put it in a place where he will be remembered and honored because he was not on our fire department. Our fire departments don't really know who he was. Those people over there remember him and tell stories about him. The Chief is appreciative of having it and that is why we made this decision. Thank you.

President Corcoran: Is there anybody else that would like to address Council this evening?


ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 8:41 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL